

County Health Department, the school district, the local fire district and any other body or agency which the Planning Board deems desirable or necessary. The Planning Board's reasonable expenses for planning, engineering or other professional consultation shall be chargeable to and reimbursable by the applicant.

- (3) A favorable report shall contain findings that the proposal does or will, if modified as stated in such report:
 - (a) Conform to the town's Comprehensive Plan.
 - (b) Meet the intent and objectives of a planned development as stated in this Article.
 - (c) Meet the general criteria stated in this Article.
 - (d) Achieve conceptual soundness in that it meets local and area-wide needs and it conforms to accepted design principles in the proposed functional roadway and pedestrian system, land use configuration, open space system and scale of its elements, individually and to one another.
 - (e) Provide adequate physical and human protective services and utilities available or proposed to be made available in the construction of the development.
- (4) If a plan is approved subject to modifications, such modifications shall be fully set forth in the report. If the plan is disapproved, the report shall clearly and fully state the reasons therefor.

D. Town Board action on sketch plan.

- (1) Upon receipt of a report from the Planning Board either approving or approving with modifications a proposed sketch plan, the Town Board shall set a date for a public hearing for the purpose of considering PD districting for the applicant's plan in accordance with the procedures established by the Town Law or other applicable law for such rezoning. Such public hearing shall be conducted within 60 days of the receipt of a favorable report from the Planning Board.
- (2) If the Town Board grants the PD districting, the Zoning Map^[1] shall be so noted. The Town Board may, if it feels such is necessary in its exercise of the police power, impose additional requirements or conditions upon the plan for the applicant to meet which may include, but shall not be limited to, visual and acoustical screening, land use mixes, order of construction and/or occupancy, pedestrian and vehicular circulation systems, availability of sites within the area for necessary public services, protection of natural and/or historic sites and other physical or social requirements.

[1] Editor's Note: The Zoning Map is on file in the office of the Town Clerk.

- (3) Conventional use and bulk regulations for the PD are replaced by the approved sketch plan, together with all modifications made a prerequisite for approval and all additional requirements and conditions imposed on the plan as further developed during final site plan or plat approval, in accordance with the procedures set forth in this Article.
- (4) If no application for site plan review is submitted within the twelve-month period following the creation of the PD District, the Town Board shall consider a Zoning Map amendment and may return the zoning classification of the property to its former status.

§ 219-96 Preliminary plan review.

A. Application for approval of a preliminary site plan or plat for a PD District shall be made to the Planning Board and shall include the following information prepared by a licensed engineer, registered architect and/or landscape architect:

- (1) All information required for a preliminary plat under the town's Land Subdivision Regulations.^[1]

Pheasant Hollow Solar Farm
2670 Phillips Road
Proposed -Solar Farm

2017-35/RA/177.-8-1.111

Steve Hart, Hart Engineering and land owner.

Mr. Hart spoke about the Laberge letter dated June 26, 2018, they are in concurrence with the letter, there were 9 trees added to the south side of the project. Which they have done per the latest plan and wonder if the board had any comments on this,

Mr. Laberge stated this is an application under the town solar law which uses the plan development process so the applicant works through different issues this this board then with his letter dated June 26, 2018 (see below) if the board feels so inclined the board can now turn this back to the town board for them to create the solar overlay district and then the applicant will have to come back to the planning board for site plan approval.

Mr. Johnson wanted to make sure the surety for construction, maintenance also for the removal have been established.

Mr. Laberge stated they have not, the items at the bottom of page 1 and at the top of page 2 of his letter dated June 26, 2018 are items that need to be nailed down for this board contemplation of site plan approval after the town board does their process. Mr. Hart needs to give us some numbers to review in terms of what the cost will be order to set a bond.

LaVoie moved, Aubin seconded a **NEGATIVE DECLARATION**.

6 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, LaVoie, Puccio, Shaughnessy

Oppose: None

Shaughnessy moved, Aubin seconded a favorable recommendation for the following special permit be sent to the Town Board review and approval a PD2 overlay:

6 Ayes, 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, LaVoie, Puccio, Shaughnessy

Oppose: None

June 26, 2018
VIA EMAIL & MAIL

Denise Mayrer, Chair
Town of Schodack Planning Board
265 Schuurman Road
Castleton, New York 12033

Re: Recommendation to Town Board
Pheasant Hollow Solar Farm
SPB #2017-35
Town of Schodack Planning Board

Dear Ms. Mayrer:

We are in receipt of revised materials for the above referenced application:

- Draft Site Lease Agreement.
- Coordinated Electric System Impact Review Report Dated 4/18/2018.
- Plan set consisting of 5 sheets last revised 6/6/18.

The project is subject to §219-39.3 of the Town's zoning law. As such the application must all comply with the process for planned developments in Article XII of the zoning law including referral by the Planning Board of the application to the Town Board for approval of the proposed PD-2 designation for the proposed utility scale solar collector system.

After review of the material submitted, we find the following:

- a) The plan conforms with the Town's Comprehensive Plan.
- b) The plan meets the plans and objectives and general criteria of 219-32.2 and 219-39.3.
- c) The plan concept is sound and meets local and area wide needs.
- d) The plan, when approved by the Planning Board, will provide adequate physical and human protections.

As such, we recommend the Planning Board transmit a favorable recommendation to the Town Board regarding creation of a PD-2 solar overlay zone. In addition, we further recommend the Planning Board issue a Negative Declaration under SEQRA based upon the enclosed EAF and the materials submitted.

The following outstanding items remain prior to the Planning Board's approval of the project pending the Town Board's favorable action on the project:

1. A copy of the executed lease agreement must be submitted.
- la
2. The applicant and the property owner must submit proof of insurance in an amount acceptable to the Town. Town shall be named a Certificate Holder and be provided notice if the policy is to be cancelled.
3. The following will be required during the construction and life of the facility:
 - a. Surety for construction and maintenance along with acceptable construction cost estimate;
 - b. Surety for removal; and
 - c. Annual documentation from the utility company that the facility is active.
4. The applicant has indicated that they are agreeable to a conservation easement for preservation of the open space. A draft easement should be submitted for review.
5. Nine more 6' high spruce trees should be added to the south side of the facility.

Please contact our office with any questions or comments on the above.

Very truly yours,
LABERGE GROUP

By: _____
Richard F. Laberge, P.E.
President

RFL: jkb
Enc.

C: Craig Crist, Esq., Planning Board Attorney w/enc.
David Harris, Supervisor w/enc.

J:\2017115\Correspondence\Mayrer Recommendation to TB_06-26-18.docx

~~Robert Scannell / Scannell Properties 2018-11/PD3/200.-6-1.3 & 200.-6-22.1
US Rt. 9
Proposed - Distribution Center~~

~~Steve Boisvert, McFarland and Johnson, was present for this meeting.~~

~~Mr. Boisvert spoke about the project and the minor changes, they met with DOT and they approved the proposed minor changes to the driveway configuration, a traffic impact study was done to reflect the changes approved by DOT. Another minor change was with ESFR sprinkler system which is Emergency suppression Fast Response sprinkler system designed~~

2018-195

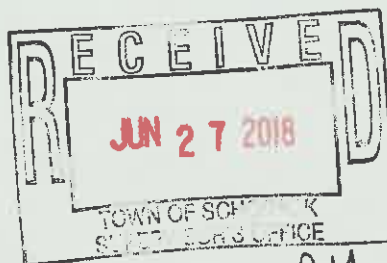
BREWER ENGINEERING ASSOCIATES, P.C.

CONSULTING ENGINEERS • PLANNERS

743 COLUMBIA TURNPIKE • EAST GREENBUSH • NEW YORK 12061 • (518) 477-5253

June 21, 2018

Hon. David B. Harris, Supervisor
Town of Schodack
Town Hall
265 Schuurman Road
Castleton, New York 12033



**RE: STRAWBERRY FIELDS - LOTS 29 TO 40
REVISED EASEMENT LOCATIONS
TOWN OF SCHODACK, NY**

Dear Supervisor Harris and Town Board Members:

On Monday, June 18, 2018 the Schodack Planning Board approved the subdivisions entitled Strawberry Fields Lots 21 - 28 and Strawberry Fields Lots 29 - 40. The subdivisions are an extension to the existing 20-lot Strawberry Fields development located off of Brookview Station Road to the west of South Old Post Road. The recently approved subdivisions are located on land owned by Richard Hines, as was the site of the original Strawberry Fields development. Mr. Hines resides on Brookview Station Road.

The new subdivisions will require the construction of a second stormwater detention basin, (there is an existing basin serving the original 20-lot Strawberry Fields development). Part of the existing stormwater system includes a drainage easement in which contains a drainage ditch that currently conveys stormwater discharge from the existing stormwater detention basin to a low area. The low area is the site of the proposed second stormwater detention basin.

The existing drainage ditch transverses lots 35, 39 and 40, Strawberry Fields Lots 29 - 40. The location of the existing drainage ditch on these three lots negatively affects the possibility of developing lots 35 and 39 as residential sites. It is intended to construct a drainage swale at a new location on Lot 35 which will allow for its residential development. This action will eliminate the easement crossing lots 40 and 49 and in addition create a direct route from the existing basin to the proposed basin.

In order to accomplish this, we ask the Board to consider rescinding the current approval of Easement "E" and approving Easement "M."

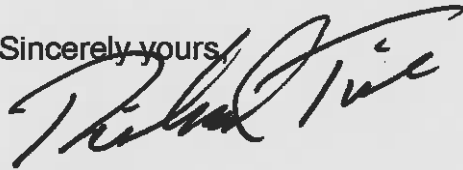
**STRAWBERRY FIELDS - LOTS 29 TO 40
REVISED EASEMENT LOCATIONS
TOWN OF SCHODACK, NY**

**JUNE 21, 2018
PAGE 2**

Enclosed is a copy of the subdivision entitled Strawberry Fields Lots 29 - 40, a copy of Easement "E" and Easement "M."

Thank you and the Board members for your assistance in this matter.

Sincerely yours,



**Richard Tice
Project Manager**

Enclosures

**cc: Nadine Fuda, Director Planning & Zoning
Town of Schodack
Richard Laberge, P.E., President
Laberge Group**

SCHEDULE "A"

"STRAWBERRY FIELDS"

DESCRIPTION OF STORM DRAINAGE EASEMENT "E"

(PERMANENT 30' WIDE STORMWATER DRAINAGE EASEMENT)

TOWN OF SCHODACK COUNTY OF RENSSELAER

STATE OF NEW YORK

JULY 19, 2010
REVISED - APRIL 4, 2011

All that tract, piece and parcel of land situate, lying and being in the Town of Schodack, County of Rensselaer, State of New York, and more particularly bounded and described as follows:

Commencing at the easterly most corner of the **STORMWATER DETENTION BASIN** run along the northeasterly line of the **STORMWATER DETENTION BASIN**, N68°-47'-19"W, a distance of 93.13 feet to a point, said point being the point-of-beginning for the herein to be described **EASEMENT "E" - PERMANENT 30' WIDE STORMWATER DRAINAGE EASEMENT**.

From said point-of-beginning continue run along the said northeasterly line of the lands of the **STORMWATER DETENTION BASIN**, N68°-47'-19"W, a distance of 30.55 feet to a point; Thence run the following eleven courses through the Lands of said Richard & Joyce A. Hines, (1) N32°-06'-24"E, a distance of 132.77 feet to a point; (2) Thence run, N08°-21'-46"W, a distance of 337.78 feet to a point; (3) Thence run, N21°-12'-41"E, a distance of 95.03 feet to a point; (4) Thence run, N57°-23'-16"E, a distance of 127.14 feet to a point; (5) Thence run, S61°-22'-56"E, a distance of 234.06 feet to a point; (6) Thence run, S28°-37'-04"W, a distance of 30.00 feet to a point; (7) Thence run, N61°-22'-56"W, a chord length of 216.31 feet to a point; (8) Thence run, S57°-23'-16"W, a distance of 99.59 feet to a point; (9) Thence run, S21°-12'-41"W, a distance of 77.31 feet to a point; (10) Thence run, S08°-21'-46"E, a distance of 340.92 feet to a point; (11) Thence run, S32°-06'-24"W, a distance of 138.06 feet to a point, said point being the

OK
RKL
4/11/11
1 of 2

**"STRAWBERRY FIELDS"
DRAINAGE EASEMENT "F"
TOWN OF SCHODACK, NY**

**JULY 19, 2010
REVISED - APRIL 4, 2011
PAGE 2**

said point-of-beginning for the herein described EASEMENT "E" - PERMANENT 30' WIDE DRAINAGE EASEMENT.

Said EASEMENT "E" - PERMANENT 30' WIDE STORMWATER DRAINAGE EASEMENT contains 0.62 acres, more or less.

It is the purpose of this conveyance to grant to the Town of Schodack, the Strawberry Fields Homeowners' Association, Inc. and/or assigns, an easement in, on and to the property herein described and to permit the Town of Schodack, the Strawberry Fields Homeowners' Association, Inc. and/or assigns the right of ingress and egress, the right to lay and maintain pipe lines, to construct and maintain ditching and take whatever steps it deems necessary or advisable in connection with maintaining drainage of surface and subsurface waters from surrounding areas. In addition this easement also restricts the grading and/or filling in the area occupied by this easement, excepting the Town of Schodack, the Strawberry Fields Homeowners' Association, Inc. and/or assigns.

SCHEDULE "A"

LOT 35, "STRAWBERRY FIELDS LOTS 29 - 40"

DESCRIPTION OF STORM DRAINAGE EASEMENT "M"

{PERMANENT 30' WIDE STORMWATER DRAINAGE EASEMENT}

TOWN OF SCHODACK

COUNTY OF RENSSELAER

STATE OF NEW YORK

FEBRUARY 23, 2018

All that tract, piece and parcel of land situate, lying and being in the Town of Schodack, County of Rensselaer, State of New York, and more particularly bounded and described as follows:

Beginning at a point located on the southwesterly right-of-way line of "Strawberry Fields Drive", "Strawberry Fields Lots 21 - 28", said point located on the northerly line of Lands of Richard D. Hines, said point being the northeasterly most corner of Lot 35, "Strawberry Fields Lots 29 - 40", said point being the northeasterly most corner of, and the point-of-beginning for the herein to be described **EASEMENT "M" - PERMANENT 30' WIDE STORMWATER DRAINAGE EASEMENT**.

From said point-of-beginning run along the said northerly line of the Lands of Richard D. Hines, S21°-12'-07"W, a distance of 302.19 feet, (Said course being along the southeasterly line of said Lot 35, "Strawberry Fields Lots 29 - 40"), to a point, said point being the southeasterly most corner of said of Lot 35, "Strawberry Fields Lots 29 - 40", said point being the easterly most corner of an existing Stormwater Detention Basin, "Strawberry Fields", said point being the southeasterly most corner of the herein described **EASEMENT "M"**; Thence run along the northeasterly line of said existing Stormwater Detention Basin, "Strawberry Fields", N68°-47'-53"W, a distance of 30.00 feet, to a point; said point being the westerly most corner of the herein described **EASEMENT "M"**; Thence run the following course through said Lot 35, "Strawberry Fields Lots 29 - 40", N21°-12'-07"E, a distance of 302.19 feet, to a point, said point located on the said southwesterly right-of-way line of "Strawberry Fields Drive", "Strawberry Fields Lots 21 - 28", said point being the northwesterly corner of the herein described **EASEMENT "M"**; Thence run along the said "Strawberry Fields Drive",

**LOT 35, "STRAWBERRY FIELDS LOTS 29 - 40"
STORM DRAINAGE EASEMENT "M"
TOWN OF SCHODACK, NY**

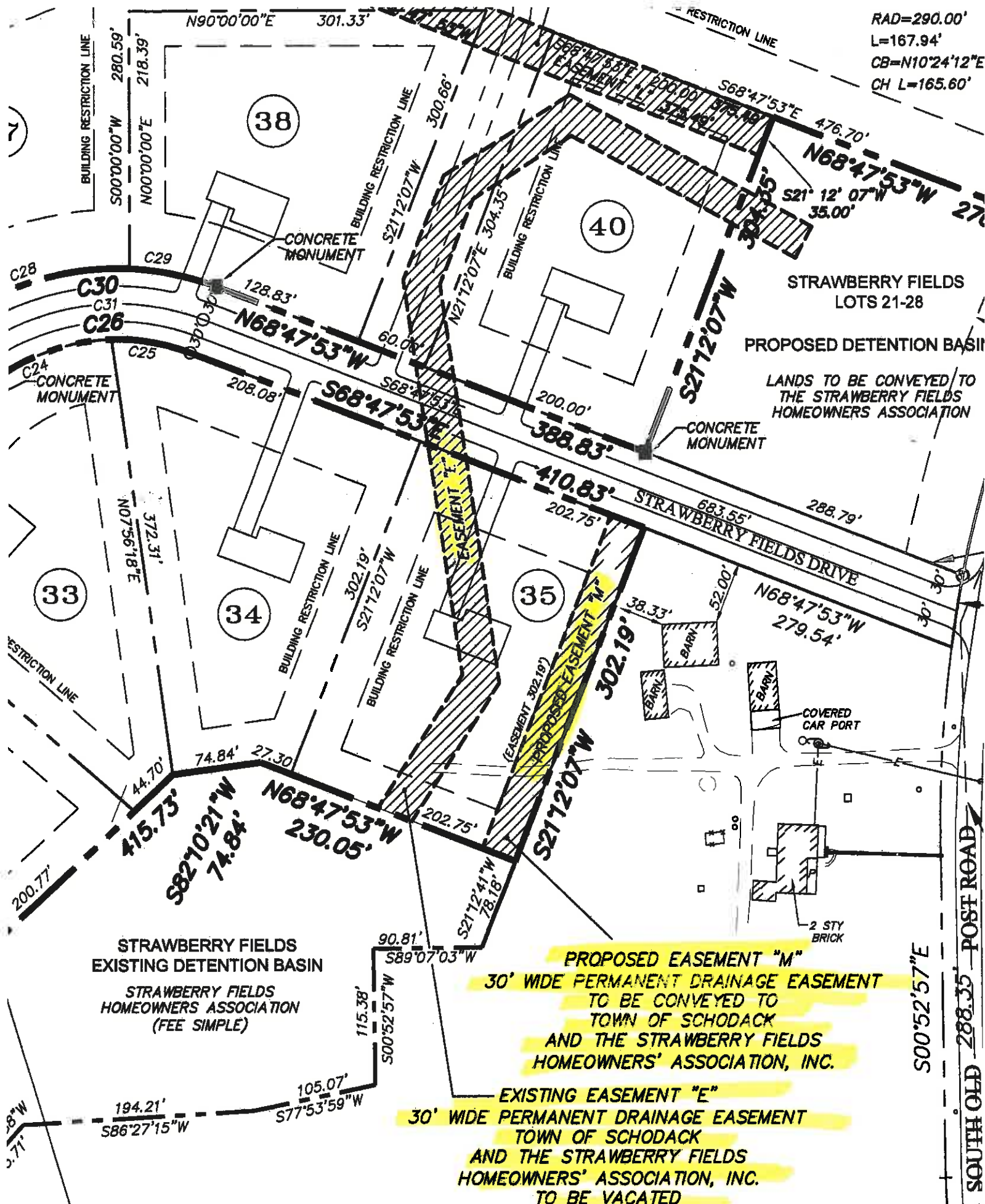
**FEBRUARY 23, 2018
PAGE 2**

"Strawberry Fields Lots 21 - 28", S68°-47'-53"E, a distance of 30.00 feet, to a point, said point located on the said northerly line of Lands of Richard D. Hines, said point being the said northeasterly most corner of Lot 35, "Strawberry Fields Lots 29 - 40", said point being the said northeasterly most corner of, and the said point-of-beginning for the herein described EASEMENT "M"- PERMANENT 30' WIDE STORMWATER DRAINAGE EASEMENT.

Said EASEMENT "M"- PERMANENT 30' WIDE STORMWATER DRAINAGE EASEMENT contains 9,066 square feet = 0.21 acres, more or less.

It is the purpose of this conveyance to grant to the Town of Schodack, the Strawberry Fields Homeowners' Association, and/or assigns, an easement in, on and to the property herein described and to permit the Town of Schodack, the Strawberry Fields Homeowners' Association, and/or assigns, the right to ingress and egress, the right to lay and maintain pipe lines, to construct and maintain ditching and take whatever steps it deems necessary or advisable in connection with maintaining drainage of surface and subsurface waters from the surrounding areas. In addition this easement also restricts the grading and/or filing in the area occupied by the easement, excepting the Town of Schodack, the Strawberry Fields Homeowners' Association, and/or assigns.

RAD=290.00'
L=167.94'
CB=N10°24'12"E
CH L=165.60'



STRAWBERRY FIELDS
LOTS 21-28
PROPOSED DETENTION BASIN
LANDS TO BE CONVEYED TO
THE STRAWBERRY FIELDS
HOMEOWNERS ASSOCIATION

STRAWBERRY FIELDS
EXISTING DETENTION BASIN
STRAWBERRY FIELDS
HOMEOWNERS ASSOCIATION
(FEE SIMPLE)

PROPOSED EASEMENT "M"
30' WIDE PERMANENT DRAINAGE EASEMENT
TO BE CONVEYED TO
TOWN OF SCHODACK
AND THE STRAWBERRY FIELDS
HOMEOWNERS' ASSOCIATION, INC.

EXISTING EASEMENT "E"
30' WIDE PERMANENT DRAINAGE EASEMENT
TOWN OF SCHODACK
AND THE STRAWBERRY FIELDS
HOMEOWNERS' ASSOCIATION, INC.
TO BE VACATED

STRAWBERRY FIELDS

SOUTH OLD POST ROAD
288.35'

2018-196

TOWN OF SCHODACK
EDUCATIONAL SEMINARS REQUEST

Pursuant to Resolution # 2010-044, the Supervisor is authorized to approve staff attendance at educational seminars if registration and expenses are deemed to be appropriately budgeted and do not exceed \$250 in the aggregate.

Please attach information about the seminar (i.e. agenda) include documentation to support each cost item, so that the Supervisor and/or Town Board can appropriately review.

Staff attending educational program: Paul W. Peter

Name of Seminar/Conf./Course: NYS Magistrates Assoc Conference
Location (Venue, City): Niagara Falls NY
Dates of Seminar: September 23-26, 2018
Cost of Seminar (Registration Fees): \$ 75.00

Travel Costs:	# of Miles	Rate of 1/1/17	Estimated Amount
Mileage -	<u>329</u>	<u>\$ 0.535</u>	<u>\$ 179.31</u>
<small>Please include a copy of mapquest to estimate total mileage - this will be used as a guideline when your actual mileage is submitted for reimbursement.</small>			
Train/Bus/Plane	<u>_____ Y _____ x _____ N</u>		
Town Vehicle	<u>_____ Y _____ x _____ N</u>		

Lodging:
 Name of Hotel/Motel: Sheraton Niagara Falls
 # of Rooms: 1
 # of Nights: 3
 Cost per night: 237.18
 Total Lodging Cost: \$ 711.55

Meals:
 Included in seminar cost: X Y _____ N
 Estimated cost if you answered no above: _____

Total estimated cost to attend: \$ 965.86
 Estimated cost per staff member*
(total cost divided by # of ppl attending)

Is the total cost budgeted? X Y _____ N

TB Resolution needed?*
 If Yes, please document resolution # #2018-196

Department Head Approval: Paul W. Peter

Supervisor Approval: _____

* If the estimated cost per staff member is > \$250, then a TB resolution is required. Please plan ahead. A resolution is required prior to any town obligation and/or payment for the seminar. Please attach this form and a copy of the resolution, if applicable, to all payment requests involving payment to a vendor or an employee reimbursement.

Note: Please make sure you bring the appropriate tax exemption forms with you. There is also a special tax-exempt form for hotels.

2018 (197 - 202)



18 CORPORATE WOODS BOULEVARD, SUITE 8
ALBANY, NEW YORK 12211

TRKLAW.COM

PHONE: (518) 465-9500

FAX: (518) 465-5112

ELECTRONIC SERVICE NOT ACCEPTED

WILLIAM F. RYAN, JR.
WILLIAM J. KENIRY*
ERIC N. DRATLER**
TRACY L. BULLETT
THOMAS R. FALLATI
BRIAN M. QUINN***
KEITH M. GOLDSTEIN****
ALEX J. MANOCCHI

*ALSO ADMITTED IN THE STATE OF MASSACHUSETTS

**ALSO ADMITTED IN THE STATE OF FLORIDA

***ALSO ADMITTED IN THE STATES OF CONNECTICUT & CALIFORNIA & DISTRICT OF COLUMBIA

****ALSO ADMITTED IN THE STATE OF CONNECTICUT

JOHN W. TABNER
(ADMITTED 1951-2018)
HON. WILLIAM H. KENIRY
RETIRED JUSTICE OF THE SUPREME COURT OF NY
OF COUNSEL

August 2, 2018

By E-Mail Only

Laura Palmer
Town of Schodack
265 Schuurman Road
Castleton-on-Hudson, New York 12033

Hon. Debra Curtis, Town Clerk
Town of Schodack
265 Schuurman Road
Castleton-on-Hudson, New York 12033

**Re: Town of Schodack Consolidated Water District 101, Ext. # 6;
Our File No.: 73501**

**Re: Town of Schodack Sewer District No. 6, Ext. #4
Our File No.: 73502**

Dear Laura and Debra:

With regard to the respective water and sewer district extensions transmitted you will find the following resolutions:

- A resolution authorizing the filing of the costs associated with the water district extension;
- A resolution reaffirming the Planning Board's status as lead agency in a coordinated review for the water district extension;
- A resolution scheduling the public hearing on the water district extension for August 23, 2018;

TABNER, RYAN & KENIRY, LLP

Laura Palmer

Hon. Debra Curtis

August 2, 2018

Page 2

-
- A resolution authorizing the filing of the costs associated with the sewer district extension;
 - A resolution reaffirming the Planning Board's status as lead agency in a coordinated review for the sewer district extension;
 - A resolution scheduling the public hearing on the sewer district extension for August 23, 2018.

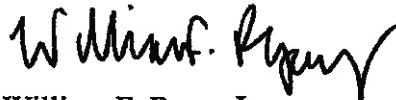
Please adopt the resolutions at the town board meeting on August 9, 2018 in the order presented within this letter.

Debra, on August 10, 2018 please post on the town clerk's bulletin board and on the town's webpage the notices of public hearing resolutions for both the water district and sewer district extensions. The Town Law requires that the posting and publishing of the public notices with regard to these matters must occur no less than 10 nor more than 20 days prior to the scheduled public hearings. Please have both notices for the water and sewer district extensions published in the Troy Record on August 11 or August 12, 2018. In addition, prior to the public hearings scheduled for August 23, 2018 please furnish me with the two affidavits of publication from the Troy Record with respect to both extensions. Prior to the public hearings for both extensions I shall provide you with affidavits of posting with respect to the town clerk's bulletin board and the webpage.

If you have questions about these instructions please let me know.

Very truly yours,

TABNER, RYAN & KENIRY, LLP



William F. Ryan, Jr.
Direct Dial: (518) 512-5303
wfr@trklaw.com

WFR:mcm

cc: Hon. David Harris, Supervisor (by e-mail only and w/enc.)

Steve Boisvert, P.E. (by email only and w/enc.)

Terresa Bakner, Esq. (by email only and w/enc. - tbakner@woh.com)

I:\Schodack, Town of\73501\LTCL\Laura Palmer - Debra Curtis_20180802_MCM.docx

73502
Sewer District No. 6,
Sanitary Sewer District Extension #4
Town of Schodack

**COUNTY OF RENSSELAER
TOWN OF SCHODACK
August 9, 2018**

WHEREAS, a map, plan and report have been prepared in such manner and in such detail as is required by Article 12 of the Town Law of the State of New York and a petition pursuant to Article 12 of the Town Law of the State of New York, relating to the establishment of Sewer District No. 6, Sanitary Sewer District Extension #4 in the Town of Schodack, County of Rensselaer, State of New York, has been filed in the Town Clerk's Office; and

WHEREAS, said map, plan and report was prepared by McFarland Johnson, competent engineers, duly licensed by the State of New York, showing boundaries of the proposed Sewer District Extension, general plan of the Sewer District Extension and an analysis showing the costs thereof and method of operation; and

WHEREAS, said map, plan and report shows all facilities, including mains, together with the location and the general description of all public works required including lands and easements to be acquired; and

WHEREAS, the improvements proposed consist of the installation of 4,200 lineal feet of 8" PVC sewer pipe, 21 sewer manholes, 1 sewer connection, 150 lineal feet for boring under Routes 9 & 20, and upgrading the existing pump station, in accordance with the map, plan and report now on file in the Office of the Town Clerk of the said Town of Schodack; and

WHEREAS, the maximum amount proposed to be expended for said improvements and/or acquisition of necessary lands is the sum of Six Hundred Eighty-Seven Thousand (\$687,000.00) Dollars; and

WHEREAS, said map, plan and report describing said improvements is on file in the Town Clerk's Office for public inspection; and

WHEREAS, operation and maintenance fees for the Sewer District Extension are estimated to be Seventeen Thousand Five Hundred Twenty and 00/100 (\$17,520.00) Dollars for the typical property located within the Sewer District Extension; and

WHEREAS, the hook up fee is estimated to be Forty-Five Thousand and 00/100 (\$45,000.00) Dollars and the building sewer inspection fee is Two Hundred and 00/100

(\$200.00) Dollars and the Sewer District Extension fee is Two Hundred Twenty-Five (\$225.00) Dollars;

NOW, IT IS HEREBY ORDERED, that the Town Board of the Town of Schodack shall cause to be filed for public inspection with the Town Clerk, a detailed explanation of how the estimated cost of hookup fees, and the cost of the district to the typical property has been computed and that an analysis of the computation of those costs is attached hereto as Exhibit A.

The foregoing was moved by

, and seconded by

AYES

NOES

David Harris
Michael Kenney
Scott Swartz
Jim Bult
Tracey Rex

Dated: August 9, 2018

CERTIFICATION OF TOWN CLERK

I, **DEBRA L. CURTIS**, the undersigned Clerk of the Town of Schodack,
Rensselaer County, New York, DO HEREBY CERTIFY:

That I have compared the foregoing copy of the minutes of the meeting of the
Town Board of said Town, including the resolution contained therein, held on the 9th day
of August, 2018, with the original thereof on file in my office, and that the same is a true
and correct copy of said original and of the whole of said original so far as the same
relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of
said Town this day of August, 2018.

Debra L. Curtis, Town Clerk

EXHIBIT "A"

also included. The pipe flow of the proposed sanitary sewer system is based off the actual water usage of these two similar facilities. The flow rate used in the sanitary sewer calculations is 6,000 GPD. The sanitary sewer slope value of 0.4% was determined from the 10 States Standards – Recommended Standards for Wastewater Facilities.

D. Conclusion

Presently, the Town of Schodack has an agreement with the Town of East Greenbush that allows Schodack to send up to 45,000 GPD into the East Greenbush sewer system. The Town of Schodack is currently discharging an average of 30,000 GPD into the East Greenbush system. The proposed Schodack Distribution Center is estimated to dispel 6,000 GPD into the system. Therefore, the capacity of the agreement with the Town of East Greenbush will allow the acceptance of the additional wastewater generated by the proposed Schodack Distribution Center.

Section 3: Financing

Scannell Properties will be financing the installation of the proposed sanitary sewer system. A cost estimate of the proposed work is included in Appendix 4. No debt will be issued by the town for this project.

Section 4: Sanitary Sewer District Extension

The project site is located near Sewer District No. 6, but is currently not within the District as shown in Appendix 1. This proposed Sewer District Extension would extend the District to encompass the project site pending the approval of the Schodack Town Board, the NYS Department of Health, and the NYS Department of Environmental Conservation. The map shown in Appendix 2 shows the land to be included within the Sewer District. The typical property within the proposed Sewer District Extension is an approximate 1,000,000 square-foot Sales Distribution Center.

Section 5: User Cost and Connection Fees

The property to be added to Sewer District No. 6 will become a rate payer under the district.

The Town of Schodack's building sewer inspection permit fee is \$200 (estimate 4 inspections @ \$50 each) and the sewer district connection fee is \$225 for a total of \$425.00 to the Town of Schodack.

In accordance with the 5/27/2004 Intermunicipal Sewer Agreement with the Town of East Greenbush, the Town of Schodack collects a one-time hookup fee based on 60% of the anticipated water usage for the new or expanding business, divided by four hundred gallons per day, and multiplied by five thousand dollars. The proposed water usage for the project is estimated to be 6,000 GPD. Therefore, the one-time East Greenbush hookup fee, as per the above formula, is calculated to be:

$6,000 \text{ GPD} * 0.60 / 400 \text{ GAL} * \$5,000 = \$45,000.00$ one-time fee.



Current Town quarterly operations and maintenance charges are \$8.00 per 1,000 gallons used, billed approximately one week after the end of each calendar quarter. Based on the gallons per day, this would result in an annual sewer usage fee for the typical property of:

$6,000 \text{ GPD} * 365 \text{ Day} / 1,000 \text{ Gal} * \$8.00 = \$ 17,520$ per year for the Distribution Center.

Section 6: Conclusion

This report concludes that the Town of Schodack Sanitary Sewer District No. 6 has the capacity to accept the additional wastewater from the proposed Sewer District Extension.

73502
Sewer District No. 6,
Sanitary Sewer District Extension #4
Town of Schodack

**RESOLUTION LEAD AGENCY
COUNTY OF RENSSELAER
TOWN OF SCHODACK
August 9, 2018**

WHEREAS, a map, plan and report have been prepared in such manner and in such detail as is required by Article 12 of the Town Law of the State of New York and a petition pursuant to Article 12 of the Town Law of the State of New York, relating to the establishment of Sewer District No. 6, Sanitary Sewer District Extension #4, in the Town of Schodack, County of Rensselaer, State of New York, has been filed in the Town Clerk's Office for public inspection; and

WHEREAS, said map, plan and report was prepared by McFarland Johnson, competent engineers, duly licensed by the State of New York, showing boundaries of the proposed Sewer District Extension, general plan of the Sewer District Extension and an analysis showing the costs thereof and method of operation; and

WHEREAS, said map, plan and report shows all facilities, together with the location and the general description of all public works required including lands and easements to be acquired; and

WHEREAS, the improvements proposed consist of the installation of 4,200 lineal feet of 8" PVC sewer pipe, 21 sewer manholes, 1 sewer connection, 150 lineal feet for boring under Routes 9 & 20, and upgrading the existing pump station, in accordance with the map, plan and report now on file in the Office of the Town Clerk of the said Town of Schodack; and

WHEREAS, said project will require compliance with the provisions of the Environmental Conservation Law of the State of New York and regulations of the Department of Environmental Conservation, Part 627, State Environmental Quality Review Act; and

WHEREAS, the Town of Schodack Planning Board was designated as the lead agency in a coordinated review with the Town of Schodack Town Board; and

WHEREAS, the underlying project is the development of approximately 116.3 acres of real property along New York State Route 9 located within the Town of

Schodack, New York on which real property a one million square-foot sales distribution center is proposed to be constructed; and

WHEREAS, in connection with this proposed project the Town of Schodack Planning Board in its role as lead agency in a coordinated review concluded that “the project will not have a significant impact on the municipal sanitary sewer system”; and

WHEREAS, a copy of the full environmental assessment form together with the negative declaration issued by the Town of Schodack Planning Board is attached hereto and made a part hereof as Exhibit A;

NOW, THEREFORE, IT IS RESOLVED:

That the Town of Schodack Town Board hereby affirms the designation of the Town of Schodack Planning Board as the lead agency in a coordinated review with respect to the proposed project which encompasses the formation of Sewer District No. 6, Sanitary Sewer District Extension #4.

The foregoing was moved by Councilperson _____, and
seconded by Councilperson _____

AYES

NOES

David Harris
Michael Kenney
Scott Swartz
Jim Bult
Tracey Rex

Dated: August 9, 2018

CERTIFICATION OF TOWN CLERK

I, **DEBRA L. CURTIS**, the undersigned Clerk of the Town of Schodack,
Rensselaer County, New York, DO HEREBY CERTIFY:

That I have compared the foregoing copy of the minutes of the meeting of the
Town Board of said Town, including the resolution contained therein, held on the 9th day
of August, 2018, with the original thereof on file in my office, and that the same is a true
and correct copy of said original and of the whole of said original so far as the same
relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of
said Town this day of August, 2018.

Debra L. Curtis, Town Clerk

EXHIBIT "A"

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

Instructions for Completing Part I

Part I 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 I 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 project sponsor to verify that the information contained in Part I is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Sales Distribution Center		
Project Location (describe, and attach a general location map): Tax ID #200.00-6-1.3 and Tax ID #200.00-6-22.1		
Brief Description of Proposed Action (include purpose or need): The project involves the development of approximately 116.3 acres of land along NYS Route 9 located in the Town of Schodack, NY. The project is a One million +/- s.f. sales distribution center with 95 loading docks, 300 trailer spaces and approximately 1077 space employee parking lot.		
Name of Applicant/Sponsor: Scannell Properties #262, LLC c/o Daniel Madrigal		Telephone: 763-331-8853
Address: 8801 River Crossing Blvd, Suite 300		E-Mail: danielm@scannellproperties.com
City/PO: Indianapolis	State: IN	Zip Code: 46240
Project Contact (if not same as sponsor; give name and title/role): McFarland Johnson c/o Steve Boisvert, PE (Agent for Applicant)		Telephone: 518-560-9380
Address: 60 Railroad Place, Suite 402		E-Mail: sboisvert@mjinc.com
City/PO: Saratoga Springs	State: NY	Zip Code: 12866
Property Owner (if not same as sponsor): See Attached		Telephone:
Address:		E-Mail:
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Extension of Water & Sewer Districts	May 2018
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Schodack Planning Board - Site Plan, SEQR, Special Use Permit	April 2018
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Schodack DPW - Water and Sewer Connection	May 2018
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Rensselaer County Health Department - Site Plan Review, Water and Sewer District Extension	May 2018
f. Regional agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Rensselaer County Planning Board - 239M Review	May 2018
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS DEC - SPDES General Permk, Sewer District Extension NYS DOT - Curb Cut NYS DOH - Water/Sewer Extension SHPO - Sign Off	May 2018
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> If Yes, complete sections C, F and G. If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, identify the plan(s):	
Project is located in Hudson River Greenway area.	

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?
*D-3 Planned Development, Direct Recharge Area Overlay District

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? East Greenbush Central School District

b. What police or other public protection forces serve the project site?
Town of Schodack Police Department

c. Which fire protection and emergency medical services serve the project site?
Schodack Valley Fire Company

d. What parks serve the project site?
Schodack Town Park

D. Project Details

D.1. Proposed and Potential Development

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

a. Total acreage of the site of the proposed action? _____ 116.3 acres
b. Total acreage to be physically disturbed? _____ 75+/- acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 116.3 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 proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: _____ 18 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 1
- ii. Dimensions (in feet) of largest proposed structure: 45 height; 570 width; and 1,782 length
- iii. Approximate extent of building space to be heated or cooled: 1,000,000 square feet

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

If Yes,

- i. Purpose of the impoundment: Stormwater Detention
- ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: Surface Water Runoff
- iii. If other than water, identify the type of impounded/contained liquids and their source. _____

- iv. Approximate size of the proposed impoundment. Volume: 11.7 million gallons; surface area: 5.7 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): earth fill Ponds 1 and 2 Forebays and Basins: 300' length, 10' height; Pond 3 Forebay: 300' length, 13' height; Pond 3 Basin: 550' length, 10' height

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): See appendix F. The wetlands have been determined to be isolated, and therefore non jurisdictional. The ACOE has issued their non jurisdictional concurrence for property T/A #200.00-6-1.3. Concurrence for property T/A # 200.00-6.22.1 is pending.

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:
There are three wetlands (wetlands A, B, and C). wetlands A, B, and C will be infilled for grading during site development; however these wetlands have all been determined to be non-jurisdictional.

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

iv. Will 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: _____ 6,000 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No
If Yes:

- Name of district or service area: Consolidated Water District # 101
- 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: _____
from the north, approximately 2,400 linear feet of new watermain will be extended along route 9.
- Source(s) of supply for the district: well field

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: _____

N/A

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

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

i. Total anticipated liquid waste generation per day: _____ 6,000 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: East Greenbush Wastewater Treatment Plant
- Name of district: Town of Schodack Sewer District No. 6
- 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

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• Do existing sewer lines serve the project site? Yes No
 • Will line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____
 From the north, approximately 4,160 linear of new sewer will be extended along route 9/20.

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

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

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 58 acres (impervious surface)
 _____ Square feet or 116.3 acres (parcel size)
 ii. Describe types of new point sources, Impervious Surfaces, Roof Leaders, Stormwater Management Detention Pond Outlet

 iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?
 On-site Stormwater Management Facilities and Structures

 • If to surface waters, identify receiving water bodies or wetlands: _____
 N/A
 • Will stormwater runoff flow to adjacent properties? Yes No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)
 emissions from delivery trucks
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)
 emissions from temporary power generation, delivery trucks, earth moving equipment, potentially temporary heating of the building
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)
 potentially a natural gas back up electric generator and natural gas roof top HVAC units

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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

If Yes:

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

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

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

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

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

If Yes:

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

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____ 336

iii. Parking spaces: Existing _____ 0 Proposed _____ 1077 Net increase/decrease _____ 1077

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:
 See Appendix I as indicated in the Traffic Impact Study, modifications include a new traffic signal, right turn lane, and left turn lane striping

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

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

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

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

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
 Electrical demand is estimated to be 28,400 kW annually.

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
 Via grid/local utility - National Grid, a will serve letter has been requested

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

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

i. During Construction:		ii. During Operations:	
• Monday - Friday:	6 am - 8 pm *	• Monday - Friday:	24 hrs
• Saturday:	8 am - 7 pm *	• Saturday:	24 hrs
• Sunday:	none	• Sunday:	24 hrs
• Holidays:	none	• Holidays:	24 hrs

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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:

Noise Levels will Increase During Construction due to heavy equipment use during the hours of 7 am - 5 pm. refer to appendix M

ii. Will 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:

sources are from light poles, and building mounted lights with glare shields directed downward see Plans for locations) Pole Ht. in the employee lot is 25' high and approximately 355' from the nearest occupied structure. Pole height in the truck parking lot is 40' high and approximately 145' from nearest struc.

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

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

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

If Yes:

i. Product(s) to be stored Liquid Hydrogen

ii. Volume(s) 18,000 gal per unit time _____ year (e.g., month, year)

iii. Generally describe proposed storage facilities: an on site secured fenced in area located approximately 870 feet from the nearest occupied structure, will house all equipment and above grade tank

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: TBD tons per TBD (unit of time)
- Operation: TBD tons per TBD (unit of time)

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

- Construction: Recycling Wood, Paper and Cardboard
- Operation: Recycling Paper and Cardboard

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

- Construction: To be Hauled Off-site by a Private Hauler in a Legal Manner
- Operation: To be Hauled Off-site by a Private Hauler in a Legal Manner

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

- Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0 AC	58 AC	(+58 AC)
• Forested	65 AC	24 AC	(-41 AC)
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	49.6 AC	33.8 AC	(-15.8 AC)
• Agricultural (includes active orchards, field, greenhouse etc.)	0 AC	0 AC	(0 AC)
• Surface water features (lakes, ponds, streams, rivers, etc.)	1.7 AC	0.5 AC	(-1.2 AC)
• Wetlands (freshwater or tidal)	2.82 AC	0.8 AC	(-2.02 AC)
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

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

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

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

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

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

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
 If Yes:
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes - Spills Incidents database Provide DEC ID number(s): _____
 Yes - Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____
 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): _____
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

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? 11-23 (East End) 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:

<u>Hoosic gravelly sandy loam</u>	<u>90 %</u>
<u>Castile gravelly silt loam</u>	<u>10 %</u>
_____	_____ %

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

e. Drainage status of project site soils: Well Drained: 90 % of site
 Moderately Well Drained: 10 % of site
 Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: 80 % of site
 10-15%: 15 % of site
 15% or greater: 25 % 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
*In a letter, attached to this form, the US Army Corps has determined that 2.02 acres of wetlands to be impacted on property Tax ID #200.00-8-1.3 are considered non-jurisdictional. Wetland field investigation is currently underway at property Tax ID #200.00-8-22.1

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
*see attached location map adjoining

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

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name 883-618 Classification C
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... 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 (Schodack Terrace Aquifer)

<p>m. Identify the predominant wildlife species that occupy or use the project site: see appendix F</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>_____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p>	
<p>E.3. Designated Public Resources On or Near Project Site</p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>i. If Yes: acreage(s) on project site? approx. 50 acres contain the following highly productive soils: CbA, HoA and HoB</p> <p>ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National 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.

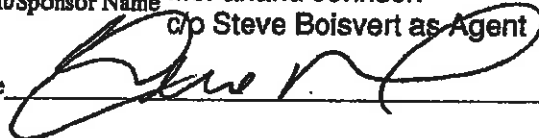
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

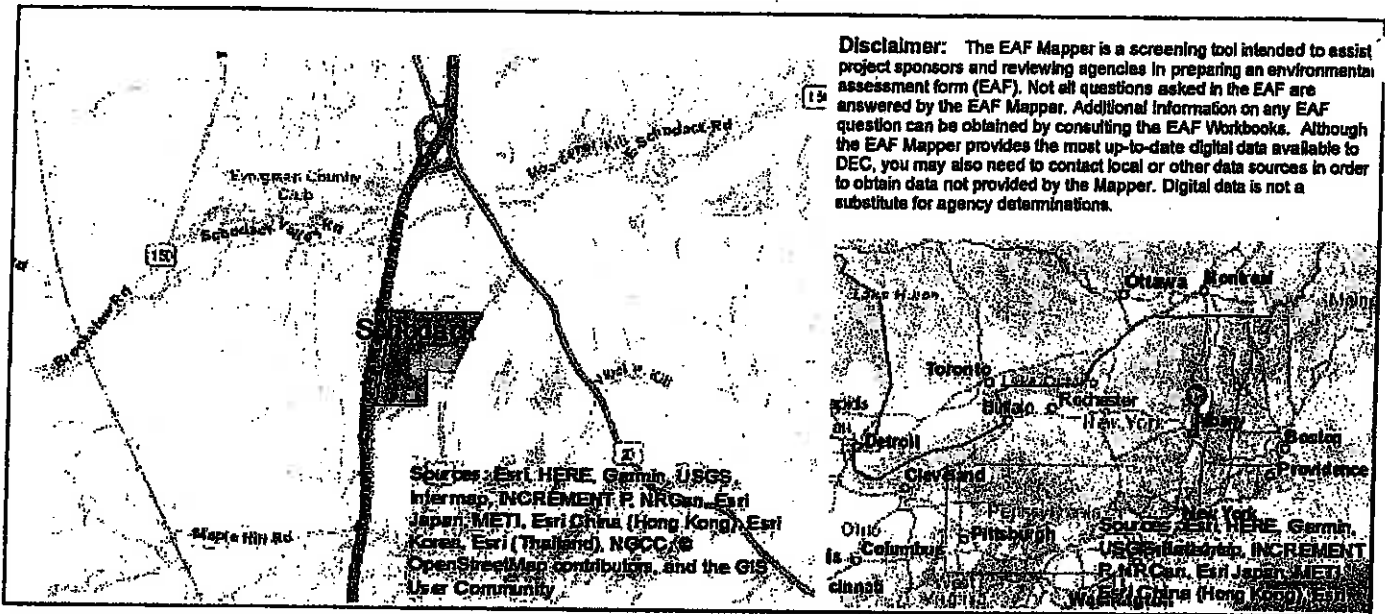
I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name McFarland Johnson
c/o Steve Boisvert as Agent

Date APRIL 3, 2018

Signature 

Title AREA OPERATIONS MANAGER



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Lake/Pond Name]	863-618
E.2.h.iv [Surface Water Features - Lake/Pond Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.j. [100 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.

E.2.k. [500 Year Floodplain]	Digital mapping data are not available or incomplete. Refer to EAF Workbook.
E.2.l. [Aquifers]	Yes
E.2.i. [Aquifer Names]	Principal Aquifer
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 Register of Historic Places]	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 :
 Date :

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

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	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>
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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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding
 The proposed action may result in development on lands subject to flooding. NO YES
 (See Part 1. E.2)
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	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

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

The proposed action may include a state regulated air emission source.

NO

YES

(See Part 1. D.2.f., D.2.h, D.2.g)

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

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

7. Impact on Plants and Animals

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

NO

YES

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

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

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

8. Impact on Agricultural Resources			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

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.)

NO YES

If "Yes", answer questions a - g. If "No", go to Section 10.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2-3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

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.)

NO YES

If "Yes", answer questions a - e. If "No", go to Section 11.

	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 or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

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

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. NO YES
 (See Part 1. C.2.c, E.1.c., E.2.q.)
 If "Yes", answer questions a - e. If "No", go to Section 12.

	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	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c, E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

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) NO YES
 If "Yes", answer questions a - c. If "No", go to Section 13.

	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	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.
(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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.
(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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Other Impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.
(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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

16. Impact on Human Health

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

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	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

17. Consistency with Community Plans
 The proposed action is not consistent with adopted land use plans.
 (See Part 1. C.1, C.2. and C.3.)
 If "Yes", answer questions a - h. If "No", go to Section 18.

NO YES

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

18. Consistency with Community Character
 The proposed project is inconsistent with the existing community character.
 (See Part 1. C.2, C.3, D.2, E.3)
 If "Yes", answer questions a - g. If "No", proceed to Part 3.

NO YES

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

Project:

Date:

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

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

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

Reasons Supporting This Determination:

To complete this section:

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

See attached Negative Declaration.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
All documents submitted in connection with the Project Sponsor's site plan and Special Use Permit application as furthered described in the attached
Negative Declaration.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Town of Schodack Planning Board _____ as lead agency that:

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

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

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

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

Name of Action: Site Plan Review and Special Permit for a Sales Distribution Center proposed by Scannell Properties #262 LLC

Name of Lead Agency: Town of Schodack Planning Board

Name of Responsible Officer in Lead Agency: Wayne Johnson

Title of Responsible Officer: Acting Planning Board Chair

Signature of Responsible Officer in Lead Agency: _____

Date: _____

Signature of Preparer (if different from Responsible Officer) _____

Date: 6/29/18

For Further Information:

Contact Person: Nadine Fuda

Address: Town of Schodack, 265 Schurman Road, Castleton, New York 12033

Telephone Number: 518-477-7938

E-mail: nadine.fuda@schodack.org

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)

Applicant (if any)

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

PRINT FULL FORM

**STATE ENVIRONMENTAL QUALITY REVIEW ACT
NEGATIVE DECLARATION**

**NOTICE OF FULL ENVIRONMENTAL ASSESSMENT FORM PART 3
EVALUATION OF THE MAGNITUDE AND IMPORTANCE OF PROJECT IMPACTS AND
DETERMINATION OF NON-SIGNIFICANCE**

This notice is issued pursuant to and in accordance with Article 8 of the New York State Environmental Conservation Law and the regulations promulgated there under and set forth at Title 6, Part 617 of the New York Code of Rules and Regulations (collectively, the State Environmental Quality Review Act, or "SEQR"). The Town of Schodack Planning Board (the "Planning Board"), acting as Lead Agency in a Coordinated Review, has determined that the proposed action described below will not have any significant adverse environmental impacts, that a Negative Declaration of Environmental Significance should be issued, and that a Draft Environmental Impact Statement need not be prepared.

Reasons supporting this determination are fully explained below.

Project Name: Sales Distribution Center

SEQRA Status: Type I: **XX** Unlisted: _____
Conditioned Negative Declaration: **NO**

Location: Rt. 9, Town of Schodack, New York (Tax ID 200.00-6-1.3 and 200.00-6-22.1)

Description of Action:

Scannell Properties #262, LLC (the "Applicant" or "Project Sponsor") is proposing to construct a 1,015,740 ± square foot sales distribution center (the "Project") on two adjoining parcels (tax ID 200.00-6-1.3, and 200.00-6.22.1) totaling 116.3 ± acres along NYS Route 9 in the Town of Schodack, Rensselaer County, New York (the "Project Site"). The sales distribution center is being constructed for the proposed tenant Amazon. The proposed facility will be constructed in its entirety in one phase.

The Project Site is currently zoned Planned Development District ("PD-3") and the proposed use, sales distribution center, is an allowed use within this district subject to site plan approval by the Town Planning Board. This has been confirmed in writing by the Town of Schodack Building Inspector in a letter dated June 18, 2018 filed with the Building Department, Planning Department and Town Clerk. Because the Project Site is located within the Town's Water Quality Control District, the Project requires a special permit issued by the Town Planning Board. In addition, the Project Site is not located within a water or a sewer district, therefore district extensions will be required from the Town Board.

The Project includes associated on-site roadways, parking, utility infrastructure, landscaping, and stormwater management facilities. There will be two (2) driveway entrances to the site off of NYS Route 9; one dedicated driveway for employees and one dedicated driveway for trucks. A security gate with a Guard House will be provided at the truck entrance. Approximately 1,075 parking spaces will be provided for employees and approximately 300 parking spaces will be provided for truck trailers. Off-site improvements will include extension of water, sewer, and natural gas mains to the project site. The off-site utilities will be extended from their current terminus along NYS Route 9/20 south of NYS Route 150.

The Project as proposed is consistent with the current PD3 zoning designation, and the Project is an allowable use under current zoning as determined by the Town Building Inspector as noted above. The Project will be serviced by public water and sewer, natural gas, telecommunications and electric utilities. Stormwater will be managed on-site.

The Project Sponsor is seeking Site Plan approval and a Special Use Permit under the Town's Water Quality Control Act ("WQCA") from the Planning Board and has submitted materials in support of the application which can be found in the Town Planning Department's files.

Reasons Supporting This Determination: See the attached Environmental Assessment Form (EAF) Part 3, Reasons Supporting SEQRA Negative Declaration, which details the Planning Board's analysis, reasoning, and conclusions in making its determination of environmental significance. The Planning Board has carefully considered the criteria for determining significance as set forth in SEQRA regulations at 6 NYCRR § 617.7, and has thoroughly evaluated the Project's potential environmental impacts as identified in Full EAF Parts 2 and 3.

Lead Agency:

Town of Schodack Planning Board
265 Schuurman Road
Castleton, NY 12033

For Further Information:

Contact Person: Nadine Fuda, Director of Planning for the Town of Schodack
Address: 265 Schuurman Road, Castleton, NY 12033
Telephone: (518) 477-7938

Copies of this Notice have been sent to:

Town of Schodack Town Board
Town of Schodack Planning Board
Town of Schodack Department of Public Works
Rensselaer County Industrial Development Agency
Rensselaer County Planning Board (Economic Development and Planning)
Rensselaer County Health Department
New York State Department of Health
New York State Department of Environmental Conservation
New York State Department of Transportation
New York State Office of Parks, Recreation and Historic Preservation
U. S. Army Corps of Engineers
Castleton Volunteer Ambulance Service, Inc.
Schodack Valley Fire Company
Environmental Notice Bulletin

FULL ENVIRONMENTAL ASSESSMENT FORM PART 3
EVALUATION OF THE MAGNITUDE AND IMPORTANCE OF PROJECT IMPACTS
AND DETERMINATION OF SIGNIFICANCE
REASONS SUPPORTING SEORA NEGATIVE DECLARATION

Introduction

The Planning Board, acting as SEQRA Lead Agency, undertook a coordinated review of the Project, a Type 1 action, consisting of the construction of a 1,015,740 ± square foot sales distribution center on two parcels (tax ID 200.00-6-1.3, 73.6 acres; and 200.00-6.22.1, 42.7 acres) totaling 116.3 ± acres along NYS Route 9 in the Town of Schodack, Rensselaer County, New York. The project is located along NYS Route 9 in the Town of Schodack, Rensselaer County, New York ("Project Site" or "Site"). The proposed sales distribution center will be constructed in its entirety in one phase. The facility will operate 24/7. There will be two employee shifts per day (the "Project"). The tenant of the proposed sales distribution center is Amazon.com.dedc, LLC (the "Amazon"). The Project Sponsor has noted that they will enter into a long-term lease with Amazon.

The Planning Board notes that the Project Sponsor evaluated alternative site layouts of the Project design in its application submission. The sales distribution center design was placed on the Project Site to provide buffer distance to the residential areas, to avoid natural resources and to minimize tree clearing. The building and most of the parking is being located in the cleared, former agricultural field that is most amenable to the clearing and grading necessary to construct the building, parking and stormwater facilities. Additionally, the Project has been designed with berms and sound walls, as well as extensive landscaping, to keep noise near pre-existing levels, especially in the quietest part of the day and evening. The existing mature trees and vegetation coupled with the expansive landscaped berms, as well as the sound wall, also limit visual impacts as shown in the many photo simulations prepared for the Project, submitted to the Planning Board and made available to the public.

Application History

- On March 19, 2018, the Applicant submitted the Project concept plan, the EAF Part 1 and the applications for site plan/special permit to the Planning Board.
- On April 2, 2018, the Planning Board commenced review of the Project plans and declared their intent to be lead agency.
- On April 3, 2018 the Planning Board coordinated lead agency status declaring its intent to be Lead Agency and circulated the project plan and the EAF Part 1 to the involved agencies. No involved agencies objected to the Planning Board being lead agency.
- On April 27, 2018, the Applicant submitted an Environmental Assessment Report ("EAR"), including an updated full Environmental Assessment Form ("EAF") along with an Expanded Environmental Assessment, with a narrative describing the Project and addressing any potential Project impacts and the project plans that are implemented to avoid impacts. The EAR contained the following additional studies and reports:
 - Project Location Map & Overall Site Plan
 - NRCS Soils Data
 - Geotechnical Engineering Report

- Wetland Delineation Report
 - Stormwater Management Report
 - Groundwater Aquifer Map
 - Endangered Species Report
 - Visual Impact Information
 - Archaeological Sensitivity Assessment & Survey and OPRHP Letter
 - Traffic Impact Study
 - Correspondence
- At Planning Board meetings held on May 7 and May 21, 2018 the Planning Board reviewed the materials submitted and discussed them and the Project Sponsor and Project Engineer made presentations to the Planning Board on the project, which included project modifications that addressed the specific concerns raised by a two separate abutters as well as the results of the 20 + photo simulations prepared as part of the visual assessment. A Noise study, prepared by Ostergaard Acoustical Associated (“OAA”), dated May 21, was submitted to the Planning Board and the results of the study were presented to the Planning Board and the public.
 - On June 1, 2018, the project sponsor, applicant’s professional engineering representative along with the Planning Board’s designated professional engineer, and the Town’s Director of Planning meet with representatives from the NYSDOT to review the project and address the project traffic impact study.
 - On June 4, 2018 and June 18, 2018 a duly noticed site plan and special permit public hearing was conducted and public comments were received as part of the public comment period for the meeting. The record was held open an additional ten (10) days after the close of the public hearing on June 18, 2018. The Planning Board carefully considered the stenographic transcripts of the public hearings and also reviewed all of the written public and involved and interested comments submitted on the Project.
 - On June 13, 2018 Project engineer, McFarland Johnson, submitted a response to comments made by the Planning Board’s engineer and made by the Planning Board members and Town staff, as well as by the public, to the Planning Board for its review, including the following appendices:
 - Full-sized Site Plan Package of drawings (as revised);
 - Revised sections of the Environmental Assessment Report, including:
 - SEQRA Full Environmental Assessment Form (as revised);
 - SEQRA Expanded Environmental Assessment (as revised);
 - Stormwater Management Report;
 - Traffic Impact Study (revised);
 - Stormwater Pollution Prevention Plan (“SWPPP”);
 - Revised Site Sections SV-01 through SV-05; and
 - South Alternative Sanitary Route with plans, estimate, and schedule.
 - On June 13, 2018, at the project sponsor’s own initiative, they held a meeting with abutting the neighborhood association to provide an informal (non-public) format for residences to speak directly with the sponsor and allow the sponsor to address their concerns directly.
 - On June 18, 2018 the Project Sponsor submitted to the Planning Board additional photo simulations to address additional landscape screening that was added to address concerns raised by the public as well as a report from Camoin Associates, Economic & Fiscal Impact Analysis of Proposed Sales Distribution Center, Town of Schodack, NY, dated June 2018, the results of the study were

presented to the Planning Board and the public by the Project Sponsor prior to the re-commencement of the continuation of the public hearing on June 18, 2018.

- In accordance with New York General Municipal Law § 239-m, the Schodack Planning Board referred the application materials to the Rensselaer County Bureau of Economic Development and Planning (“RCBEDP”). The RCBEDP has had the opportunity to participate in review of the Project, and “has determined that the proposal does not have a major impact on County plans and that local consideration shall prevail” per RCBEDP Director Robert L. Pasinella, Jr.’s notification of zoning review action letter dated April 24, 2018.
- On June 25, 2018, the Project Sponsor, applicant’s professional engineering representative along with the Planning Board’s designated professional engineer, and the Town’s Director of Planning met with representatives from the NYSDOT to review the revised project modifications that addressed their comments. At this meeting the NYSDOT approved the access driveway configurations for this project.
- On June 28, 2018, the Project Engineer submitted to the Planning Board responses to comments as a result of the public hearing and Town comments. Also included was a report by Terracone/Dente evaluating and confirming that the groundwater flow direction is north to south and east to west across the area and the site, in particular away from the residential areas. This submission also included a revised Traffic Impact Study dated June 26, 2018 and the relevant approval communication from the NYSDOT dated June 27, 2018 and will serve information from National Grid with respect to the electricity and natural gas for the Project.

Discussion of Potential Environmental Impacts

The Planning Board has carefully considered all potential environmental impacts associated with the Project. Below is a discussion of those potential impacts, set forth in the order in which they appear in the New York State Department of Environmental Conservation’s (“NYSDEC”) SEQRA Full EAF Part 2.

The Project is a SEQRA Type I action. NYSDEC’s SEQR Handbook specifically addresses whether an environmental impact statement (“EIS”) is always required for a Type I action. According to NYSDEC, “the lead agency must evaluate information contained in the EAF, and additional applications, filings or materials, against the criteria in [6 NYCRR] 617.7 to make a determination of significance for each Type I action. SEQR responsibilities for Type I actions may be met by a well-documented, well-reasoned negative declaration.”

The materials submitted in support of the Project Sponsor’s applications were generated by licensed engineers and qualified consultants. The conclusions and suggested impact avoidance measures proffered by these professionals were based on established engineering principles, industry standards, NYSDEC and technical data, which have been verified by the Planning Board’s own professional engineer. The Planning staff and the Planning Board members, several of whom are professional engineers also carefully and thoroughly reviewed the application and the EAR, including the technical reports.

During the course of the Project’s SEQRA review, the Planning Board, the public and the applicant’s representatives engaged in an active and comprehensive evaluation of the Project Sponsor’s submissions. As stated by the NYSDEC SEQR Handbook, “the lead agency may make a request for any additional information reasonable necessary to make its determination.” Questions were asked, clarifications were requested and responses were provided.

The Planning Board and its consulting engineer have assessed each of the potential SEQRA-related impacts, identified its magnitude and determined the potential impact's importance.

Lastly, the Planning Board has reviewed the criteria for determining significance contained in 6 NYCRR Part 617. This evaluation, which is based in the same information supporting its conclusions regarding Part 2 of the Full EAF, confirms the Planning Board's conclusion that a Negative Declaration of Significance should be issued for the Project.

Discussion of 6 NYCRR Part 617 Criteria For Determining Significance

The Town of Schodack Planning Board has evaluated the Project using the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). NYSDEC's SEQR Handbook provides "that not every conceivable impact needs to be considered; speculative impacts may be ignored."

As indicated below in the discussion of each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

6 NYCRR 617.7(c)(1) Criteria

(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.

The Planning Board finds that the Project is not likely to cause significant adverse changes to existing air quality (*see* section 6 below), ground or surface water quality/quantity (*see* sections 3 and 4 below), noise levels (*see* section 15 below), level of solid waste production (*see* section 15 below), and potential for erosion, flooding, leaching or drainage problems (*see* sections 1, 3, 4, and 5 below).

As discussed below (*see* Section 13), the Applicant has prepared a traffic impact study, dated March 29, 2018 (revised June 8 and 26, 2018) and met with the New York State Department of Transportation ("NYSDOT") with Town staff and the Town engineer present at the meetings on two occasions. All traffic impacts which can reasonably occur as a result of the Project have been thoroughly evaluated using actual traffic counts from a similar Amazon facility. Although there is a projected increase in the level of traffic in the area related to the Project, the Applicant has incorporated traffic mitigation measures into the project design that will appropriately accommodate the increase in car and truck traffic resulting from the Project. This is discussed in greater detail in section 13 below. As such, and through the proposed mitigation measures designed into the Project, the Project will not cause a substantial adverse change.

(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.

Due to the existing nature of the Project Site, the Project will not have a significant impact on the environment: (a) by removing or causing the destruction of large quantities of vegetation or fauna; (b) by creating substantial interference with the movement of any resident or migratory fish or wildlife species; (c) by creating impacts on a significant habitat area; (d) by creating substantial adverse impacts on threatened or endangered species of animal or plant, or the habitat of such a species; or (e) by causing other significant adverse impacts to natural resources. *See* Section 7 below.

(iii) The impairment of the environmental characteristics of a Critical Environmental Area.

The Project will not cause impairment to the characteristics of a Critical Environmental Area as designated under 6 NYCRR § 617.14(g). *See* Section 12 below.

(iv) The creation of a material conflict with a community's current plans or goals as officially approved or adopted.

The Project does not present a conflict with the Town of Schodack's Comprehensive Plan or the Planned Development District 3 zoning district. *See* Section 17 below.

(v) The impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character.

The Project will not impair the character or quality of historical, archeological, architectural, or aesthetic resources. *See* Sections 9 and 10 below.

(vi) A major change in the use of either the quantity or type of energy.

The Project will not create a major change in the quantity of electricity or natural gas to be used in the region and will not affect the community's sources of fuel or energy supply. *See* Section 14 below.

(vii) The creation of a hazard to human health;

The Project will not create a hazard to human health. *See* section 16 below.

(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.

The Project will result in a change of use and/or intensity of use within and consistent with the PD-3 district. The property has been available and marketed for sale as a commercial property for some time based on the uses allowed in the PD-3 District. There has been past agricultural use of the property and the property contains class 3 and 4 soils. The property is not in an agricultural district. The property was previously rented to a farmer and that arrangement was temporary until the property could be developed; the area farmed was small in relation to the acreage in the Town that will continue to be available and used for agricultural purposes. (*see* Section 8 below). The Project will not have an effect on recreational resources as the land is privately owned and not available for public use(*see* Section 11 below). Further, significant land will remain undeveloped due to the positioning of the proposed sales distribution center (*see* Section 11 below). Therefore, the Project aligns with the community plans as expressed in the PD-3 zoning district.

(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.

It is expected that a sales distribution center such as the one proposed by the Project Sponsor, will attract employees. The area population is not expected to increase significantly, nor will the Project create a substantial adverse change in traffic volume in the surrounding area based on the traffic studies conducted and traffic mitigation package proposed by Project Sponsor (*see* Section 13 below). Therefore, no substantial adverse impact is expected related to attraction of people to the area.

(x) The creation of a material demand for other actions that would result in one of the above consequences.

The Project is not expected to create any significant increased demand for other actions (e.g., additional public services, as discussed in Sections 18 and 19 below) that would result in significant adverse consequences as described by the above criteria. In evaluating the proposed Project, the Planning Board determined that a development such as the Project is appropriate for the area in which it is being proposed, and that the uses will not result in a material demand for other actions that might result in adverse environmental impacts.

(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.

The Planning Board finds that the Project does not create impacts to two or more elements of the environment that, collectively, would result in substantial adverse impact to the environment. The Planning Board has conducted a full review of all Project elements and the potential impacts from the Project, and has been informed by its consulting professional engineers as to the coordination of those elements. The Planning Board has, for example, evaluated the combined effects of: (i) traffic in relation to noise, odors, air quality, and community character; (ii) parking lot area in relation to storm water management, lighting, safety, handling of employees; and (iii) community character in relation to noise, odors, air quality, traffic, architecture, and aesthetics.

This list is by no means an exhaustive list of potential impacts/changes considered in tandem with other impacts/changes during the Planning Board's consideration of the Project over the past months, but is only provided as examples of the hard look taken to ensure the potential effects of the Project would not result in a substantial adverse impact.

Over the past several years properties designated PD-3 in the Town of Schodack have attracted substantial interest by those interested in the construction and operation of sales distribution centers. This proposal made by the Project Sponsor, on behalf its tenant Amazon, is the last in a series of projects to seek approval in the Town. This Property's key position along NYS Route 9, an five-lane highway with available capacity, with immediate proximity to the I-90 corridor renders it highly suitable for the sales and distribution center proposed by Scannell for Amazon. The position will allow the sales distribution center to serve Amazon's customers in the Northeast.

In addition, future projects within the Town resulting from the Project are required to undergo review pursuant to SEQRA and therefore will have their environmental impacts reviewed.

(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 review of the Project did not show the potential for cumulative effects. The extension of the water and sewer services is limited to the Project Site. As such, the Planning Board has conducted a comprehensive review of the entirety of the Project. References are included throughout the discussion below to such potential cumulative effects, and no significant impact on the environment will be caused from the potential cumulative effects considered.

Discussion of Part 2 of Full EAF, Potential Project Impacts

The Planning Board has evaluated the Project's potential impacts as identified in Part 1 and Part 2 of the Full EAF, and has determined that the Project will not result in any significant adverse environmental impacts, and that a Negative Declaration of Significance is warranted.

1. **Impact on Land.** A geotechnical study of the site was conducted by Dente Group, A Terracon Company of Watervliet, New York (Dente) for the Project. The study included test borings, soil sampling, laboratory testing, and a summary report. The results of the report are consistent with a site that can support the Project. The full report, Preliminary Geotechnical Evaluation, Sales Distribution Center, Schodack, New York dated April 17, 2018 was submitted to the Planning Board on April 27, 2018 as Appendix E of the Applicant's Environmental Assessment Report.

Construction of paved areas and buildings will result in alteration of the existing ground. Approximately 79 ± acres of the present ground cover will be disturbed during construction. The development of the Project Site will require that some fill material (e.g. driveway and parking stone sub-base) be imported to the project site to achieve the proposed grades.

As demonstrated by the application, the Rensselaer County Soil Survey, Natural Resources Conservation Service website ("NRCS"), there are seven (7) mapped soils identified within the project boundary. Hoosic gravelly sandy loam, 0 to 5 percent slopes (HoA), Hoosic gravelly sandy loam, 3 to 8 percent slopes (HoB), Hoosic gravelly sandy loam, rolling (HoC), Hoosic gravelly sandy loam, hilly (HoD), and Hoosic gravelly sandy loam, steep (HoE) have a hydrologic soil group A, meaning these soils have a high infiltration rate when thoroughly wet. These soils make up the majority of the site; approximately 89%. Castile gravelly silt loam, 0 to 5 percent slopes (CbA), and Natchaug muck, 0 to 2 percent slopes, have a hydrologic soil group A/D and B/D respectively, meaning these soils have a low infiltration rate when thoroughly wet. These soils make up a minority of the site; approximately 11%.

In general, the majority of the on-site soils are types of soils are adequate for supporting the proposed project. Where unsuitable soils are encountered, they will be removed and relocated in accordance with all local, state, and federal regulations.

About 609,000 cubic yards of soil will need to be cut for use as on-site fill for construction of the building, driveways, parking and stormwater management facilities. The Project Site will be designed to balance the on-site cuts and fills to the greatest extent possible and it is anticipated that no structural soil will need to be imported onto the Project Site. Topsoil will be stripped, stockpiled and re-used on site; because less topsoil will be needed in the final condition is anticipated that approximately 120,000 CY of topsoil may be exported from the site. In addition, there is an existing pond in the center of the site that is expected to contain approximately 10,000 CY of unsuitable material; this too may be exported from the site. If necessary a letter from NYSDEC confirming a mined permit exemption will be obtained.

The pond itself which is approximately 2.02 acres will be filled as a result of the project. This pond is not regulated by the US Army Corps of Engineers based on the Jurisdictional Determination issued by that agency. Some material, such as crushed stone sub-base material for building slabs, driveways and parking will be imported to the site. The following are estimated import quantities needed for the site work: 77,300 CY of subbase stone; 10,000 tons of asphalt, 3,000 CY of concrete. However, some on-site material may be able to be processed on-site and used for the sub-base material.

Bedrock was encountered in some of the test borings performed by Dente at depth varying from 11 to 23 feet below existing grade. There is no rock shown at the depths expected for building, pavement, or pond excavation, so no rock excavation is currently expected. However, the bedrock encountered

appears weathered; therefore, if rock excavation is required it is anticipated that removal with a large track mounted backhoe with rock teeth will be possible and no blasting will be utilized.

Based on the Geotechnical Engineering Report (refer to Appendix E of the Applicant's initial Environmental Assessment Report), groundwater was encountered only in the extreme west and east portions of the site. Borings B-1 and B-10, on the west edge of the site show groundwater at a depth of approximately 26 feet. On the east edge borings B-9, B-13, and B-14 show groundwater at 20, 15, and 8 feet respectively. Based on this information, all grading will occur above the elevation of the groundwater encountered in the borings and as such there is no anticipated impact to the aquifer.

During construction, erosion control measures such as silt fence, diversion swales/berms and sediment traps/basins will be installed to mitigate the potential for erosion of soils and downstream siltation. The proposed stormwater sedimentation basins will function as temporary sediment traps/basins during construction. Upon the completion of construction those temporary facilities will be converted to permanent facilities. All erosion and sediment control measures will be constructed in accordance with the latest edition of the New York State Standards and Specifications for Erosion and Sediment Controls.

Common industry practices, such as the spraying of water to control dust and confining construction work periods to those permitted by the Town, will further mitigate the normal unavoidable short-term impacts associated with construction.

In accordance with the above, physical changes to the land will be limited to those required for the necessary grades for operations and proper stormwater management and to accommodate the proposed improvements, and the Erosion and Sediment Control Plan shows how land at and adjoining the Project Site will be protected from degradation during and after construction.

Based on the above, the planning Board finds that the Project will not have a significant impact on land.

2. **Impact on Geological Features.** The Project Site contains no unique or noteworthy geological features. As noted above (see Section 1), disturbance to land is will not result in a significant impact. Accordingly, there will be no significant adverse impact on geological features.

3. **Impact on Water.**

a. **Wetlands.**

A wetland delineation of the site was conducted by Quenzer Environmental LLC of Selkirk, New York (Quezner) for the Project and was submitted to the Planning Board. The results of the report are consistent with a site that can support the Project. The delineation found that there are no jurisdictional wetlands on the property regulated by the United States Army Corps of Engineers (ACOE) pursuant to Section 404 of the Clean Water Act or by the NYS Department of Environmental Conservation (NYSDEC) pursuant to NY Environmental Conservation Law Article 24. Two reports, Wetland Delineation Report, Waters of the United States, Palmer-Otterbeck Parcel - U.S. Route 9, Town of Schodack, Rensselaer County New York, dated January 2016, and Wetland Delineation and Endangered Species Screening, Sales Distribution Center Site, Beaudoin Parcel - Tax Map 200.00-6-22.1 (43± Acres), and Palmer-Otterbeck parcel - Tax Map 200.-6-13 (73± Acres), Town of Schodack - Rensselaer County, NY, dated April 2018 were submitted to the Town as Appendix F of the Applicant's initial Environmental Assessment Report.

Quenzer performed a wetland investigation on the larger of the two properties (73.6 ± acres, tax map parcel 200.00-6-1.3) as described in their 2016 report. Quenzer collected and reviewed available

background information and maps including a topographic map, wetland maps, soils map and descriptions, surface water classification maps, flood rate insurance maps, and an aerial photograph to locate potential wetlands on the site, and determined there are no mapped stated-regulated (i.e. NYSDEC) wetlands on the site.

A total of three (3) wetlands were identified, delineated, and are referred to as Wetland A (0.066 acres), Wetland B (1.505 acre), Wetland C (0.449 acre). There were no streams or other waters of the US identified on this property. Quenzer concluded that all three wetlands within the Project Site are isolated wetlands as they have no outlets and therefore no connection to waters of the U.S.

On April 22, 2016 the USACOE concurred and issued a jurisdictional determination stating that the three wetlands on the property do not meet the criteria of water of the United States; and therefore, do not fall under the jurisdiction of the USACOE.

Quenzer performed a wetland investigation on the second parcel (43 ± acres, tax map parcel 200.00-6-22.1) as described in their 2018 report. Quenzer collected and reviewed available background information and maps including a topographic map, wetland maps, soils map and descriptions, surface water classification maps, flood rate insurance maps, and an aerial photograph to locate potential wetlands on the site, and determined there are no mapped stated-regulated (i.e. NYSDEC) wetlands on the Project Site.

A total of two (2) wetlands were identified, delineated, and are referred to as Wetland A (0.5 acres) and Wetland B (0.3 acre). There were no streams or other waters of the US identified on the Project Site.

Quenzer concluded that the two wetlands within the Project Site are isolated wetlands as they have no outlets and therefore no connection to waters of the U.S. Brad Sherwood of the USACOE conducted a site visit and during the site visit and in a followup email concurred with Quenzer's conclusions. A formal jurisdictional determination is pending from the USACOE.

The Town received a letter from NYSDEC Region 4 in response to the lead agency notification which stated that the NYSDEC had no objection to the Town Planning Board being lead agency and that the only regulatory program that NYSDEC was aware applied to the project was the stormwater program. In this case the Town is the stormwater MS4 so in reviewing the SWPPP it will coordinate as necessary with NYSDEC.

Based on the above, the Planning Board finds that the Project will not impact any wetlands under the jurisdiction of the USACOE or the NYSDEC.

b. Stormwater.

A drainage study of the site was conducted by McFarland Johnson, Inc. of Saratoga Springs, New York (MJ) for the Project and included in the Environmental Assessment Report. The study included an analysis of the existing and proposed hydrology and hydraulics to ensure that the proposed development will not adversely affect the environment. The results of the report are consistent with a site that can support the proposed development. The full report, Drainage Design Report, April 2018, Sales Distribution Center, Schodack, New York Rensselaer County dated April 2018 is included as Appendix G of the Applicant's initial Environmental Assessment Report.

Although the project will alter the existing Project Site topography, the existing drainage pattern will be maintained on the north and south sides of the Project Site.

The construction of buildings and paved areas is expected to increase the rate and volume of stormwater run-off. The increase in run-off will be mitigated by the inclusion of stormwater management facilities designed to temporarily detain and infiltrate stormwater run-off during storm events and slowly release and/or infiltrate stormwater after the storm event. These facilities are designed in accordance with the NYSDEC Stormwater Design Manual and consist of Sedimentation Basins for pre-treatment prior to discharging into Infiltration Basins that will provide stormwater detention and water quality treatment.

Stormwater run-off from the building, driveways and parking areas will be collected in a series of catch basins and directed through a piping network to the stormwater management facilities. The stormwater infiltration basins is sized to mitigate the Water Quality Volume (WQv), the Runoff Reduction Volume (RRv), the Channel Protection Volume (CPv), the Overbank Flood (Qp), and the Extreme Storm (Qf). Each of these is addressed below:

- **Water Quality Volume:** The required WQv is provided in three Infiltration Basins.
- **Runoff Reduction Volume:** The RRv is achieved by infiltrating a substantial portion of the run-off to meet the minimum RRv requirement.
- **Channel Protection Volume:** The CPv requires that a minimum of 24-hour detention be provided for the 1-year, 24-hour storm event. This requirement is met since the infiltration basins will infiltrate 100% of the 1-year storm event.
- **Overbank Flood:** The Qp requires that there be no net increase in peak runoff for the 10-year, 24 hour storm event. This requirement is met since the infiltration basins will infiltrate 100% of the 10-year storm event.
- **Extreme Storm:** The Qf requires that there be no net increase in peak runoff for the 100-year, 24 hour storm event. This requirement is met since the infiltration basins will infiltrate 100% of the 100-year storm event.

The existing topography of the site is varying with high and low spots, and there are no noticeable discharge points from the Project. In the existing condition runoff collects in the low spots and infiltrates into the ground. As noted above all of the proposed design storm events will be fully infiltrated which will mimic the existing condition and foster recharge of the groundwater aquifer.

Further, this project will be required to comply with the State Pollutant Discharge Elimination System (SPDES) Phase II General Permit for Stormwater Discharges from Construction Activities (GP-0-15-002). As part of these requirements a Stormwater Pollution Prevention Plan (SWPPP) will be prepared describing erosion and sedimentation control measures.

The Town of Schodack is an MS4 community and therefore this project will comply with the NYSDEC Phase II stormwater regulations and will incorporate Best Management Practices (BMP's) to ensure that water quality on site will be protected. BMP's to be employed will, at a minimum, include:

- Temporary Erosion and Sediment Control Measures shall include:
 - Silt fencing placed around construction areas prior to grading activities;
 - Diversion Channels to prevent runoff from leaving the site
 - Land clearing activities shall be done only in areas where earthwork will be performed and shall progress as earthwork is needed;
 - Permanent seeding and planting of all unpaved areas using the hydro-mulching grass seeding technique;
 - Mulching exposed areas, where specified;
 - Temporary seeding and planting of all unpaved areas using the hydro-mulching grass seeding technique within 14 days of disturbance;

- Frequent watering to minimize wind erosion during construction; and
- Rock check dams
- Permanent structural practices for this site shall include:
 - Outlet protection using stone riprap as specified;
 - Utilize storm sewer collection system that will be tested for water tightness;
 - Sedimentation basins will also serve as a temporary sediment basin; and
 - Vegetated and/or riprap lined swales.

The site contractor will be required to adhere to all erosion and sediment control measures as defined in the MS4 approved SWPPP.

The building will be constructed in a single phase with a total building area of approximately 1,015,740 ± SF. MS4 Town of Schodack approval to disturb more than five (5) acres at a time will be required. To obtain this approval, at least two site inspections be required to be performed during construction by a qualified professional, every seven days, for as long as the disturbed area exceeds five acres. This increased frequency of inspection will ensure that the erosion and sediment control facilities are functioning as designed and that there are no impacts to the waters of the U.S.

In addition to the sedimentation basins required by the NYSDEC, the project will incorporate two additional means of stormwater treatment to protect against any potential impact to potable water wells and the aquifer. The first additional measure is an oil/water separator immediately upstream of the sedimentation basin and the second feature is located at each catch basin and manhole. Each stormwater structure within the parking lots will contain a sump with a hood over the outlet pipe which will capture the first flush stormwater runoff prior to being discharged to the above mention oil/water separator. In conclusion, stormwater will be routed through 3 cleansing mechanism prior to being infiltrated back into the groundwater.

Based on the above, the Planning Board finds that there will not be a significant impact on stormwater runoff from the Project Site.

c. Water Usage.

Water will be supplied through the Town of Schodack municipal water system. The Project Site is located near Water District #CWD101, but is currently not within the District. The water district will be extended to encompass the Project Site, which will require approval by the Schodack Town Board, the NYS Department of Health and the NYS Department of Environmental Conservation.

As noted in the Environmental Assessment Report, based upon actual water usage from a similarly sized facility, the projected water usage for the sales distribution center facility is estimated to be 6,000 GPD. It is planned to extend the municipal water main to the project site from the existing 12-inch main located in the vicinity of the intersection of Routes 9 & 20.

The water system serving Water District #CWD101 has a capacity of 0.5 MGD and current usage is approximately 130,000 GPD. Therefore, the system has sufficient capacity to meet the water demand of 6,000 GPD for this Project.

Based on the above, the Planning Board finds that the Project will not have a significant impact on the municipal water system.

d. Sanitary Sewer.

As demonstrated by the application, the projected sanitary sewer discharge from the sales distribution center facility is estimated to be 6,000 GPD, based upon actual usage from a similarly sized facility. It is planned to extend the municipal sanitary sewer to the project site from the existing 12-inch main located in the vicinity of the intersection of Routes 9 & 20.

Sanitary sewer will be collected and directed to the Town of Schodack municipal sanitary sewer system. The project site is located near a Sanitary Sewer District, but is currently not within the District. The sewer district will be extended to encompass the project site, which will require approval by the Schodack Town Board, the NYS Department of Health and the NYS Department of Environmental Conservation.

Sanitary wastewater collected within the Sewer District is directed to the Town of East Greenbush municipal sewer system. The Town of Schodack has an agreement with the Town of East Greenbush for the discharge of up to 45,000 GPD into the East Greenbush sewer system. The Town of Schodack is currently sending 25,000 GPD to East Greenbush. Therefore, there is sufficient reserve capacity to accept the additional wastewater from the Project, leaving additional capacity available if needed by others in the future.

Based on the above, the Planning Board finds that this project will not have a significant impact on the municipal sanitary sewer system.

4. **Impact on Groundwater.** According to the Schodack Terrace and Valatie Kill Aquifer map provided in Appendix H of the Applicant's initial Environmental Assessment Report, the Project Site is located over a groundwater aquifer and lies within the Direct Recharge Area Boundary. As such, the Project Site is subject to the requirements of Town Code Chapter 223 Water Quality Control. Provided below is a summary of the requirements that are or may be perceived to be applicable to the development of the proposed project, followed by either how the Project complies with the requirement or justification as to why the requirement is not applicable.

- a. *Uses permitted under the Town of Schodack Zoning Law (Chapter 219) are permitted in the Water Quality Control District subject to the provisions of Chapter 223 Water Quality Control (223-6.C.1).*

Sales Distribution Center is an allowed use within the PD-3 district.

- b. *Permits for wastewater disposal shall be obtained from the Rensselaer County Department of Health (RCDOH) or the New York State Department of Environmental Conservation (NYSDEC) as required and provided to the Town (223-6.C.1.c).*

Appropriate approvals will be obtained from the RCDOH and/or the NYSDEC, as applicable. All wastewater will be collected and be treated at an approved existing off-site wastewater treatment facility.

- c. *There shall be no open storage of hazardous materials or petroleum (223-6.C.1.f).*

There will be no open storage of petroleum or hazardous materials.

- d. *Hazardous material storage for commercial/industrial uses that is not regulated by NYSDEC shall only occur on an enclosed, impervious surface that is bermed or otherwise constructed to contain spills or leaks (223-6.C.1.h).*

The operator intends to use hydrogen fuel cells to power their forklifts used inside the sales distribution center. As such there will be no hazardous material stored onsite.

- e. ***Petroleum shall be stored in individual containers with a capacity less than 60 gallons or in aboveground tanks. The tanks shall be installed on an impervious surface and be fully enclosed by a structure that prevents exposure to outside weather or have a secondary containment with a minimum capacity equal to that of the tanks (223-6.C.1.i).***

Petroleum will not be stored on-site, therefore this section is not applicable to the project.

- f. ***For parking lots and vehicle storage or sales areas regularly holding 100 vehicles or more for at least five days per week, or at vehicle washing facilities, gasoline sales and motor vehicle service stations, an impervious surface (e.g., asphalt or concrete) with water flow directed towards an appropriately sized and maintained oil/water separator or water quality inlet structure shall be required. Collected petroleum product and other waste materials shall be removed as needed by a hauler licensed by the NYSDEC. The Planning Board may require oil/water separators or water quality inlet structures for other uses where petroleum is stored or transferred or where less than 100 commercial trucks or construction vehicles are stored. This provision may be waived if the site requires and has obtained a NYSDEC SPDES permit (223-6.C.1.j).***

The Project will provide off-line oil water separators at the end of each closed drainage system before discharge into the sediment basins forebays. In addition, each drainage structure will have a 2 foot sump and a hooded outlet to further trap sediment and oil providing additional water quality volume and resulting in cleaner runoff.

- g. ***Excavations or cut-ins that expose groundwater within the Wellhead Protection Area are prohibited. This provision does not apply to temporary (less than 60 days) construction-related excavations or cut-ins (223-6.C.1.m).***

The Project is not within a Wellhead Protection Area.

Accordingly, the project will comply with all applicable requirements of the Water Quality Control regulations.

In addition, based on the Geotechnical Engineering Report (refer to Appendix E of the Environmental Assessment Report), groundwater was encountered only in the extreme west and east portions of the site. Borings B-1 and B-10, on the west edge of the site show groundwater at a depth of approximately 26 feet. On the east edge borings B-9, B-13, and B-14 show groundwater at 20, 15, and 8 feet respectively. Based on this information, all grading will occur above the elevation of the groundwater encountered in the borings and as such there is no anticipated impact to aquifer.

The Project complies fully with the NYSDEC Stormwater Design Manual which has been developed by NYSDEC to ensure that development projects use infiltration practices to continue to introduce, post-construction, stormwater into the groundwater system. Additionally, the NYSDEC Stormwater Design Manual also ensures that projects, such as the Project, incorporate extensive treatment measures into the design of the project so that stormwater is appropriately treated before discharge back into the groundwater, which measures will be replicated by the Project.

To demonstrate that the Project meets the requirements for a special permit due to its proximity to the aquifer, Terracon engineering (Dente) was contracted to evaluate the potential impact of the project on

potable water wells on adjoining properties and the underlying aquifer. Their study concluded that the ground water flows from north to south and east to west, as a result, the infiltrated stormwater will flow away from the potable water wells to the north and south of the project. See letter report dated June 27, 2018.

Amazon has committed to not store such salt materials on the site for outdoor use. Generally, Amazon contracts with a local provider of snow plowing services, just as most commercial facilities do in the winter. Amazon has adopted the recommended application rates for reduced environmental impacts as published by the Minnesota Pollution Control Agency and expects that its contractor will adhere to best available practices for snow and ice management to avoid the potential for any impacts to the aquifer and any potable water wells on properties adjacent to the site. In addition, the Project Sponsor will manage snow in a manner that will not result in the centralized location of snow storage.

Based on the above, the Planning Board finds that the Project will not have a significant impact on the groundwater aquifer.

5. **Impact on Flooding.** The Project Site is not located in a designated floodway, a 100 year floodplain or a 500 year floodplain. In addition, the stormwater management facilities will attenuate runoff from the Site and comply with the NYSDEC requirements for such facilities.

Accordingly, the Project not have a significant impact on flooding.

6. **Impact on Air Quality.** No fixed source point emissions are anticipated as part of the Project. The proposed building within the Project will be cooled by electrically powered systems. Heating will be supplied by natural gas, which is a clean burning fuel. Therefore, potential impacts on air would be due to the emissions from car and truck traffic associated with the proposed facility. It is anticipated that there would be a maximum of 1017 passenger vehicle trips during the weekday PM peak hours; and a maximum of 26 truck trips.

Standard operating procedures for the inbound and outbound truck traffic is as outlined below:

- Inbound trucks coming into the site first check in at the security gate and then either: 1) drop off their loaded or empty trailer in one of the parking spaces in the yard; or 2) go to one of the loading docks to unload their freight; or 3) pick up either an empty or a loaded trailer from the yard.
- Trucks that drop off their trailer will usually pick up a loaded or empty trailer when they leave.
- Trucks that go to the loading dock leave once their delivery is made.
- All outbound trucks check in at the security gate before they leave the site.

There is typically a minimal amount of time that trucks will be idling and waiting to drop off or pick up a trailer. In the event that they are waiting for a period of more than five (5) minutes, they are required to turn off their engine in accordance with the New York State Heavy Duty Vehicle Idling Law (6 NYCRR Subpart 217-3).

The facility does not produce significant air emissions from the building itself. Such emissions are generally limited to exhaust from air conditioning units, commercial refrigeration equipment, and other appliances. However, as noted above, vehicle traffic is a potential source of air quality impacts at such locations. The Project Sponsor has provided documentation on the Project's possible traffic impacts. Peak-hour counts and level of service projections show that the potential traffic volume increases related to the Project will not be great enough to significantly impact air quality on or around the Project Site, which is in an area traversed by a New York State Route 9, two US Routes (150 & 20), and Interstate 90.

To further reduce any risk of air quality impacts, all vehicles at the Project Site will be expected to comply with New York State's idling limit of five minutes for heavy-duty vehicles, including diesel trucks.

Based on the above, the Planning Board finds that the Project will not have a significant impact on air.

7. **Impact on Plants and Animals.** An endangered species screening was conducted on the site by Quenzer Environmental LLC ("Quenzer") for the Project. The purpose of the screening was to identify any rare (i.e. endangered or threatened) species on the project site. The results of the screening are that no rare species are present on the Project Site. The full report, Wetland Delineation and Endangered Species Screening, Sales Distribution Center Site, Beaudoin Parcel – Tax Map 200.00-6-22.1 (43± Acres), and Palmer-Otterbeck parcel – Tax Map 200.-6-13 (73± Acres), Town of Schodack – Rensselaer County, NY dated April 2018 was included in the Applicant's initial Environmental Assessment Report as Appendix F.

The Project Site consists of actively farmed upland, upland forest, successional forest, northern hardwood forest, emergent wetland, forested/scrub-shrub wetland, a small pond and a vernal pool wetland.

A large portion of the property is actively farmed upland, which comprise the eastern two thirds of the site. The dominant species found in this area was corn (*Zea mays*). In the upland forest species included: black cherry (*Prunus serotina*), smooth sumac (*Rhus glabra*), blackberry (*Rubus occidentalis*), honeysuckle (*Lonicera morrowii*), multiflora rose (*Rosa multiflora*), Canada goldenrod (*Solidago canadensis*), False baby's breath (*Galium mollugo*), and horse nettle (*Solanum carolinense*). In the wetland areas the following species were found: red maple (*Acer rubrum*), green ash (*Fraxinus pennsylvanica*), buttonbush (*Cephalanthus occidentalis*), sycamore (*Platanus occidentalis*), winterberry (*Ilex verticillata*), loosestrife (*Lythrum salicaria*), northern willowherb (*Epilobium glandulosum*), arrowleaf tearthumb (*Polygonum sagittatum*), and tussock sedge (*Carex stricta*). The hardwood forests consist of: quaking aspen (*Populus tremuloides*), big-tooth aspen (*P. grandidentata*), balsam poplar (*P. balsamifera*), paper birch (*Betula papyrifera*), or graybirch (*B. populifolia*), pin cherry (*Prunus pensylvanica*), black cherry (*P. serotina*), red maple (*Acer rubrum*), white pine (*Pinus strobus*), with lesser amounts of white ash (*Fraxinus americana*), green ash (*F. pennsylvanica*), and American elm (*Ulmus americana*).

Based on field investigations plant communities found on the Project Site are common habitats in New York State and the Project Site did not contain any rare plant species. No endangered, threatened, or rare federally-listed or state-listed species were recorded on the Project Site and none are expected to occur.

Quenzer contacted the NYSDEC Natural Heritage Program. They reported no known species or unique communities in the project vicinity. In addition, the NYSDEC is an Involved Agency and as such commented on the Project by letter dated June 1, 2018 addressed to the Planning Board. In the NYSDEC's SEQRA letter they listed their comments on the Project and did not identify any issues related to rare or endangered species or plants.

Based on the above, the Planning Board finds that the Project will not have a significant impact on plants and animals.

8. **Impact on Agricultural Resources.** The property has been available and marketed for sale as a commercial property for some time based on the uses allowed in the PD-3 District. There has been past agricultural use of the property and the property contains class 3 and 4 soils. The property is not in an agricultural district. The property was previously rented to a farmer and that arrangement was temporary until the property could be developed; the area farmed was small in relation to the acreage in the Town that will continue to be available and used for agricultural purposes. Furthermore, the Project Site is located

within the commercially zoned Planned Development 3 zoning district where sales distribution centers are allowed to be located. The Project Site is privately owned land and the land owner does not seek to continue with past agricultural uses. Thus, there is no risk of significant adverse impact to such agricultural resources.

9. **Impact on Aesthetic Resources.** Impacts on aesthetic resources are essentially related to visual impacts of this project. According to the NYSDEC Policy on Assessing and Mitigating Visual Impacts (DEP-00-2), an aesthetic impact occurs when there is a detrimental effect on the perceived beauty of a place or structure. In order for an impact to occur, a project, by virtue of its visibility, must clearly interfere with or reduce the public's enjoyment and/or appreciation of the appearance of an inventoried resource (e.g. a cooling tower plume blocks the view from a State Park overview).

A visual assessment has been completed and is included in the Applicant's initial Environmental Assessment Report as Appendix J, which identifies the inventoried resources within a five-mile radius of the project site. The closest of the listed resources within a five-mile radius is approximately 1 mile away. With the areas hilly topography and vegetation, the Project is not expected to be visible. Therefore, based on the State's criteria the Project will not have a significant visual impact on inventoried State resources.

a. **Visual Impacts on Neighbors.**

Although the Project does not have a visual impact based on the NYSDEC guidelines, there are potential visual impacts to the surrounding neighbors; and while the adjacent residential neighborhood is not considered an inventoried resource, it is considered in this Negative Declaration.

The Project is located in between two residential neighborhoods, one to the north and one to the south of the Project Site. The visual impact on these neighborhoods has been assessed by reviewing a cross-section through the neighborhood into the Project Site. This was demonstrated in the Applicant's initial Environmental Assessment Report and also in its supplemental submission dated June 13, 2018.

Section View 1 is taken from one of the northern residence that is closest to the proposed facility. The grade elevation is approximately 347 at the viewpoint from the property. The building finished floor will be at elevation 336± and the maximum height of the building is approximately 45 feet. As shown in the cross-section and landscape plans in the record, views from the neighboring property will be screened by the existing vegetation (tree line) which is estimated to be 30 to 40 feet tall.

Section View 2 is taken from another northern residence that is closest to the proposed facility. The grade elevation is approximately 328 at the viewpoint from the property. As shown in the cross-section and landscape plans in the record, views from the neighboring property will be screened by the existing vegetation (tree line) which is estimated to be 30 to 40 feet tall, and the proposed landscaped berm.

Section View 3 is taken from the southern residence that is closest to the proposed facility. The grade elevation is approximately 347 at the viewpoint from the property. The building finished floor will be at elevation 336± and the maximum height of the building is approximately 45 feet. As shown in the cross-section and landscape plan in the record, views from the neighboring property will be screened by the existing vegetation (tree line) which is estimated to be 30 to 40 feet tall.

Over 20 computer generated photo simulations were prepared at 16 different locations around the project site. The photo simulations represented the view point of a person standing along the common property line of the neighboring residences. At each location the proposed project was accurately inserted into the photo using precise surveyed camera location and design cadd drawings provided by the architect and engineering design team.

The photo simulations demonstrate that the project landscaped berms and noise wall significantly screen the project from the neighboring residences. In addition, a significant stand of mature trees and vegetation will remain along the northeast and southeast portion of the project property to provide a natural visual buffer.

Additional landscaping along the south, west and east sides of the project site to provide partial screening of the building and noise wall.

A water tank has been included on the Project site plans to supply water to the fire suppression system. The water tank will be located on south west portion of the Project Site near Interstate I-90 furthest away from the residential areas. The water tank will be approximately 35 feet in height (lower than the building height) and approximately 30-40 feet in diameter to hold approximately 200,000 gallons of water. Due to its location and scale as compared to the proposed building, the water tank will not have an adverse impact on any of the residential neighbors, or any significant visual impact.

Based on the above, the proposed landscaped berm along the northern edge of the Project Site, along with maintaining the existing tree lines along the north and south property line, will provide adequate mitigation to screen views from the adjacent residential neighborhoods.

Therefore, the Planning Board finds that the Project will not have a significant visual impact on neighboring properties.

b. Site Lighting.

As demonstrated in the record, lighting will be provided for the parking lot areas surrounding the building, the fire access road and along the driveway into the site. The lighting will consist of energy efficient LED light fixtures with a color temperature range of 2,700k. The lights will have edges that extend below the level of the fixture to reduce the potential for source glare and light spillage. The light fixtures will be mounted on poles and on the building ranging in height from 20 to 40 feet. The foot-candle level will be zero at the property line, except for the driveway where lighting will extend to Route 9 and light the driveway intersection for safety.

Based on the above, the Planning Board finds that the Project will not have a significant impact on aesthetic resources.

10. Impact on Historic and Archaeological Resources. A full Phase 1 Archeological Sensitivity Assessment & Survey of the project site was conducted on the site by Historical Archeological Zoological Explorations – H.A.Z.Ex of Ithaca, New York (H.A.Z.Ex) for the Project. The purpose of the study was to analyze the effects of the Project on any cultural resources. The conclusion of the report is that the proposed development is not anticipated to affect any known cultural resources. The full report, Phase 1 Archeological Sensitivity Assessment & Survey for the Sales Distribution Center Development Town of Schodack, County of Rensselaer, New York dated April 2018 was submitted by the Applicant as Appendix M to their initial Environmental Assessment Report.

Historical Archeological Zoological Explorations – H.A.Z.Ex, completed a Phase 1 Archeological Sensitivity Assessment & Survey of the Project Site. The assessment was conducted in compliance with 33 CFR 61, Section 14.09 of the NYS Parks Law, New York State Historic Preservation Office (“SHPO”) guidelines, and the New York Archaeological Council’s Standards for Cultural Resource Investigations and the Curation of Archaeological Collections in New York State (NYAC 1994). The full Project Site was walked and over 1,200 shovel tests were conducted in search of artifacts.

The recommendations of the assessment found that no potential cultural resources were identified on the site, and no further investigation was recommended.

The New York State Office of Parks, Recreation and Historic Preservation (“OPRHP”) was contacted to review the Project, and on April 30, 2018 issued their concurrence that the Project will have no impact on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places.

Based on the above, the Planning Board finds that the Project will not have a significant impact on historical or archaeological resources.

11. Impact on Open Space and Recreation. The project will disturb approximately 79 ± acres, out of a total 116± acres. Of the 79 ± acres disturbed areas, 23± acres (29%) will be buildings, 28± acres (35%) will be asphalt or concrete, and the remaining 28 acres (35%) will be restored to lawn area or utilized for stormwater management facilities. Overall 65 of the total 116 acres remaining as open green space (56%), and 37 of the total 116 acres will be remain undisturbed.

Although the construction of the sales distribution center facility will result in the reduction of current open space, the Project Site is currently woodland and agricultural farmland. The property is privately owned and maintained and does not currently provide a recreational benefit to the community. In addition, the development of this land is compatible with the Town zoning and Comprehensive Plan.

Based on the above, the Planning Board finds that the Project will not have a significant impact on open space and recreation.

12. Impact on Critical Environmental Areas. The Project Site is not located in or adjacent to a Critical Environmental Area as designated by the NYSDEC or any local agency.

13. Impact on Transportation. A Traffic Impact Study (TIS) was performed by McFarland-Johnson, Inc, of Saratoga Springs, New York (“MJ”) for the proposed sales distribution center project dated March 29, 2018 and submitted with the Applicant’s Environmental Assessment Report. The Traffic Impact Study was revised on June 8 and 26, 2018 and submitted to the Planning Board. The purpose of this study is to evaluate traffic operations for the weekday morning and evening peak hours for 2018 Base Conditions as well as the 2019 Build and No-Build Conditions within the study area which included the following intersections (the “Study Area”):

- US Route 9/20 @ NYS Route 150 (Schodack Valley Rd.) - *Signalized*
- US Route 9 @ US Route 20 (Main Intersection)- *Signalized*
- US Route 9 @ US Route 20 (Channelized Movements West) - *Un-Signalized*
- US Route 9 @ US Route 20 (Channelized Movements East) - *Un-Signalized*
- US Route 9 @ Maple Hill Road (CR 6) - *Un-Signalized*
- US Route 9 @ Richwood Drive - *Un-Signalized*
- US Route 9/20 @ I-90 Westbound exit 11 Off-Ramp off – *Un-Signalized*
- US Route 9/20 @ I-90 Eastbound Exit 11 On-Ramp of– *Un-Signalized*

Data such as roadway geometrics, traffic signal timings and peak hour traffic volumes provide the basis for a thorough understanding of existing conditions and the requisite data necessary to provide projections of future traffic conditions typical, under the Build scenario.

a. Trip Generation.

The Project is scheduled to be completed by August 2019. For analysis purposes, site generated traffic was estimated using traffic data available from a similar distribution center currently operated by the same end user. The sale distribution center will operate on separate day and nighttime shifts associated with two separate operations, receiving employees and shipping employees. Because of this, the majority of the employee traffic to/from the site occurs during the following shifts:

- Day Shift Receiving 7:00AM to 5:30PM
- Day Shift Shipping 7:30AM to 6:00PM
- Night Shift Receiving 6:00PM to 4:30AM
- Night Shift Shipping 6:30PM to 5:00AM

The truck traffic is consistently projected to be between 15-30 trips per hour during the daytime hours of 8AM to 8PM and lighter volumes (0 to 15 trips per hour) during the nighttime hours from 8PM to 8AM. The below table demonstrates the resulting trip generation volumes for the proposed project during the peak timeframe, which were used to assume the worstcase scenario as it relates to traffic impacts.

Type of Land Use	Source	Vehicle Type	Weekday Early Morning Peak (4:30-5:30AM)			Weekday Morning Peak (6:30-7:30AM)			Weekday Evening Peak (5:30-6:30PM)		
			Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
1,000,000 SF Distribution Center	Similar Facility	Employees	34	414	448	570	3	573	414	603	1017
		Trucks	3	3	6	1	3	4	15	11	26
		Total	37	417	454	571	6	577	429	614	1043

* Trip Generation Data provided by end user's similar distribution center traffic volume data.

b. Trip Distribution.

Trip distribution for the proposed Project included consideration of the existing traffic patterns in the area, previous distribution center traffic studies completed as well as the general residential base for potential employee locations in the region. The TIS resulted in an estimation that 70% of the employee traffic will head north on US Route, 9 while 30% will head south. It is also assumed that nearly all of the truck traffic (90%) will enter from the north to utilize the I-90 partial cloverleaf Interchange 11; however all truck will exit to the south due to the exiting left turn restriction at the truck entrance.

An alternative truck distribution scenario was analyzed to assess the possibility that the distribution center will primarily provide shipping services to the south. The alternative analysis assumed that 70% of the trucks would enter from the south on US Route 9 towards I-90 interchange 12 with the remaining 30% entering from the north. The alternative distribution also had all exiting truck proceeding south to Exit 12 based on the proposed truck driveway configuration.

c. 2019 Build Traffic Volumes.

The revised TIS demonstrates the weekday morning and evening proposed peak hour traffic volumes associated with the 2019 build conditions. These volumes represent the 2018 base volumes combined with the addition of the estimated trips generated by the proposed Project as well as the background annual traffic growth. As a conservative measure, the Project's peak hour of traffic generation was combined with the existing background traffic's peak hours. These peak hours may be offset by 15 to 45 minutes; however, the background traffic in the area is fairly consistent during the overall commuter

peak periods (7-9AM and 4-6PM) such that combining the peak volumes was determined to be the most appropriate and accurate means of determining the overall 2019 Build volumes.

d. Traffic Operations Analysis – Intersection Capacity Analysis.

The Project, with the proposed traffic signal, has a negligible effect on the traffic operations in the Study Area. Described below is a detailed breakdown of the impacts, if any, on the Study Area intersections' operations as a result of traffic from the proposed Project.

No. 1 – US Route 9/20 at NYS Route 150 (Schodack Valley Rd.)

This signalized intersection is operating efficiently today during the morning peak hour and evening peak hour considering the high volume of traffic entering this intersection. The intersection will have minor increases in delay as a result of the proposed development's traffic; however, these impacts can be mitigated with slight modifications to the intersections signal timings as shown in Table 4. With the proposed timing changes the intersection will operate at similar levels of service with the additional traffic, as the overall intersection levels of operation are maintained. The only impacts are negligible increases in delay for turning movements during the evening peak hour; however, all individual movements will operate at acceptable levels with LOS 'C' or better projected. No physical mitigation is recommended at this intersection as a result of the proposed development.

No. 2 – US Route 9 at US Route 20

This 2-Phase signalized intersection only services the conflicting through movements at the 'Y' interchange, resulting in acceptable levels of operations for all scenarios (LOS 'C' or better). No noticeable impacts from the proposed development are projected at this intersection; therefore, no mitigation is recommended as a result of the proposed outpatient development.

No. 3 – US Route 9 at US Route 20 (East Connections)

This un-signalized intersection has low stop sign controlled volumes as it provides specific movements for US Route 9 NB traffic turning onto US Route 20 SB and vice versa. This intersection has good operations for all scenarios (LOS 'B' or better). The proposed development has no impacts as all LOS are maintained, and the vehicle delays are not projected to change. No mitigation is recommended at this intersection

No. 4 – US Route 9 at US Route 20 (West Connections)

This un-signalized intersection has low stop sign controlled volumes as it provides specific movements for US Route 20 NB traffic turning onto US Route 9 SB and vice versa. This intersection has acceptable operations for all scenarios (LOS 'C' or better). The proposed development is projected to increase the delay for the left turn movements at the stop sign by approximately 7 seconds; however, acceptable levels of service are maintained. No mitigation is recommended at this intersection as a result of the proposed development's traffic

No. 5 – US Route 9 at Maple Hill Rd. (CR 6)

This un-signalized intersection has acceptable operations for all scenarios (LOS 'C' or better). The proposed development is projected to increase the delay for the left turn movements at the stop sign approach on Maple Hill Road by an average of 3 seconds and 4 seconds during the morning and evening peak hours, respectively. This minor increase in delay results in the LOS change from a

'B' to a 'C' for this individual movement; however, the overall intersection LOS remains at a LOS 'A'. No mitigation is recommended at this intersection as good operating conditions remain after incorporating the proposed development's traffic.

No. 6 – US Route 9 at Richwood Drive

This un-signalized intersection has acceptable operations for all scenarios (LOS 'C' or better). The proposed development is projected to increase the delay for the side street approach by an average of 4 seconds and 6 seconds during the morning and evening peak hours, respectively. This minor increase in delay results in the LOS change from a 'B' to a 'C' for this individual movement; however, the overall intersection LOS remains at an 'A' LOS. No mitigation is recommended at this intersection as good operating conditions remain after incorporating the proposed development's traffic.

No. 7 – US Route 9/20 & I-90 Westbound Exit 11 Off-Ramp

This un-signalized intersection has acceptable operations for the morning peak hour (LOS 'C'); however, existing left-turn movements from the off-ramp experience some delay in the evening peak hour for all scenarios. The proposed development is projected to increase the delay for off-ramp approach by an average of 5 seconds and 13 seconds during the morning and evening peak hours, respectively. These minor increases in delay results in no LOS change from the background to the build scenarios and the overall intersection LOS remains at a LOS 'A' as the US Route 9/20 traffic remains a free flow condition. No mitigation is recommended at this intersection as no degradation of operating conditions result after incorporating the proposed development's traffic.

No. 8 – US Route 9/20 & I-90 Eastbound Exit 11 On-Ramp

This un-signalized intersection has free flow conditions for all movements except the northbound left turns to enter the on-ramp; therefore, it operates at a LOS 'A' for all scenarios. The proposed development is projected to increase the delay for the northbound left-turn movement by an average of less than 1 second during both the morning and evening peak hours, respectively. The overall intersection LOS remains at unchanged at an 'A' LOS as the US Route 9/20 traffic remains a free flow condition. No mitigation is recommended at this intersection as good operating conditions remain after incorporating the proposed development's traffic.

No. 9 – US Route 9 at Proposed Employee Driveway

The proposed distribution center development project will add considerable volume of passenger car traffic to the roadway network at this intersection during the four primary shift changes at the distributions center. Due to the proposed volume of traffic at this intersection the assessment showed that left turning vehicles exiting the proposed development would experience unacceptably long vehicle delays between 4.5 to 5 minutes during the evening peak hour under stop sign controlled conditions. Although not calculated, similar exiting delays would also occur during the early morning (4:30-5:30AM) release of employees. As a result of the signal warrant analysis that was performed (see later section of this report) a signal was analyzed at this proposed intersection.

After the implementation of a new semi-actuated, 2-phase traffic signal at this intersection, acceptable levels of operation were provided with overall LOS 'A' and 'B' during the morning and evening peak hours respectively and LOS 'C' or better for all individual movements. The developer also requested adding an additional left turn exit lane to create a dual left turn configuration. This configuration was conceptually agreed upon by the NYSDOT and was included as additional mitigation at the intersection. The semi-actuated traffic signal and the dual exiting left turn lane will allow the signal to rest in green for US Route 9 until traffic is detected on the driveway and the dual left turn lanes allows the driveway green times to be reduced, providing acceptable levels

of operations for all movements and 'A' LOS for the traveling public through traffic on US Route 9.

No. 10 – US Route 9 at Proposed Truck Driveway

The proposed distribution center development project will add consistent low volume truck traffic at this intersection through the day. Due to the proposed volume of truck traffic at this intersection the proposed stop-sign control provides acceptable LOS for the morning and evening peak hours, with proposed LOS 'C' or better. Due to the high speeds on US Route 9, the NYSDOT required that exiting truck traffic be restricted to right turn only onto US Route 9. The proposed driveway will have a negligible impact on the traveling public on US Route 9 as this will be a free movement.

e. Sight Distance Analysis.

The sight distance at the proposed site entrances was measured to determine if the available intersection sight distances meet the AASHTO recommended values. The employee driveway utilized the standard intersection sight distance recommendations for the right turning movement with additional gap timing added to the left turn movement to account for the 5-lane section of US Route 9. The truck driveway was analyzed in the same fashion; however, the "Combination Truck" time gap was utilized as well as the truck drivers eye height. Detailed drawings of the horizontal and vertical alignments for the sight distance are provided in the revised TIS (Appendix B), which were used to calculate the available sight distances.

Pursuant to the above, and as demonstrated by the revised TIS, adequate site distance is available at the proposed entrances onto US Route 9

f. Signal Warrant Analysis.

Signal warrants were reviewed for the study area's un-signalized intersections in accordance with the Federal Highway Administrations; Manual of Uniform Traffic Control Devices, 2009 edition. The site entrances were reviewed to see if the volume of employee or truck traffic warranted the consideration of a signal.

The detailed signal warrant analysis worksheets for the existing and proposed conditions at the Proposed Employee site entrance onto US Route 9 were provided in the revised and updated TIS (Appendix D). This analysis showed that this intersection meets two of the MUTCD signal warrants for the proposed build conditions. Warrants 3A and 3B, the peak hour warrants are met for the evening peak hour. Based on these warrants being met, a signal was assessed to determine what impacts it would have, both positive and negative, on the overall traffic operations.

From a capacity standpoint, the signal will elevate the failing operation of a stop sign controlled intersection (4.5-minute delay for exiting employees) and provide adequate levels of operations for the proposed site driveway with minor increases in delay to the operations of the US Route 9 northbound/southbound traffic. A semi-actuated signal is proposed, which can rest on green for the northbound/southbound approaches to minimize the impacts on US Route 9. Between the high volumes and speed of vehicles along this straight stretch of US Route 9, the ability to make a left turn safely onto US Route 9 is difficult during the peak hours. Particularly, the high volumes of exiting traffic during shift changes.

As a result of this assessment, a signal is recommended at this intersection as a mitigation measure for the redevelopment project.

g. Pedestrian Safety.

The site plan shows a sidewalk in front of the Project Site. As noted on the Project site plans, this sidewalk will be constructed at the Project Sponsor's expense and at the direction of the Town. It has been noted that, it is Amazon's experience that some of its employees may seek to use public transportation to go to work. In the event this proves to be the case, Amazon will work with CDTA to determine if a bus stop is feasible on or near the site of the Sales Distribution Center.

h. Conclusions and Recommendations.

MJ has evaluated the traffic operations within the study area surrounding the proposed Sales Distribution Center in Schodack, NY. Results from the 2019 Build conditions indicate that the proposed project will produce no noticeable increase in delay to the traveling public within the existing study area intersections and that access into and out of the proposed development can be provided in a safe manner with the proposed roadway configurations shown on the concept site plan and the proposed signal mitigation.

Based on the completed capacity analysis, the following conclusion are determined:

- The proposed distribution center is projected to create 577 trips during the morning peak hour and 1043 trips during the evening peak hour based on projected staffing/shifts provided by a similar sales distribution center.
- The employee driveway for the proposed development shall have a dedicated right turn and a dedicated left turn lane and the existing center two-way left turn lane will be re-stripped to provide a dedicated northbound left turn lane into the site with permissive/protected signal phasing. A second exiting left turn lane was requested by the developer and reviewed by the NYSDOT. This additional lane will improve operations at the intersection and was included under the mitigation scenario. Although it is not needed from a traffic capacity standpoint, due to the high volume of southbound right turn movements it is recommended that a dedicated southbound right turn lane be constructed at the proposed driveway as well.
- The secondary truck driveway will see significantly less volume as it is restricted to truck traffic only and a proposed stop-sign control for this approach is acceptable to provide adequate traffic operations. At the NYSDOT's request, the driveway will restrict the exiting vehicles to right turn movements only.
- A signal warrant analysis revealed that two warrants were met for the proposed employee entrance. Based on additional assessment of the impacts of a signal, it is recommended that a traffic signal be installed as mitigation for the sales distribution center and be constructed prior to the opening of the facility.
- The proposed driveways locations have site distance that meets the AASHTO design guidelines; however, it is recommended that when the driveways are constructed, existing vegetation and any proposed features should be removed from the driver's sight line. This is particularly true for the view to the south from the truck entrance.
- The existing surrounding roadway network has adequate capacity to accommodate the additional traffic generated by the proposed development with negligible impacts to the traveling public.

The NYSDOT has agreed with the mitigation proposed for the Project, the installation of a traffic light and the installation of turning lanes into the site. This approval can be found in NYSDOT's

communication dated June 27, 2018. The TIS, dated March 29, 2018 and the supplement to the TIS, dated June 8 and 26, 2018, submitted by the Project engineers was also reviewed by the Town Designated Engineer. From a transportation perspective, this is an appropriate location for a sales distribution center serving the northeast.

The mitigation measures set forth in the TIS demonstrate that there will not be an adverse environmental effect due to the traffic. Data specific to the tenant of the sales distribution center, Amazon, was used and is a greater amount of traffic than would have been predicted using the standard ITE data.

The use of this Amazon specific data ensures that the model predicting the generation of traffic and all potential transportation impacts that could potentially arise due to that traffic are being addressed.

Based on the above and with the proposed traffic mitigation measures, the Planning Board finds that the Project will not have a significant impact on transportation.

14. **Impact on Energy.** National Grid (“NG”) currently provides natural gas and electric in the Town of Schodack and the proposed distribution center facility will utilize National Grid for these services. National Grid has provided a communication dated June 28, 2018 confirming that based on their review to date, they are able to serve the site with electricity and natural gas and do not anticipate a need to upgrade an existing substation or to undertake a major extension of its transmission supply system.

The electric distribution system on site will consist of a below ground duct bank system with ground mounted transformers. Natural gas will be piped underground into the building mechanical room to run the buildings heating system.

The Project will therefore avoid any significant adverse effects with regard to energy.

15. **Impact on Noise, Light, and Odor.**

a. **Noise.**

The Applicant submitted a report from Ostergaard Acoustical Associated (“OAA”), Evaluation of Site Sound Emissions, Proposed Sales Distribution Center, Schodack New York, dated May 21, 2018 (the “OAA Report”). The OAA Report was submitted to the Planning Board at its May 21, 2018 meeting. The OAA Report followed the NYSDEC noise impact assessment guidance and also the regulations of the Town of Schodack relating to noise. The OAA Report also evaluated the noise that would be emitted from the Sales Distribution Center and specified immediately the mitigation measures that would be integrated into the Project to address noise.

The Project site currently consists of vacant wooded land situated adjacent heavily trafficked roadways (Interstate 90 and Rt. 9). The OAA Report highlights that the Project has centrally placed the proposed building, proposed substantial earthen berms to the north, and proposed a sound wall to the south to shield site activity from the surrounding residences. To minimize potential noise complaints, Amazon has agreed to equip switcher engines and as many other on-site trucks as feasible with smart, ambient sensing, multifrequency back up alarms. These devices reduce annoyance generated from constant level, pure tone back up alarms.

This sound wall is 18 feet high and has been designed to attenuate any noise such that noise from the operation of the Project will be maintained at a pre-construction level at least. Moreover, to assist in

keeping noise down during construction as well, Amazon and the Project Sponsor have committed to construct the wall, as well as the berms as early as possible in the construction of the sales distribution center.

Therefore, the OAA Reports concludes that “these features will sufficiently mitigate on-site HVAC and vehicle noise to have no discernible effect on the surroundings since increases will not be higher than 6 Db(A) over the existing sound levels.”

The OAA report also notes that Project sound emissions will be sufficiently below the Town of Schodack Chapter 151 Noise Code sound limit of 90 dB(A). The OAA Report also concludes that “[g]iven the results of this analysis and the prevailing activity on Interstate 90 and Route 9, on-site noise is expected to have little-to-no acoustical impact per DEC guidelines and will fully comply with Schodack Code Chapter 151 and Chapter 219-23A.”

Based on the above, and given the locations and setbacks to residences, the Project will not have any significant adverse effects with regard to noise.

b. Light.

As noted above (see Section 9(b)), lighting will be provided for the parking lot areas surrounding the building, the fire access road and along the driveway into the site. The lighting will consist of energy efficient LED light fixtures with a color temperature range of 2,700k. The lights will have edges that extend below the level of the fixture to reduce the potential for source glare and light spillage. The light fixtures will be mounted on poles and on the building ranging in height from 20 to 40 feet. The foot-candle level will be zero at the property line, except for the driveway where lighting will extend to Route 9 and light the driveway intersection for safety. Landscape buffering, and Site grading, will likewise protect against light pollution.

Based on the above, the Planning Board finds that the Project will not have a significant impact on light.

c. Odor.

Regarding odor, the Project Site is not expected to produce appreciable odors. Refuse and recycling will be contained until pickup for disposal on a regular basis in appropriate containers. In addition, the Project does not include any fixed-point source of air emissions that would cause any odor.

As noted above (see Section 6), potential impacts on air would be due to the emissions from car and truck traffic associated with the proposed facility. However, also as noted above, the Project Sponsor has provided documentation on the Project's possible traffic impacts. Peak-hour counts and level of service projections show that the potential traffic volume increases related to the Project will not be great enough to significantly impact air quality on or around the Project Site, which is in an area traversed by a New York State Route 9, two US Routes (150 & 20), and Interstate 90. To further reduce any risk of air quality impacts, all vehicles at the Project Site will be expected to comply with New York State's idling limit of five minutes for heavy-duty vehicles, including diesel trucks.

Based on the above, the Planning Board finds that the Project will not have a significant impact on odor.

16. Impact on Human Health. The Project will not have any adverse effect on human health. All necessary approvals from state and local Departments of Health for water and sewer connections, and other aspects as applicable will be obtained at the appropriate time by any and all users.

In addition, the Project Site is not located within 1,500 feet of a school, hospital, licensed daycare center, group home, nursing home or retirement community. The Project Site is not currently undergoing remediation nor was in need of remediation in the past. In addition, the Project will not result in the unearthing of solid or hazardous waste, result in an increase in the rate of disposal, or processing of solid waste, result in excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste, result in the migration of explosive gases from a landfill site to adjacent off-site structures, or result in the release of contaminated leachate from the Project Site.

Therefore, the Planning Board finds that the Project will not have a significant impact on human health.

17. Consistency with Community Plans. The site is zoned Planned Development District ("PD-3"). The proposed sales distribution center facility is a permitted use within the PD-3 zoning district. Because the project site is located within the Town's Water Quality Control District, the Project also requires a special permit pursuant to Town Code Section 233-5. There are no specific area and bulk zoning regulations applicable to the Project. However, however, the Schodack Planning Board will establish appropriate area and bulk regulations as part of the Site Plan Review process for this Project (this process was confirmed by the Town Building Inspector by determination dated June 18, 2018).

The Project is consistent with the Town of Schodack Comprehensive Plan (January 2011), particularly Guiding Principle #5: Encourage business growth around the I-90 exits and the Route 9 Corridor to build a strong tax base for public services and to provide retail and service business support for Town Residents.

The Project is also consistent with the Route 9 Corridor Development Plan (July 2006) as follows:

- Traffic is concentrated where flow will be minimal and highway access greatest.
- The facility will provide employment opportunities.
- The facility is a clean operation that does not threaten the aquifer more than the existing activity.
- The facility is not water intensive and does not use or generate hazardous materials.

As noted above, "sales distribution centers" are a permitted use in the PD-3 zoning district. Based on a request from the Project Sponsor, on June 18, 2018 the Town of Schodack Building Inspector issued a determination confirming that the Project constitutes a Sales Distribution Center and that only approval from the Planning Board is required for such a use in the PD-3 zoning district.

Based on the above, the Planning Board finds that the Project is consistent with community plans.

18. Consistency with Community Character. The sales distribution center will not significantly alter the character of community, as the Route 9/20 corridor is principally commercial use. There is an existing distribution center within 3 miles of the proposed project. Since this property is zoned PD-3, the community planned on the development of this property to generate new jobs and support the growth of the Town of Schodack. The sales distribution center project will be a benefit to economic development in the Town and County.

The Project Site is located in an area that already contains commercial development (e.g retail, banking, convenience retail, specialty retail, food service, and service station uses). The residential properties in the immediate area already coexist with nearby commercial uses.

Based on the above, the Planning Board finds that the Project is consistent with the surrounding community character based on the Project's design incorporating measures to limit noise and to protect adjoining residential property views, among other such mitigation measures discussed above and in the various reports.

19. Impact on Growth.

a. Fire and Police.

The Project Sponsor has met with the Schodack Valley Fire Company ("SVFC") to discuss the proposed fire suppression devices proposed within the sales distribution center. The sales distribution center will have a state of the art fire early suppression fast response system ("ESFR"). ESFR technology is a unique sprinkler protection concept that varies significantly from conventional, control-mode protection schemes. There are two key factors specific to ESFR sprinkler technology that make it effective in high-challenge fire suppression. First, the sprinklers are designed to discharge water with sufficient volume and momentum to attack the fire directly at the burning surfaces, thereby achieving fire suppression. Second, the sprinklers are designed to respond very quickly to growing fires through the use of a fast-response fusible element.

The proposed building will have a sprinkler demand of approximately 2,340 gpm. This is based on the sprinkler design criteria of twelve K-22.4 ESFR sprinkler heads operating at an end head pressure of 50 psi with a 10% margin to cover additional flow due to system inefficiencies. Also included in this demand is a 250 gpm hose stream requirement. For this system, the typical water tank is approximately 200,000 gallons.

This fire suppression system delivers a calculated amount of fire flow in accordance to the scope of the building size, through individual sprinkler heads to ensure that a fire, if one breaks out, is immediately suppressed. The water for sufficient fire flows may be maintained on site in a 200,000 gallon water tank which is adjacent to the building. Although the height of the building is +/- 40 feet, any delivery of water from hoses originating outside the building would be delivered through stand pipes that are affixed to the building. The economic study prepared by Camoin Associates and submitted to the Town Planning Board on June 18, 2018 demonstrates that substantial funds will be provided by the Project to the SVFC.

The Project Engineer has reached out to the Schodack Police to provide them with information about the Project. Based on that discussion, the Schodack Police have indicated that they have no concerns regarding servicing the facility. On June 28, 2017, the Schodack Police confirmed their satisfaction with the Project.

b. Fiscal.

The Project Sponsor has provided a study by Camoin Associates, Economic & Fiscal Impact Analysis of Proposed Sales Distribution Center, Town of Schodack, NY, dated June 2018, to the Planning Board on June 18, 2018.

The Camoin Associates Report demonstrates that the potential growth from the proposed sales distribution center has the potential to result in approximately 49 additional jobs (beyond those offered by the potential tenant, Amazon) in the community. In addition, the Project will result in 83 construction phase jobs, 78 construction phase on-site jobs, and 849 annual jobs (800 direct and 49 indirect).

Per the Camoin Associate Report, across all jurisdictions, the Project is expected to generate positive net impacts totaling over \$31 million. The local jurisdictions are expected to receive \$31 million more in revenues than expenses over this time period.

Based on the above, the Planning Board finds that the Project will not result in substantial impacts to growth in the Town of Schodack.

Conclusion

The Planning Board, acting as Lead Agency in a Coordinated Review under SEQRA, has thoroughly evaluated all aspects of the Project and carefully reviewed all relevant materials. For the reasons set forth above, the Planning Board has determined that the Project will not have any significant adverse impacts on the environment. As a result, a Negative Declaration will be filed and distributed pursuant to SEQRA regulations, and a Draft Environmental Impact Statement need not be prepared.

CERTIFICATION

This SEQRA Negative Declaration and Reasons Supporting SEQRA Negative Declaration were approved at a duly called meeting of the Town of Schodack Planning Board on _____, 2018. The requirements of Article 8 of the New York State Environmental Conservation Law and 6 NYCRR Part 617 have been met.

Wayne Johnson, Acting Chair
Town of Schodack Planning Board

Date: _____

The ENB SEQRA Notice Publication Form - Please check all that apply

Reset Form

Deadline: Notices must be received by 6 p.m. Wednesday to appear in the following Wednesday's ENB

- Negative Declaration - Type I
- Conditioned Negative Declaration
- Draft Negative Declaration
- Positive Declaration
- with Public Scoping Session
- Draft EIS
- with Public Hearing
- Generic
- Supplemental
- Final EIS
- Generic
- Supplemental

DEC Region # 4 County: Rensselaer Lead Agency: Town of Schodack Planning Board

Project Title: Site Plan Review and Special Permit for Sales Distribution Center proposed by Scannell Properties #262 LLC

Brief Project Description: The action involves . . .

Scannell Properties #262, LLC is proposing to construct a 1,015,740 ± square foot sales distribution center (the "Project") on two adjoining parcels (tax ID 200.00-6-1.3, and 200.00-6,22.1) totaling 116.3 ± acres along NYS Route 9 in the Town of Schodack, Rensselaer County, New York (the "Project Site"). The sales distribution center is being constructed for the proposed tenant Amazon. The proposed facility will be constructed in its entirety in one phase.

The Project includes associated on-site roadways, parking, utility infrastructure, landscaping, and stormwater management facilities. There will be two (2) driveway entrances to the site off of NYS Route 9; one dedicated driveway for employees and one dedicated driveway for trucks. A security gate with a Guard House will be provided at the truck entrance. Approximately 1,075 parking spaces will be provided for employees and approximately 300 parking spaces will be provided for truck trailers. Off-site improvements will include extension of water, sewer, and natural gas mains to the project site. The off-site utilities will be extended from their current terminus along NYS Route 9/20 south of NYS Route 150.

The Project Sponsor is seeking Site Plan approval and a Special Use Permit under the Town's Water Quality Control Act ("WQCA") from the Planning Board and has submitted materials in support of the application which can be found in the Town Planning Department's files.

Project Location (include street address/municipality): RL 9, Town of Schodack, New York (Tax ID 200.00-6-1.3 and 200.00-6-22.1)

Contact Person: Nadine Fuda, Director of Planning and Zoning, Town of Schodack

Address: 265 Schuurman Road City: Castleton State: NY Zip: 12033 Phone: 518-477-7938 Fax: 518-477-9534 E-mail: nadine.fuda@schodack.org

For Draft Negative Declaration / Draft EIS: Public Comment Period ends: ___ / ___ / ___

For Public Hearing or Scoping Session: Date: ___ / ___ / ___ Time: ___:___ am/pm

Location: _____

A hard copy of the DEIS/FEIS is available at the following locations:

The online version of the DEIS/FEIS is available at the following publically accessible web site: _____

For Conditioned Negative Declaration: In summary, conditions include: _____

2018-199

73502
Sewer District No. 6,
Sanitary Sewer District Extension #4
Town of Schodack

NOTICE OF PUBLIC HEARING

**COUNTY OF RENSSELAER
TOWN OF SCHODACK
August 9, 2018**

**ORDER FOR PUBLIC HEARING ON ESTABLISHMENT OF SEWER
DISTRICT NO. 6, SANITARY SEWER DISTRICT EXTENSION #4 IN THE
TOWN OF SCHODACK, COUNTY OF RENSSELAER, STATE OF NEW YORK,
PURSUANT TO ARTICLE 12 OF THE TOWN LAW
OF THE STATE OF NEW YORK**

WHEREAS, a map, plan and report have been prepared in such manner and in such detail as is required by Article 12 of the Town Law of the State of New York and a petition pursuant to Article 12 of the Town Law of the State of New York, relating to the establishment of Sewer District No. 6, Sanitary Sewer District Extension #4, in the Town of Schodack, County of Rensselaer, State of New York, has been filed in the Town Clerk's Office for public inspection; and

WHEREAS, said map, plan and report was prepared by McFarland Johnson, competent engineers, duly licensed by the State of New York, showing boundaries of the proposed Sewer District Extension, general plan of the Sewer District Extension and an analysis showing the costs thereof and method of operation; and

WHEREAS, said map, plan and report shows all facilities, together with the location and the general description of all public works required including lands and easements to be acquired; and

WHEREAS, the boundaries of the proposed Sewer District Extension are as described in Schedule "A" annexed hereto; and

WHEREAS, the improvements proposed consist of the installation of 4,200 lineal feet of 8" PVC sewer pipe, 21 sewer manholes, 1 sewer connection, 150 lineal feet for boring under Routes 9 & 20, and upgrading the existing pump station, in accordance with the map, plan and report now on file in the Office of the Town Clerk of the said Town of Schodack; and

WHEREAS, the maximum amount proposed to be expended for said improvements and/or acquisition of necessary lands is the sum of Six Hundred Eighty-Seven Thousand (\$687,000.00) Dollars; and

WHEREAS, approval of the New York State Comptroller will not be required for the formation of the Sewer District No. 6, Sanitary Sewer District Extension #4 inasmuch as debt will not be issued or assumed by the Town of Schodack and any assessments to the typical property shall be on a benefit basis for all users; and

WHEREAS, operation and maintenance fees for the Sewer District Extension are estimated to be Seventeen Thousand Five Hundred Twenty and 00/100 (\$17,520.00) Dollars for the typical property located within the Sewer District Extension; and

WHEREAS, the hook up fee is estimated to be Forty-Five Thousand and 00/100 (\$45,000.00) Dollars and the building sewer inspection fee is Two Hundred and 00/100 (\$200.00) Dollars and the Sewer District Extension fee is Two Hundred Twenty-Five (\$225.00) Dollars;

NOW, IT IS HEREBY ORDERED, that the Town Board of the Town of Schodack, shall meet and hold a public hearing at the Town of Schodack Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, in said Town, on the 23rd day of August, 2018, at 7:00 p.m., local time, to consider said petition and the map, plan and report and to hear all persons interested in the subject thereof as is required or authorized by law.

The foregoing was moved by Councilperson _____, and
seconded by Councilperson _____

AYES

NOES

David Harris
Michael Kenney
Scott Swartz
Jim Bult
Tracey Rex

Dated: August 9, 2018

CERTIFICATION OF TOWN CLERK

I, **DEBRA L. CURTIS**, the undersigned Clerk of the Town of Schodack,
Rensselaer County, New York, DO HEREBY CERTIFY:

That I have compared the foregoing copy of the minutes of the meeting of the
Town Board of said Town, including the resolution contained therein, held on the 9th day
of August, 2018, with the original thereof on file in my office, and that the same is a true
and correct copy of said original and of the whole of said original so far as the same
relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of
said Town this day of August, 2018.

Debra L. Curtis, Town Clerk

SCHEDULE "A"

**Legal Description
Sewer District No.6**

Sanitary Sewer Extension #4

Consolidated lands now or formerly of Jill C. Palmer-Wood, Burdette J. Otterbeck, William J. & Mary Beaudoin and Mary Ann Sherman

All that certain parcel or piece of land situate in the Town of Schodack, County of Rensselaer, and State of New York, and more particularly bounded and described as follows:

Beginning at an iron pin found in the western highway boundary of U.S. Route 9 at its intersection with the division line between lands now or formerly of Jill C. Palmer-Wood and Burdette J. Otterbeck (Document number 2008-00302819) to the south and lands now or formerly of James R. Matias and Judith Dunham-Matias (Liber 169, page 1431) to the north; Thence along the western highway boundary of U.S. Route 9 South $26^{\circ} 01' 48''$ West, a distance of 1142.41 feet to a capped rod found at the northeast corner of lands now or formerly of Michael and Charlotte Belak (Liber 1298, page 417); Thence North $78^{\circ} 28' 35''$ West, a distance of 420.80 feet to a point, Thence South $21^{\circ} 23' 25''$ West, a distance of 67.67 feet to a point; Thence along the division line with lands now or formerly of Michael and Charlotte Belak (Liber 1298, page 417) North $87^{\circ} 14' 30''$ West, a distance of 16.77 feet to a capped rod found; Thence continuing along the division line with Michael and Charlotte Belak, and along the division line with lands now or formerly of Frank and Linda Paonessa (Liber 324, page 1892) South $11^{\circ} 45' 30''$ West, a distance of 226.00 feet to an iron pin found; Thence along the division line with lands now or formerly of Clifford and Deborah Brehm (Liber 1249, page 225) and along the division line with lands now or formerly of George Brehm (Liber 1032, page 306) South $86^{\circ} 54' 22''$ West, a distance of 612.61 feet to an iron pin found; Thence along the division line with lands now or formerly of George Brehm (Liber 1032, page 306), lands now or formerly of Paul and Heather Brehm (Liber 1611, page 199), and lands now or formerly of Cheryl L. Ouderkirk (Liber 648, page 221) South $16^{\circ} 16' 15''$ East, a distance of 546.03 feet to an iron pin in concrete found; Thence along the division line with lands now or formerly of William J. Beaudoin and Mary Beaudoin (Liber 1302, page 805) and with the terminus of Hillcrest Avenue South $05^{\circ} 52' 46''$ East, a distance of 200.90 feet to a rebar found; Thence along the southern side of Hillcrest Avenue and passing through an iron pipe, North $84^{\circ} 07' 14''$ East, a distance of 115.00 feet to a point in the southern line of Hillcrest Avenue at its intersection with the division line between lands now or formerly of Carl and Mary Sherman (Liber 1302, page 807) to the east and William J. and Mary E. Beaudoin and Mary Ann Sherman (Liber 7724, page 283) to the west; Thence along said division line South $05^{\circ} 52' 46''$ East, a distance of 100.00 feet to a point; Thence along the division line with lands now or formerly of Hartland Associates, Inc. (Liber 7602, page 263) and lands now or formerly of Donald Hart (Liber 168, page 2218) South $84^{\circ} 07' 14''$ West, a distance of 845.92 feet to a point; Thence continuing along the division line with lands now or formerly of Donald Hart (Liber 168, page 2218) and passing through a rebar found, South $27^{\circ} 07' 14''$ West, a distance of 532.64 feet to a rebar found; Thence along the division line with lands now or formerly of Hartland Associates, Inc. (Liber 168, page 2250) North $48^{\circ} 13' 42''$ West, a distance of 586.77 feet to a rebar found at the eastern highway boundary of Interstate 90; Thence along the eastern highway boundary of Interstate 90 the following six courses and distances:

1. North $06^{\circ} 29' 05''$ East, a distance of 262.42 feet to a point;
2. North $06^{\circ} 29' 57''$ East, a distance of 1039.84 feet to a concrete monument found;

3. North 62°36'15" East, a distance of 377.34 feet to a concrete monument found;
4. North 04°25'52" West, a distance of 519.98 feet to a concrete monument found;
5. North 07° 28' 01" West, a distance of 754.97 feet to a concrete monument found;
6. North 87° 25' 18" East, a distance of 363.34 feet to an iron pipe found;

Thence along the division line with lands now or formerly of Otis J. Williams, II, and Jennifer L. Meehan (Liber 6446, page 73), and lands now or formerly of Wesley J. Sanford, Jr. and Lauren K. Sanford (Liber 7800, page 124) North 88°14'57" East, a distance of 243.29 feet to an iron pipe found; Thence continuing along the division line with lands now or formerly of Wesley J. Sanford, Jr. and Lauren K. Sanford (Liber 7800, page 124), and along the division line with lands now or formerly of Kristin M. Meashaw and Matthew B. Abatto (Liber 3129, page 334), lands now or formerly of Scott A. Dunham and Theresa A. Dunham, lands now or formerly of Robert A. Jansing (Liber 366, page 1395), lands now or formerly of Sarah E. and Kristen A. Fedigan (Liber 8173, page 197) and passing through two iron pipes found, South 89° 13' 33" East, a distance of 868.18 feet to a point; Thence along the division line with lands now or formerly of Brian J. and Laurel L. Smihosky (Liber 7266, page 77), lands now or formerly of Vittorio Lapietra & Donna Linhares-Lapietra (Liber 4008, page 178), lands now or formerly of Edward C. and Erin A. Cullings (Liber 4762, page 8), and lands now or formerly Kenneth C. and Crystal M. Swinton (Liber 7541, page 108) South 88° 41' 33" East, a distance of 585.84 feet to an iron pipe found; Thence continuing along the division line with lands now or formerly of Kenneth C. and Crystal M. Swinton (Liber 7541, page 108) South 89° 09' 53" East, a distance of 288.23 feet to capped rebar found; Thence along the division line with lands now or formerly of James R. Matias and Judith Dunham-Matias (Liber 169, page 1431) the following two courses and distances:

1. South 16° 52' 47" West, a distance of 430.00 feet to an iron pin found;
2. South 74° 02' 22" East, a distance of 280.00 feet to the point and place of beginning.

Containing or 116.39 acres or 5,070,10 square feet of land, more or less.

73501
Schodack Consolidated Water District No., 101,
Water District Extension No. 6
Town of Schodack

**COUNTY OF RENSSELAER
TOWN OF SCHODACK
August 9, 2018**

WHEREAS, a map, plan and report have been prepared in such manner and in such detail as is required by Article 12 of the Town Law of the State of New York and a petition pursuant to Article 12 of the Town Law of the State of New York, relating to the establishment of Schodack Consolidated Water District No. 101, Water District Extension No. 6, in the Town of Schodack, County of Rensselaer, State of New York, has been filed in the Town Clerk's Office; and

WHEREAS, said map, plan and report was prepared by McFarland Johnson, competent engineers, duly licensed by the State of New York, showing boundaries of the proposed Water District Extension, general plan of the Water District Extension and an analysis showing the costs thereof and method of operation; and

WHEREAS, said map, plan and report shows all facilities, including mains, together with the location and the general description of all public works required including lands and easements to be acquired; and

WHEREAS, the improvements proposed consist of the installation of 2,250 lineal feet of 12 inch PVC water pipe, 2200 pipe bends, 4 water valves, 6 water hydrants, 150 lineal feet of pipe for boring underneath Routes 9 & 20, in accordance with the map, plan and report now on file in the Office of the Town Clerk of the said Town of Schodack; and

WHEREAS, the maximum amount proposed to be expended for said improvements and/or acquisition of necessary lands is the sum of Four Hundred Twenty-Nine Thousand (\$429,000.00) Dollars; and

WHEREAS, said map, plan and report describing said improvements are on file in the Town Clerk's Office for public inspection; and

WHEREAS, the first year cost for operation and maintenance fees for the Water District Extension are estimated to be Eight Thousand Six Hundred Ninety-Two and 00/100 Dollars (\$8,692.00) to the typical property after the first year of the Water District Extension formation; and

WHEREAS, the water line installation fee is Two Hundred and 00/100 (\$200.00) Dollars and the Water District Extension connection fee is Twenty-Five and 00/100 (\$25.00) Dollars; and

WHEREAS, the capital charges for the typical property located within the Water District Extension are estimated to be Twelve Thousand Five Hundred Forty-Four and 00/100 (\$12,544.00) Dollars after the first year of Water District Extension formation.

NOW, IT IS HEREBY ORDERED, that the Town Board of the Town of Schodack shall cause to be filed for public inspection with the Town Clerk, a detailed explanation of how the estimated cost of hookup fees, the cost of the district to the typical property, and the cost of capital charges has been computed and that an analysis of the computation of those costs is attached hereto as Exhibit A.

The foregoing was moved by

, and seconded by

AYES

NOES

David Harris
Michael Kenney
Scott Swartz
Jim Bult
Tracey Rex

Dated: August 9, 2018

CERTIFICATION OF TOWN CLERK

I, **DEBRA L. CURTIS**, the undersigned Clerk of the Town of Schodack,
Rensselaer County, New York, DO HEREBY CERTIFY:

That I have compared the foregoing copy of the minutes of the meeting of the
Town Board of said Town, including the resolution contained therein, held on the 9th day
of August, 2018, with the original thereof on file in my office, and that the same is a true
and correct copy of said original and of the whole of said original so far as the same
relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of
said Town this day of August, 2018.

Debra L, Curtis, Town Clerk

EXHIBIT "A"



D. Hydraulic Calculations

A hydraulic model was used to compute the pressure at the base of the riser for the building, including the loss from meters and/or backflow prevention devices. Calculations are based on the Utility plans and a Neptune Protectus III water meter. See Appendix 2 for the Hydraulic Calculations.

The building will have an ESFR (Early Suppression Fast Response) sprinkler system which is designed to supply large amounts of water to extinguish any fire. Because of this system’s demands, the building will have a 200,000-gallon water supply tank with a pump for the sprinkler system. The building’s sprinkler system will be self-sufficient and is not expected to draw significant demand. Calculations were done to represent a fire hydrant demand and are in Appendix 3.

E. Backflow Prevention Requirements

Backflow prevention was assumed for the site based upon the size of the supply line. The site is expected to have a 12” Watts Double Detector Assembly immediately after the meter at the street.

F. Conclusion

Presently, the water system serving Consolidated Water District No. 101 has a capacity of 0.5 MGD and the current usage is approximately 130,000 GPD. The proposed Schodack Distribution Center is estimated to utilize 6,000 GPD, increasing the existing demand from 130,000 GPD to 136,00 GPD. Therefore, the capacity of the Consolidated Water District No. 101 will allow the acceptance of the additional water demand generated by the proposed Schodack Distribution Center.

Section 3: Financing

Scannell Properties will be financing the installation of the proposed water system. A cost estimate of the proposed work is included in Appendix 4. No debt will be issued by the town for this project.

Section 4: Water District Extension

The project site is located near Consolidated Water District No. 101, but is currently not within the Water District as shown in Appendix 1. This proposed Water District Extension would extend the District to encompass the project site pending the approval of the Schodack Town Board, the NYS Department of Health, and the NYS Department of Environmental Conservation. The map shown in Appendix 2 shows the land to be included within the Water District. The typical property within the proposed water district extension is an approximate 1,000,000 square foot Sales Distribution Center.



Section 5: User Cost and Connection Fees

The property to be added to Consolidated Water District No. 101 will become a rate payer under the district.

The Town of Schodack's building water line installation fee is \$200 (estimate 4 inspections @ \$50 each) and the sewer district extension connection fee is \$25 for a total of \$225.00 to the Town of Schodack.

Current Town quarterly operations and maintenance charges are \$55 minimum (up to 18,000 gallons) plus \$4 per 1,000 gallons used over 18,000 gallons, billed approximately one week after the end of each calendar quarter. Based on a water use of 6,000 GPD, this would result in an annual water usage fee of:

$(6,000 \text{ GPD} * 365 \text{ Days} - 72,000) / 1,000 \text{ GAL} * 4 = \$8,472.00 + \$220.00 = \$8,692.00$ per year for the Distribution Center.

The Consolidated Water District No. 101 must repay annual debt. In accordance with Town Board Resolution 2017-239, for commercial properties, the calculation for the capital charges for each property would include 1 equivalent dwelling unit (EDU) plus 1 additional EDU, based upon estimated water usage or 50% discounted estimated water usage per DEC flow guidelines, for every 72,000 gallons or portion thereof in excess of 72,000 gallons. Estimated DEC flow guidelines are based upon the square footage of the structure calculated as follows:

$6000 \text{ GPD} * 365 \text{ days} / 72,000 \text{ gal} = 31 \text{ EDU} + 1 \text{ additional EDU} = 32 \text{ EDU}$.

Based upon the Consolidated Water District No. 101, the capital rate for the typical property is \$392 per equivalent dwelling unit. The total capital payment for the typical property within the water district extension for the first year after district extension creation shall equal:

$32 \text{ units} * \$392 = \$12,544$ in total capital charges.

Section 6: Conclusion

This report concludes that the Town of Schodack Consolidated Water District No. 101 has the capacity to accept the additional demand from this project.



McFARLAND-JOHNSON, INC.
 60 RAILROAD PLACE
 SARATOGA SPRINGS, NY 12866
 PHONE (518) 580-8380
 FAX (518) 580-9383
 www.mjinc.com

ENGINEER'S OPINION OF PROBABLE COSTS

Project: Scannell Properties, Schodack, New York
 Consolidated Water District 101 Extension #6

July 5, 2018

Bid Item	Description Of Item	Unit	Quantity	Unit Price	Engineer's Estimate
01	12" PVC WATER PIPE	LF	2250	\$116	\$261,000.00
02	PIPE BENDS	LB	2200	\$12	\$26,400.00
03	WATER VALVES	EA	4	\$2,500.00	\$10,000.00
04	WATER HYDRANTS	EA	6	\$5,000.00	\$30,000.00
05	BORE UNDER RT 9 & 20	LF	150	\$300.00	\$45,000.00
	TOTAL (Construction)				\$372,400.00
	15% Contingency				\$55,860.00
	Grand Total (Construction)				\$428,260.00

	Additional Costs	Unit	Quantity	Unit Price	Engineer's Estimate

TOTAL PROJECT COST \$429,000.00

73501
Schodack Consolidated Water District No. 101,
Water District Extension No. 6
Town of Schodack

**RESOLUTION REGARDING LEAD AGENCY
COUNTY OF RENSSELAER
TOWN OF SCHODACK
August 9, 2018**

WHEREAS, a map, plan and report have been prepared in such manner and in such detail as is required by Article 12 of the Town Law of the State of New York and a petition pursuant to Article 12 of the Town Law of the State of New York, relating to the establishment of Consolidated Water district No. 101, Water District Extension No. 6, in the Town of Schodack, County of Rensselaer, State of New York, have been filed in the Town Clerk's Office for public inspection; and

WHEREAS, said map, plan and report was prepared by McFarland Johnson, competent engineers, duly licensed by the State of New York, showing boundaries of the proposed Water District Extension, general plan of the Water District Extension and an analysis showing the costs thereof and method of operation; and

WHEREAS, said map, plan and report shows all facilities together with the location and the general description of all public works required including lands and easements to be acquired; and

WHEREAS, the improvements proposed consist of the installation of 2,250 lineal feet of 12 inch PVC water pipe, 2200 pipe bends, 4 water valves, 6 water hydrants, 150 lineal feet of pipe for boring underneath Routes 9 & 20, in accordance with the map, plan and report now on file in the Office of the Town Clerk of the said Town of Schodack; and

WHEREAS, said project will require compliance with the provisions of the Environmental Conservation Law of the State of New York and regulations of the Department of Environmental Conservation, Part 617, State Environmental Quality Review Act;

WHEREAS, the Town of Schodack Planning Board was designated as the lead agency in a coordinated review with the Town of Schodack Town Board; and

WHEREAS, the underlying project is the development of approximately 116.3 acres of real property along New York State Route 9 located within the Town of Schodack, New York on which real property a one million square-foot sales distribution center is proposed to be constructed; and

WHEREAS, in connection with this proposed project the Town of Schodack Planning Board in its role as lead agency in a coordinated review concluded that “the project will not have a significant impact on the municipal water system”; and

WHEREAS, a copy of the full environmental assessment form together with the negative declaration issued by the Town of Schodack Planning Board is attached hereto and made a part hereof as Exhibit A;

NOW, THEREFORE, IT IS RESOLVED:

That the Town of Schodack Town Board hereby affirms the designation of the Town of Schodack Planning Board as the lead agency in a coordinated review with respect to the proposed project which encompasses the formation of Consolidated Water District No. 101, Water District Extension No. 6

The foregoing was moved by Councilperson _____, and
seconded by Councilperson _____

AYES

NOES

David Harris
Michael Kenney
Scott Swartz
Jim Bult
Tracey Rex

Dated: August 9, 2018

CERTIFICATION OF TOWN CLERK

I, **DEBRA L. CURTIS**, the undersigned Clerk of the Town of Schodack,
Rensselaer County, New York, DO HEREBY CERTIFY:

That I have compared the foregoing copy of the minutes of the meeting of the
Town Board of said Town, including the resolution contained therein, held on the 9th day
of August, 2018, with the original thereof on file in my office, and that the same is a true
and correct copy of said original and of the whole of said original so far as the same
relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of
said Town this day of August, 2018.

Debra L. Curtis, Town Clerk

EXHIBIT "A"

**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 project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Sales Distribution Center		
Project Location (describe, and attach a general location map): Tax ID #200.00-6-1.3 and Tax ID #200.00-6-22.1		
Brief Description of Proposed Action (include purpose or need): The project involves the development of approximately 116.3 acres of land along NYS Route 9 located in the Town of Schodack, NY. The project is a One million +/- s.f. sales distribution center with 95 loading docks, 300 trailer spaces and approximately 1077 space employee parking lot.		
Name of Applicant/Sponsor: Scannell Properties #282, LLC c/o Daniel Madrigal		Telephone: 763-331-8853
Address: 8801 River Crossing Blvd, Suite 300		E-Mail: danielm@scannellproperties.com
City/PO: Indianapolis	State: IN	Zip Code: 46240
Project Contact (if not same as sponsor; give name and title/role): McFarland Johnson c/o Steve Boisvert, PE (Agent for Applicant)		Telephone: 518-580-9380
Address: 60 Railroad Place, Suite 402		E-Mail: sboisvert@mjinc.com
City/PO: Saratoga Springs	State: NY	Zip Code: 12866
Property Owner (if not same as sponsor): See Attached		Telephone:
Address:		E-Mail:
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Extension of Water & Sewer Districts	May 2018
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Schodack Planning Board - Site Plan, SEQR, Special Use Permit	April 2018
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Schodack DPW - Water and Sewer Connection	May 2018
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Rensselaer County Health Department - Site Plan Review, Water and Sewer District Extension	May 2018
f. Regional agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Rensselaer County Planning Board - 239M Review	May 2018
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS DEC - SPDES General Permit, Sewer District Extension NYS DOT - Curb Cut NYS DOH - Water/Sewer Extension SHPO - Sign Off	May 2018
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> If Yes, complete sections C, F and G. If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s):	
Project is located in Hudson River Greenway area.	

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?
D-3 Planned Development, Direct Recharge Area Overlay District

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? East Greenbush Central School District

b. What police or other public protection forces serve the project site?
Town of Schodack Police Department

c. Which fire protection and emergency medical services serve the project site?
Schodack Valley Fire Company

d. What parks serve the project site?
Schodack Town Park

D. Project Details

D.1. Proposed and Potential Development

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

o. a. Total acreage of the site of the proposed action? _____ 116.3 acres
b. Total acreage to be physically disturbed? _____ 75+/- acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 116.3 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 proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: _____ 18 months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase I (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 1

ii. Dimensions (in feet) of largest proposed structure: 45 height; 570 width; and 1,782 length

iii. Approximate extent of building space to be heated or cooled: 1,000,000 square feet

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

i. Purpose of the impoundment: Stormwater Detention

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

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

iv. Approximate size of the proposed impoundment. Volume: 11.7 million gallons; surface area: 5.7 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): earth fill Ponds 1 and 2 Forebays and Basins: 300' length, 10' height; Pond 3 Forebay: 300' length, 13' height; Pond 3 Basin: 550' length, 10' height

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): See appendix F. The wetlands have been determined to be isolated, and therefore non jurisdictional. The ACOE has issued their non jurisdictional concurrence for property T/A #200.00-6-1.3. Concurrence for property T/A # 200.00-6.22.1 is pending.

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:
There are three wetlands (wetlands A, B, and C). wetlands A, B, and C will be infilled for grading during site development; however these wetlands have all been determined to be non-jurisdictional.

iii. Will proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

iv. Will 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: _____ 6,000 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: Consolidated Water District # 101
- 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: _____
from the north, approximately 2,400 linear feet of new watermain will be extended along route 9.
- Source(s) of supply for the district: well field

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: _____

N/A

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

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

If Yes:

i. Total anticipated liquid waste generation per day: _____ 6,000 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: East Greenbush Wastewater Treatment Plant
- Name of district: Town of Schodack Sewer District No. 6
- 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

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- Do existing sewer lines serve the project site? Yes No
- Will line extension within an existing district be necessary to serve the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

From the north, approximately 4,160 linear of new sewer will be extended along route 9/20.

- iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

- v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

N/A

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

N/A

- 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 58 acres (impervious surface)

_____ Square feet or 116.3 acres (parcel size)

- ii. Describe types of new point sources Impervious Surfaces, Roof Leaders, Stormwater Management Detention Pond Outlet

- iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

On-site Stormwater Management Facilities and Structures

- If to surface waters, identify receiving water bodies or wetlands: _____

N/A

- Will stormwater runoff flow to adjacent properties? Yes No

- iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

- f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No

If Yes, identify:

- i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

emissions from delivery trucks

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

emissions from temporary power generation, delivery trucks, earth moving equipment, potentially temporary heating of the building

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

potentially a natural gas back up electric generator and natural gas roof top HVAC units

- g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No

If Yes:

- i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No

- ii. In addition to emissions as calculated in the application, the project will generate:

- _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
- _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No
 If Yes:
 i. Estimate methane generation in tons/year (metric): _____
 ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No
 If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No
 If Yes:
 i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____
 ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____ 336
 iii. Parking spaces: Existing _____ 0 _____ Proposed _____ 1077 _____ Net increase/decrease _____ 1077
 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:
 See Appendix L as indicated in the Traffic Impact Study, modifications include a new traffic signal, right turn lane, and left turn lane striping

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No
 vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No
 viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No
 If Yes:
 i. Estimate annual electricity demand during operation of the proposed action: _____
 Electrical demand is estimated to be 28,400 kW annually.
 ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
 Via grid/local utility - National Grid, a will serve letter has been requested
 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: _____ 6 am - 8 pm *
 • Saturday: _____ 8 am - 7 pm *
 • Sunday: _____ none
 • Holidays: _____ none
 ii. During Operations:
 • Monday - Friday: _____ 24 hrs
 • Saturday: _____ 24 hrs
 • Sunday: _____ 24 hrs
 • Holidays: _____ 24 hrs

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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:
 Noise Levels will increase During Construction due to heavy equipment use during the hours of 7 am - 5 pm. refer to appendix M

ii. Will 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:
 sources are from light poles, and building mounted lights with glare shields directed downward see Plans for locations) Pole Ht. in the employee lot is 25' high and approximately 355' from the nearest occupied structure. Pole height in the truck parking lot is 40' high and approximately 145' from nearest struc.

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

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

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No
 If Yes:
 i. Product(s) to be stored Liquid Hydrogen
 ii. Volume(s) 18,000 gal per unit time _____ year (e.g., month, year)
 iii. Generally describe proposed storage facilities:
 an on site secured fenced in area located approximately 870 feet from the nearest occupied structure. will house all equipment and above grade tank

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: _____ TBD tons per _____ TBD (unit of time)
 • Operation : _____ TBD tons per _____ TBD (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: Recycling Wood, Paper and Cardboard

 • Operation: Recycling Paper and Cardboard

iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: To be Hauled Off-site by a Private Hauler in a Legal Manner

 • Operation: To be Hauled Off-site by a Private Hauler in a Legal Manner

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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 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	0 AC	58 AC	(+58 AC)
• Forested	65 AC	24 AC	(-41 AC)
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	49.6 AC	33.8 AC	(-15.8 AC)
• Agricultural (includes active orchards, field, greenhouse etc.)	0 AC	0 AC	(0 AC)
• Surface water features (lakes, ponds, streams, rivers, etc.)	1.7 AC	0.5 AC	(-1.2 AC)
• Wetlands (freshwater or tidal)	2.82 AC	0.8 AC	(-2.02 AC)
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

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

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

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

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

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

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

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? 11-23 (East End) 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:

<u>Hoosic gravelly sandy loam</u>	<u>90</u> %
<u>Castile gravelly silt loam</u>	<u>10</u> %
_____	_____ %

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

e. Drainage status of project site soils: Well Drained: 90 % of site
 Moderately Well Drained: 10 % of site
 Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: 60 % of site
 10-15%: 15 % of site
 15% or greater: 25 % 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
*In a letter, attached to this form, the US Army Corps has determined that 2.02 acres of wetlands to be impacted on property Tax ID #200.00-6-1.3 are considered non-jurisdictional. Wetland field investigation is currently underway at property Tax ID #200.00-6-22.1

iii. Are any of the wetlands or waterbodies ~~within~~ or adjoining the project site regulated by any federal, state or local agency? Yes No
*see attached location map adjoining

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

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name 863-618 Classification C
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... 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 (Schodack Terrace Aquifer)

m. Identify the predominant wildlife species that occupy or use the project site:
see appendix F _____

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

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

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? approx. 50 acres contain the following highly productive soils: CbA, HoA and HoB _____
ii. Source(s) of soil rating(s): _____

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

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

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National 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.

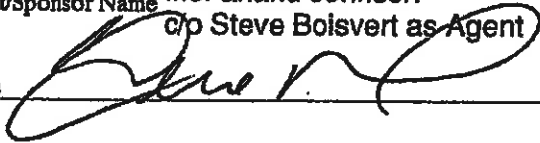
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

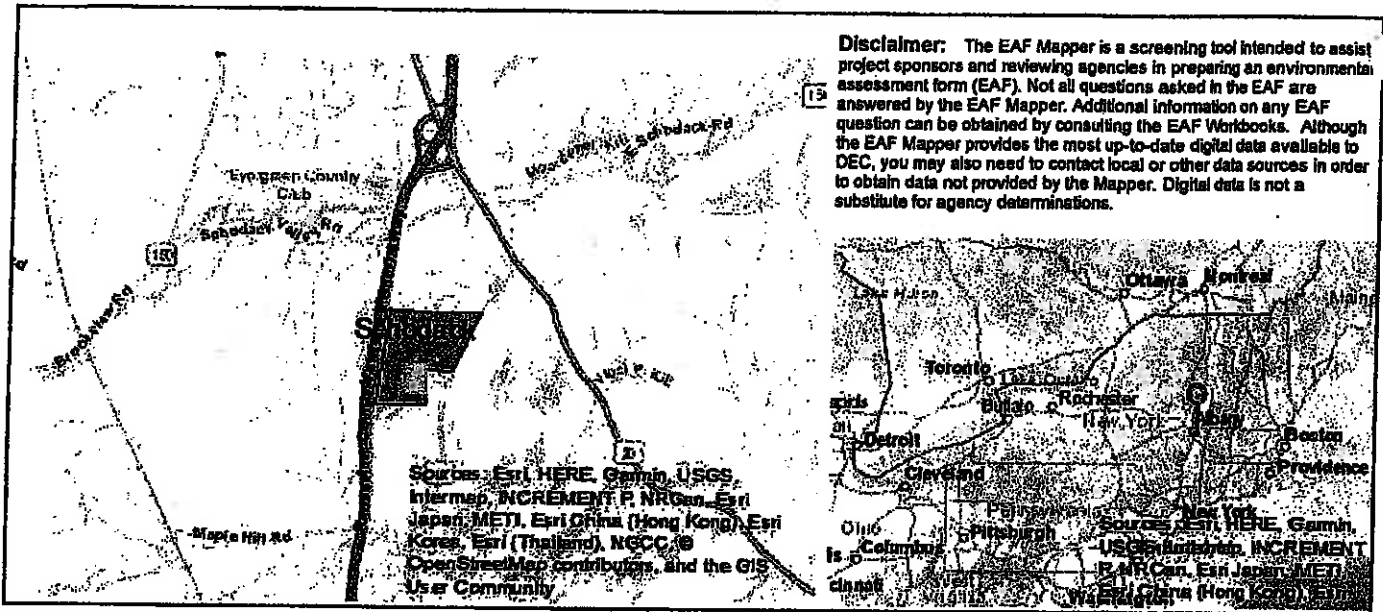
I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name McFarland Johnson
Co Steve Boisvert as Agent

Date APRIL 3, 2018

Signature 

Title AREA OPERATIONS MANAGER



B.1.i [Coastal or Waterfront Area]	No
B.1.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.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]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Lake/Pond Name]	863-618
E.2.h.iv [Surface Water Features - Lake/Pond Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.j. [100 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.

E.2.k. [500 Year Floodplain]	Digital mapping data are not available or incomplete. Refer to EAF Workbook.
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
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 Register of Historic Places]	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 :
 Date :

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

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	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>
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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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. NO YES
 (See Part 1. E.2)
 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	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air
 The proposed action may include a state regulated air emission source. NO YES
 (See Part 1. D.2.f., D.2.h, D.2.g)
 If "Yes", answer questions a - f. If "No", move on to Section 7.

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

7. Impact on Plants and Animals
 The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) NO YES
 If "Yes", answer questions a - j. If "No", move on to Section 8.

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

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

8. Impact on Agricultural Resources			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

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

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>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

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

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. NO YES
(See Part 1. C.2.c, E.1.c., E.2.q.)
If "Yes", answer questions a - e. If "No", go to Section 12.

	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	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

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) NO YES
If "Yes", answer questions a - c. If "No", go to Section 13.

	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	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation
 The proposed action may result in a change to existing transportation systems. NO YES
 (See Part 1. D.2.j)
If "Yes", answer questions a - f. If "No", go to Section 14.

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

14. Impact on Energy
 The proposed action may cause an increase in the use of any form of energy. NO YES
 (See Part 1. D.2.k)
If "Yes", answer questions a - e. If "No", go to Section 15.

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

15. Impact on Noise, Odor, and Light
 The proposed action may result in an increase in noise, odors, or outdoor lighting. NO YES
 (See Part 1. D.2.m., n., and o.)
If "Yes", answer questions a - f. If "No", go to Section 16.

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

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

16. Impact on Human Health

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

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	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

17. Consistency with Community Plans
 The proposed action is not consistent with adopted land use plans.
 (See Part 1. C.1, C.2. and C.3.) NO YES
If "Yes", answer questions a - h. If "No", go to Section 18.

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

18. Consistency with Community Character
 The proposed project is inconsistent with the existing community character.
 (See Part 1. C.2, C.3, D.2, E.3) NO YES
If "Yes", answer questions a - g. If "No", proceed to Part 3.

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

Project : _____
 Date : _____

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

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

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

Reasons Supporting This Determination:

To complete this section:

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

See attached Negative Declaration.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
All documents submitted in connection with the Project Sponsor's site plan and Special Use Permit application as furthered described in the attached
Negative Declaration.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Town of Schodack Planning Board _____ as lead agency that:

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

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

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

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

Name of Action: Site Plan Review and Special Permit for a Sales Distribution Center proposed by Scannell Properties #262 LLC

Name of Lead Agency: Town of Schodack Planning Board

Name of Responsible Officer in Lead Agency: Wayne Johnson

Title of Responsible Officer: Acting Planning Board Chair

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer):

Date: 6/19/18

For Further Information:

Contact Person: Nadine Fuda

Address: Town of Schodack, 265 Schuurman Road, Castleton, New York 12033

Telephone Number: 518-477-7938

E-mail: nadine.fuda@schodack.org

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)

Applicant (if any)

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

PRINT FULL FORM

**STATE ENVIRONMENTAL QUALITY REVIEW ACT
NEGATIVE DECLARATION**

**NOTICE OF FULL ENVIRONMENTAL ASSESSMENT FORM PART 3
EVALUATION OF THE MAGNITUDE AND IMPORTANCE OF PROJECT IMPACTS AND
DETERMINATION OF NON-SIGNIFICANCE**

This notice is issued pursuant to and in accordance with Article 8 of the New York State Environmental Conservation Law and the regulations promulgated there under and set forth at Title 6, Part 617 of the New York Code of Rules and Regulations (collectively, the State Environmental Quality Review Act, or "SEQR"). The Town of Schodack Planning Board (the "Planning Board"), acting as Lead Agency in a Coordinated Review, has determined that the proposed action described below will not have any significant adverse environmental impacts, that a Negative Declaration of Environmental Significance should be issued, and that a Draft Environmental Impact Statement need not be prepared.

Reasons supporting this determination are fully explained below.

Project Name: Sales Distribution Center

SEQRA Status: Type I: **XX** Unlisted: _____
Conditioned Negative Declaration: **NO**

Location: Rt. 9, Town of Schodack, New York (Tax ID 200.00-6-1.3 and 200.00-6-22.1)

Description of Action:

Scannell Properties #262, LLC (the "Applicant" or "Project Sponsor") is proposing to construct a 1,015,740 ± square foot sales distribution center (the "Project") on two adjoining parcels (tax ID 200.00-6-1.3, and 200.00-6.22.1) totaling 116.3 ± acres along NYS Route 9 in the Town of Schodack, Rensselaer County, New York (the "Project Site"). The sales distribution center is being constructed for the proposed tenant Amazon. The proposed facility will be constructed in its entirety in one phase.

The Project Site is currently zoned Planned Development District ("PD-3") and the proposed use, sales distribution center, is an allowed use within this district subject to site plan approval by the Town Planning Board. This has been confirmed in writing by the Town of Schodack Building Inspector in a letter dated June 18, 2018 filed with the Building Department, Planning Department and Town Clerk. Because the Project Site is located within the Town's Water Quality Control District, the Project requires a special permit issued by the Town Planning Board. In addition, the Project Site is not located within a water or a sewer district, therefore district extensions will be required from the Town Board.

The Project includes associated on-site roadways, parking, utility infrastructure, landscaping, and stormwater management facilities. There will be two (2) driveway entrances to the site off of NYS Route 9; one dedicated driveway for employees and one dedicated driveway for trucks. A security gate with a Guard House will be provided at the truck entrance. Approximately 1,075 parking spaces will be provided for employees and approximately 300 parking spaces will be provided for truck trailers. Off-site improvements will include extension of water, sewer, and natural gas mains to the project site. The off-site utilities will be extended from their current terminus along NYS Route 9/20 south of NYS Route 150.

The Project as proposed is consistent with the current PD3 zoning designation, and the Project is an allowable use under current zoning as determined by the Town Building Inspector as noted above. The Project will be serviced by public water and sewer, natural gas, telecommunications and electric utilities. Stormwater will be managed on-site.

The Project Sponsor is seeking Site Plan approval and a Special Use Permit under the Town's Water Quality Control Act ("WQCA") from the Planning Board and has submitted materials in support of the application which can be found in the Town Planning Department's files.

Reasons Supporting This Determination: See the attached Environmental Assessment Form (EAF) Part 3, Reasons Supporting SEQRA Negative Declaration, which details the Planning Board's analysis, reasoning, and conclusions in making its determination of environmental significance. The Planning Board has carefully considered the criteria for determining significance as set forth in SEQRA regulations at 6 NYCRR § 617.7, and has thoroughly evaluated the Project's potential environmental impacts as identified in Full EAF Parts 2 and 3.

Lead Agency:

Town of Schodack Planning Board
265 Schuurman Road
Castleton, NY 12033

For Further Information:

Contact Person: Nadine Fuda, Director of Planning for the Town of Schodack
Address: 265 Schuurman Road, Castleton, NY 12033
Telephone: (518) 477-7938

Copies of this Notice have been sent to:

Town of Schodack Town Board
Town of Schodack Planning Board
Town of Schodack Department of Public Works
Rensselaer County Industrial Development Agency
Rensselaer County Planning Board (Economic Development and Planning)
Rensselaer County Health Department
New York State Department of Health
New York State Department of Environmental Conservation
New York State Department of Transportation
New York State Office of Parks, Recreation and Historic Preservation
U. S. Army Corps of Engineers
Castleton Volunteer Ambulance Service, Inc.
Schodack Valley Fire Company
Environmental Notice Bulletin

FULL ENVIRONMENTAL ASSESSMENT FORM PART 3
EVALUATION OF THE MAGNITUDE AND IMPORTANCE OF PROJECT IMPACTS
AND DETERMINATION OF SIGNIFICANCE
REASONS SUPPORTING SEQRA NEGATIVE DECLARATION

Introduction

The Planning Board, acting as SEQRA Lead Agency, undertook a coordinated review of the Project, a Type 1 action, consisting of the construction of a 1,015,740 ± square foot sales distribution center on two parcels (tax ID 200.00-6-1.3, 73.6 acres; and 200.00-6.22.1, 42.7 acres) totaling 116.3 ± acres along NYS Route 9 in the Town of Schodack, Rensselaer County, New York. The project is located along NYS Route 9 in the Town of Schodack, Rensselaer County, New York ("Project Site" or "Site"). The proposed sales distribution center will be constructed in its entirety in one phase. The facility will operate 24/7. There will be two employee shifts per day (the "Project"). The tenant of the proposed sales distribution center is Amazon.com.dedc, LLC (the "Amazon"). The Project Sponsor has noted that they will enter into a long- term lease with Amazon.

The Planning Board notes that the Project Sponsor evaluated alternative site layouts of the Project design in its application submission. The sales distribution center design was placed on the Project Site to provide buffer distance to the residential areas, to avoid natural resources and to minimize tree clearing. The building and most of the parking is being located in the cleared, former agricultural field that is most amenable to the clearing and grading necessary to construct the building, parking and stormwater facilities. Additionally, the Project has been designed with berms and sound walls, as well as extensive landscaping, to keep noise near pre-existing levels, especially in the quietest part of the day and evening. The existing mature trees and vegetation coupled with the expansive landscaped berms, as well as the sound wall, also limit visual impacts as shown in the many photo simulations prepared for the Project, submitted to the Planning Board and made available to the public.

Application History

- On March 19, 2018, the Applicant submitted the Project concept plan, the EAF Part 1 and the applications for site plan/special permit to the Planning Board.
- On April 2, 2018, the Planning Board commenced review of the Project plans and declared their intent to be lead agency.
- On April 3, 2018 the Planning Board coordinated lead agency status declaring its intent to be Lead Agency and circulated the project plan and the EAF Part 1 to the involved agencies. No involved agencies objected to the Planning Board being lead agency.
- On April 27, 2018, the Applicant submitted an Environmental Assessment Report ("EAR"), including an updated full Environmental Assessment Form ("EAF") along with an Expanded Environmental Assessment, with a narrative describing the Project and addressing any potential Project impacts and the project plans that are implemented to avoid impacts. The EAR contained the following additional studies and reports:
 - Project Location Map & Overall Site Plan
 - NRCS Soils Data
 - Geotechnical Engineering Report

- Wetland Delineation Report
 - Stormwater Management Report
 - Groundwater Aquifer Map
 - Endangered Species Report
 - Visual Impact Information
 - Archaeological Sensitivity Assessment & Survey and OPRHP Letter
 - Traffic Impact Study
 - Correspondence
- At Planning Board meetings held on May 7 and May 21, 2018 the Planning Board reviewed the materials submitted and discussed them and the Project Sponsor and Project Engineer made presentations to the Planning Board on the project, which included project modifications that addressed the specific concerns raised by a two separate abutters as well as the results of the 20 + photo simulations prepared as part of the visual assessment. A Noise study, prepared by Ostergaard Acoustical Associated (“OAA”), dated May 21, was submitted to the Planning Board and the results of the study were presented to the Planning Board and the public.
 - On June 1, 2018, the project sponsor, applicant’s professional engineering representative along with the Planning Board’s designated professional engineer, and the Town’s Director of Planning meet with representatives from the NYSDOT to review the project and address the project traffic impact study.
 - On June 4, 2018 and June 18, 2018 a duly noticed site plan and special permit public hearing was conducted and public comments were received as part of the public comment period for the meeting. The record was held open an additional ten (10) days after the close of the public hearing on June 18, 2018. The Planning Board carefully considered the stenographic transcripts of the public hearings and also reviewed all of the written public and involved and interested comments submitted on the Project.
 - On June 13, 2018 Project engineer, McFarland Johnson, submitted a response to comments made by the Planning Board’s engineer and made by the Planning Board members and Town staff, as well as by the public, to the Planning Board for its review, including the following appendices:
 - Full-sized Site Plan Package of drawings (as revised);
 - Revised sections of the Environmental Assessment Report, including:
 - SEQRA Full Environmental Assessment Form (as revised);
 - SEQRA Expanded Environmental Assessment (as revised);
 - Stormwater Management Report;
 - Traffic Impact Study (revised);
 - Stormwater Pollution Prevention Plan (“SWPPP”);
 - Revised Site Sections SV-01 through SV-05; and
 - South Alternative Sanitary Route with plans, estimate, and schedule.
 - On June 13, 2018, at the project sponsor’s own initiative, they held a meeting with abutting the neighborhood association to provide an informal (non-public) format for residences to speak directly with the sponsor and allow the sponsor to address their concerns directly.
 - On June 18, 2018 the Project Sponsor submitted to the Planning Board additional photo simulations to address additional landscape screening that was added to address concerns raised by the public as well as a report from Camoin Associates, Economic & Fiscal Impact Analysis of Proposed Sales Distribution Center, Town of Schodack, NY, dated June 2018, the results of the study were

presented to the Planning Board and the public by the Project Sponsor prior to the commencement of the continuation of the public hearing on June 18, 2018.

- In accordance with New York General Municipal Law § 239-m, the Schodack Planning Board referred the application materials to the Rensselaer County Bureau of Economic Development and Planning (“RCBEDP”). The RCBEDP has had the opportunity to participate in review of the Project, and “has determined that the proposal does not have a major impact on County plans and that local consideration shall prevail” per RCBEDP Director Robert L. Pasinella, Jr.’s notification of zoning review action letter dated April 24, 2018.
- On June 25, 2018, the Project Sponsor, applicant’s professional engineering representative along with the Planning Board’s designated professional engineer, and the Town’s Director of Planning met with representatives from the NYSDOT to review the revised project modifications that addressed their comments. At this meeting the NYSDOT approved the access driveway configurations for this project.
- On June 28, 2018, the Project Engineer submitted to the Planning Board responses to comments as a result of the public hearing and Town comments. Also included was a report by Terracone/Dente evaluating and confirming that the groundwater flow direction is north to south and east to west across the area and the site, in particular away from the residential areas. This submission also included a revised Traffic Impact Study dated June 26, 2018 and the relevant approval communication from the NYSDOT dated June 27, 2018 and will serve information from National Grid with respect to the electricity and natural gas for the Project.

Discussion of Potential Environmental Impacts

The Planning Board has carefully considered all potential environmental impacts associated with the Project. Below is a discussion of those potential impacts, set forth in the order in which they appear in the New York State Department of Environmental Conservation’s (“NYSDEC”) SEQRA Full EAF Part 2.

The Project is a SEQRA Type I action. NYSDEC’s SEQR Handbook specifically addresses whether an environmental impact statement (“EIS”) is always required for a Type I action. According to NYSDEC, “the lead agency must evaluate information contained in the EAF, and additional applications, filings or materials, against the criteria in [6 NYCRR] 617.7 to make a determination of significance for each Type I action. SEQR responsibilities for Type I actions may be met by a well-documented, well-reasoned negative declaration.”

The materials submitted in support of the Project Sponsor’s applications were generated by licensed engineers and qualified consultants. The conclusions and suggested impact avoidance measures proffered by these professionals were based on established engineering principles, industry standards, NYSDEC and technical data, which have been verified by the Planning Board’s own professional engineer. The Planning staff and the Planning Board members, several of whom are professional engineers also carefully and thoroughly reviewed the application and the EAR, including the technical reports.

During the course of the Project’s SEQRA review, the Planning Board, the public and the applicant’s representatives engaged in an active and comprehensive evaluation of the Project Sponsor’s submissions. As stated by the NYSDEC SEQR Handbook, “the lead agency may make a request for any additional information reasonable necessary to make its determination.” Questions were asked, clarifications were requested and responses were provided.

The Planning Board and its consulting engineer have assessed each of the potential SEQRA-related impacts, identified its magnitude and determined the potential impact's importance.

Lastly, the Planning Board has reviewed the criteria for determining significance contained in 6 NYCRR Part 617. This evaluation, which is based in the same information supporting its conclusions regarding Part 2 of the Full EAF, confirms the Planning Board's conclusion that a Negative Declaration of Significance should be issued for the Project.

Discussion of 6 NYCRR Part 617 Criteria For Determining Significance

The Town of Schodack Planning Board has evaluated the Project using the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). NYSDEC's SEQR Handbook provides "that not every conceivable impact needs to be considered; speculative impacts may be ignored."

As indicated below in the discussion of each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

6 NYCRR 617.7(c)(1) Criteria

(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.

The Planning Board finds that the Project is not likely to cause significant adverse changes to existing air quality (*see* section 6 below), ground or surface water quality/quantity (*see* sections 3 and 4 below), noise levels (*see* section 15 below), level of solid waste production (*see* section 15 below), and potential for erosion, flooding, leaching or drainage problems (*see* sections 1, 3, 4, and 5 below).

As discussed below (*see* Section 13), the Applicant has prepared a traffic impact study, dated March 29, 2018 (revised June 8 and 26, 2018) and met with the New York State Department of Transportation ("NYSDOT") with Town staff and the Town engineer present at the meetings on two occasions. All traffic impacts which can reasonably occur as a result of the Project have been thoroughly evaluated using actual traffic counts from a similar Amazon facility. Although there is a projected increase in the level of traffic in the area related to the Project, the Applicant has incorporated traffic mitigation measures into the project design that will appropriately accommodate the increase in car and truck traffic resulting from the Project. This is discussed in greater detail in section 13 below. As such, and through the proposed mitigation measures designed into the Project, the Project will not cause a substantial adverse change.

(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.

Due to the existing nature of the Project Site, the Project will not have a significant impact on the environment: (a) by removing or causing the destruction of large quantities of vegetation or fauna; (b) by creating substantial interference with the movement of any resident or migratory fish or wildlife species; (c) by creating impacts on a significant habitat area; (d) by creating substantial adverse impacts on threatened or endangered species of animal or plant, or the habitat of such a species; or (e) by causing other significant adverse impacts to natural resources. *See* Section 7 below.

(iii) The impairment of the environmental characteristics of a Critical Environmental Area.

The Project will not cause impairment to the characteristics of a Critical Environmental Area as designated under 6 NYCRR § 617.14(g). *See* Section 12 below.

(iv) The creation of a material conflict with a community's current plans or goals as officially approved or adopted.

The Project does not present a conflict with the Town of Schodack's Comprehensive Plan or the Planned Development District 3 zoning district. *See* Section 17 below.

(v) The impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character.

The Project will not impair the character or quality of historical, archeological, architectural, or aesthetic resources. *See* Sections 9 and 10 below.

(vi) A major change in the use of either the quantity or type of energy.

The Project will not create a major change in the quantity of electricity or natural gas to be used in the region and will not affect the community's sources of fuel or energy supply. *See* Section 14 below.

(vii) The creation of a hazard to human health;

The Project will not create a hazard to human health. *See* section 16 below.

(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.

The Project will result in a change of use and/or intensity of use within and consistent with the PD-3 district. The property has been available and marketed for sale as a commercial property for some time based on the uses allowed in the PD-3 District. There has been past agricultural use of the property and the property contains class 3 and 4 soils. The property is not in an agricultural district. The property was previously rented to a farmer and that arrangement was temporary until the property could be developed; the area farmed was small in relation to the acreage in the Town that will continue to be available and used for agricultural purposes. (*see* Section 8 below). The Project will not have an effect on recreational resources as the land is privately owned and not available for public use(*see* Section 11 below). Further, significant land will remain undeveloped due to the positioning of the proposed sales distribution center (*see* Section 11 below). Therefore, the Project aligns with the community plans as expressed in the PD-3 zoning district.

(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.

It is expected that a sales distribution center such as the one proposed by the Project Sponsor, will attract employees. The area population is not expected to increase significantly, nor will the Project create a substantial adverse change in traffic volume in the surrounding area based on the traffic studies conducted and traffic mitigation package proposed by Project Sponsor (*see* Section 13 below). Therefore, no substantial adverse impact is expected related to attraction of people to the area.

(x) The creation of a material demand for other actions that would result in one of the above consequences.

The Project is not expected to create any significant increased demand for other actions (e.g., additional public services, as discussed in Sections 18 and 19 below) that would result in significant adverse consequences as described by the above criteria. In evaluating the proposed Project, the Planning Board determined that a development such as the Project is appropriate for the area in which it is being proposed, and that the uses will not result in a material demand for other actions that might result in adverse environmental impacts.

(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.

The Planning Board finds that the Project does not create impacts to two or more elements of the environment that, collectively, would result in substantial adverse impact to the environment. The Planning Board has conducted a full review of all Project elements and the potential impacts from the Project, and has been informed by its consulting professional engineers as to the coordination of those elements. The Planning Board has, for example, evaluated the combined effects of: (i) traffic in relation to noise, odors, air quality, and community character; (ii) parking lot area in relation to storm water management, lighting, safety, handling of employees; and (iii) community character in relation to noise, odors, air quality, traffic, architecture, and aesthetics.

This list is by no means an exhaustive list of potential impacts/changes considered in tandem with other impacts/changes during the Planning Board's consideration of the Project over the past months, but is only provided as examples of the hard look taken to ensure the potential effects of the Project would not result in a substantial adverse impact.

Over the past several years properties designated PD-3 in the Town of Schodack have attracted substantial interest by those interested in the construction and operation of sales distribution centers. This proposal made by the Project Sponsor, on behalf its tenant Amazon, is the last in a series of projects to seek approval in the Town. This Property's key position along NYS Route 9, an five-lane highway with available capacity, with immediate proximity to the I-90 corridor renders it highly suitable for the sales and distribution center proposed by Scannell for Amazon. The position will allow the sales distribution center to serve Amazon's customers in the Northeast.

In addition, future projects within the Town resulting from the Project are required to undergo review pursuant to SEQRA and therefore will have their environmental impacts reviewed.

(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 review of the Project did not show the potential for cumulative effects. The extension of the water and sewer services is limited to the Project Site. As such, the Planning Board has conducted a comprehensive review of the entirety of the Project. References are included throughout the discussion below to such potential cumulative effects, and no significant impact on the environment will be caused from the potential cumulative effects considered.

Discussion of Part 2 of Full EAF, Potential Project Impacts

The Planning Board has evaluated the Project's potential impacts as identified in Part 1 and Part 2 of the Full EAF, and has determined that the Project will not result in any significant adverse environmental impacts, and that a Negative Declaration of Significance is warranted.

1. **Impact on Land.** A geotechnical study of the site was conducted by Dente Group, A Terracon Company of Watervliet, New York (Dente) for the Project. The study included test borings, soil sampling, laboratory testing, and a summary report. The results of the report are consistent with a site that can support the Project. The full report, Preliminary Geotechnical Evaluation, Sales Distribution Center, Schodack, New York dated April 17, 2018 was submitted to the Planning Board on April 27, 2018 as Appendix E of the Applicant's Environmental Assessment Report.

Construction of paved areas and buildings will result in alteration of the existing ground. Approximately 79 ± acres of the present ground cover will be disturbed during construction. The development of the Project Site will require that some fill material (e.g. driveway and parking stone sub-base) be imported to the project site to achieve the proposed grades.

As demonstrated by the application, the Rensselaer County Soil Survey, Natural Resources Conservation Service website ("NRCS"), there are seven (7) mapped soils identified within the project boundary. Hoosic gravelly sandy loam, 0 to 5 percent slopes (HoA), Hoosic gravelly sandy loam, 3 to 8 percent slopes (HoB), Hoosic gravelly sandy loam, rolling (HoC), Hoosic gravelly sandy loam, hilly (HoD), and Hoosic gravelly sandy loam, steep (HoE) have a hydrologic soil group A, meaning these soils have a high infiltration rate when thoroughly wet. These soils make up the majority of the site; approximately 89%. Castile gravelly silt loam, 0 to 5 percent slopes (CbA), and Natchaug muck, 0 to 2 percent slopes, have a hydrologic soil group A/D and B/D respectively, meaning these soils have a low infiltration rate when thoroughly wet. These soils make up a minority of the site; approximately 11%.

In general, the majority of the on-site soils are types of soils are adequate for supporting the proposed project. Where unsuitable soils are encountered, they will be removed and relocated in accordance with all local, state, and federal regulations.

About 609,000 cubic yards of soil will need to be cut for use as on-site fill for construction of the building, driveways, parking and stormwater management facilities. The Project Site will be designed to balance the on-site cuts and fills to the greatest extent possible and it is anticipated that no structural soil will need to be imported onto the Project Site. Topsoil will be stripped, stockpiled and re-used on site; because less topsoil will be needed in the final condition is anticipated that approximately 120,000 CY of topsoil may be exported from the site. In addition, there is an existing pond in the center of the site that is expected to contain approximately 10,000 CY of unsuitable material; this too may be exported from the site. If necessary a letter from NYSDEC confirming a mined permit exemption will be obtained.

The pond itself which is approximately 2.02 acres will be filled as a result of the project. This pond is not regulated by the US Army Corps of Engineers based on the Jurisdictional Determination issued by that agency. Some material, such as crushed stone sub-base material for building slabs, driveways and parking will be imported to the site. The following are estimated import quantities needed for the site work: 77,300 CY of subbase stone; 10,000 tons of asphalt, 3,000 CY of concrete. However, some on-site material may be able to be processed on-site and used for the sub-base material.

Bedrock was encountered in some of the test borings performed by Dente at depth varying from 11 to 23 feet below existing grade. There is no rock shown at the depths expected for building, pavement, or pond excavation, so no rock excavation is currently expected. However, the bedrock encountered

appears weathered; therefore, if rock excavation is required it is anticipated that removal with a large track mounted backhoe with rock teeth will be possible and no blasting will be utilized.

Based on the Geotechnical Engineering Report (refer to Appendix E of the Applicant's initial Environmental Assessment Report), groundwater was encountered only in the extreme west and east portions of the site. Borings B-1 and B-10, on the west edge of the site show groundwater at a depth of approximately 26 feet. On the east edge borings B-9, B-13, and B-14 show groundwater at 20, 15, and 8 feet respectively. Based on this information, all grading will occur above the elevation of the groundwater encountered in the borings and as such there is no anticipated impact to the aquifer.

During construction, erosion control measures such as silt fence, diversion swales/berms and sediment traps/basins will be installed to mitigate the potential for erosion of soils and downstream siltation. The proposed stormwater sedimentation basins will function as temporary sediment traps/basins during construction. Upon the completion of construction those temporary facilities will be converted to permanent facilities. All erosion and sediment control measures will be constructed in accordance with the latest edition of the New York State Standards and Specifications for Erosion and Sediment Controls.

Common industry practices, such as the spraying of water to control dust and confining construction work periods to those permitted by the Town, will further mitigate the normal unavoidable short-term impacts associated with construction.

In accordance with the above, physical changes to the land will be limited to those required for the necessary grades for operations and proper stormwater management and to accommodate the proposed improvements, and the Erosion and Sediment Control Plan shows how land at and adjoining the Project Site will be protected from degradation during and after construction.

Based on the above, the planning Board finds that the Project will not have a significant impact on land.

2. **Impact on Geological Features.** The Project Site contains no unique or noteworthy geological features. As noted above (see Section 1), disturbance to land is will not result in a significant impact. Accordingly, there will be no significant adverse impact on geological features.

3. **Impact on Water.**

a. **Wetlands.**

A wetland delineation of the site was conducted by Quenzer Environmental LLC of Selkirk, New York (Quezner) for the Project and was submitted to the Planning Board. The results of the report are consistent with a site that can support the Project. The delineation found that there are no jurisdictional wetlands on the property regulated by the United States Army Corps of Engineers (ACOE) pursuant to Section 404 of the Clean Water Act or by the NYS Department of Environmental Conservation (NYSDEC) pursuant to NY Environmental Conservation Law Article 24. Two reports, Wetland Delineation Report, Waters of the United States, Palmer-Otterbeck Parcel - U.S. Route 9, Town of Schodack, Rensselaer County New York, dated January 2016, and Wetland Delineation and Endangered Species Screening, Sales Distribution Center Site, Beaudoin Parcel - Tax Map 200.00-6-22.1 (43± Acres), and Palmer-Otterbeck parcel - Tax Map 200.-6-13 (73± Acres), Town of Schodack - Rensselaer County, NY, dated April 2018 were submitted to the Town as Appendix F of the Applicant's initial Environmental Assessment Report.

Quenzer performed a wetland investigation on the larger of the two properties (73.6 ± acres, tax map parcel 200.00-6-1.3) as described in their 2016 report. Quenzer collected and reviewed available

background information and maps including a topographic map, wetland maps, soils map and descriptions, surface water classification maps, flood rate insurance maps, and an aerial photograph to locate potential wetlands on the site, and determined there are no mapped stated-regulated (i.e. NYSDEC) wetlands on the site.

A total of three (3) wetlands were identified, delineated, and are referred to as Wetland A (0.066 acres), Wetland B (1.505 acre), Wetland C (0.449 acre). There were no streams or other waters of the US identified on this property. Quenzer concluded that all three wetlands within the Project Site are isolated wetlands as they have no outlets and therefore no connection to waters of the U.S.

On April 22, 2016 the USACOE concurred and issued a jurisdictional determination stating that the three wetlands on the property do not meet the criteria of water of the United States; and therefore, do not fall under the jurisdiction of the USACOE.

Quenzer performed a wetland investigation on the second parcel (43 ± acres, tax map parcel 200.00-6-22.1) as described in their 2018 report. Quenzer collected and reviewed available background information and maps including a topographic map, wetland maps, soils map and descriptions, surface water classification maps, flood rate insurance maps, and an aerial photograph to locate potential wetlands on the site, and determined there are no mapped stated-regulated (i.e. NYSDEC) wetlands on the Project Site.

A total of two (2) wetlands were identified, delineated, and are referred to as Wetland A (0.5 acres) and Wetland B (0.3 acre). There were no streams or other waters of the US identified on the Project Site.

Quenzer concluded that the two wetlands within the Project Site are isolated wetlands as they have no outlets and therefore no connection to waters of the U.S. Brad Sherwood of the USACOE conducted a site visit and during the site visit and in a followup email concurred with Quenzer's conclusions. A formal jurisdictional determination is pending from the USACOE.

The Town received a letter from NYSDEC Region 4 in response to the lead agency notification which stated that the NYSDEC had no objection to the Town Planning Board being lead agency and that the only regulatory program that NYSDEC was aware applied to the project was the stormwater program. In this case the Town is the stormwater MS4 so in reviewing the SWPPP it will coordinate as necessary with NYSDEC.

Based on the above, the Planning Board finds that the Project will not impact any wetlands under the jurisdiction of the USACOE or the NYSDEC.

b. Stormwater.

A drainage study of the site was conducted by McFarland Johnson, Inc. of Saratoga Springs, New York (MJ) for the Project and included in the Environmental Assessment Report. The study included an analysis of the existing and proposed hydrology and hydraulics to ensure that the proposed development will not adversely affect the environment. The results of the report are consistent with a site that can support the proposed development. The full report, Drainage Design Report, April 2018, Sales Distribution Center, Schodack, New York Rensselaer County dated April 2018 is included as Appendix G of the Applicant's initial Environmental Assessment Report.

Although the project will alter the existing Project Site topography, the existing drainage pattern will be maintained on the north and south sides of the Project Site.

The construction of buildings and paved areas is expected to increase the rate and volume of stormwater run-off. The increase in run-off will be mitigated by the inclusion of stormwater management facilities designed to temporarily detain and infiltrate stormwater run-off during storm events and slowly release and/or infiltrate stormwater after the storm event. These facilities are designed in accordance with the NYSDEC Stormwater Design Manual and consist of Sedimentation Basins for pre-treatment prior to discharging into Infiltration Basins that will provide stormwater detention and water quality treatment.

Stormwater run-off from the building, driveways and parking areas will be collected in a series of catch basins and directed through a piping network to the stormwater management facilities. The stormwater infiltration basins is sized to mitigate the Water Quality Volume (WQv), the Runoff Reduction Volume (RRv), the Channel Protection Volume (CPv), the Overbank Flood (Qp), and the Extreme Storm (Qf). Each of these is addressed below:

- **Water Quality Volume:** The required WQv is provided in three Infiltration Basins.
- **Runoff Reduction Volume:** The RRv is achieved by infiltrating a substantial portion of the run-off to meet the minimum RRv requirement.
- **Channel Protection Volume:** The CPv requires that a minimum of 24-hour detention be provided for the 1-year, 24-hour storm event. This requirement is met since the infiltration basins will infiltrate 100% of the 1-year storm event.
- **Overbank Flood:** The Qp requires that there be no net increase in peak runoff for the 10-year, 24 hour storm event. This requirement is met since the infiltration basins will infiltrate 100% of the 10-year storm event.
- **Extreme Storm:** The Qf requires that there be no net increase in peak runoff for the 100-year, 24 hour storm event. This requirement is met since the infiltration basins will infiltrate 100% of the 100-year storm event.

The existing topography of the site is varying with high and low spots, and there are no noticeable discharge points from the Project. In the existing condition runoff collects in the low spots and infiltrates into the ground. As noted above all of the proposed design storm events will be fully infiltrated which will mimic the existing condition and foster recharge of the groundwater aquifer.

Further, this project will be required to comply with the State Pollutant Discharge Elimination System (SPDES) Phase II General Permit for Stormwater Discharges from Construction Activities (GP-0-15-002). As part of these requirements a Stormwater Pollution Prevention Plan (SWPPP) will be prepared describing erosion and sedimentation control measures.

The Town of Schodack is an MS4 community and therefore this project will comply with the NYSDEC Phase II stormwater regulations and will incorporate Best Management Practices (BMP's) to ensure that water quality on site will be protected. BMP's to be employed will, at a minimum, include:

- Temporary Erosion and Sediment Control Measures shall include:
 - Silt fencing placed around construction areas prior to grading activities;
 - Diversion Channels to prevent runoff from leaving the site
 - Land clearing activities shall be done only in areas where earthwork will be performed and shall progress as earthwork is needed;
 - Permanent seeding and planting of all unpaved areas using the hydro-mulching grass seeding technique;
 - Mulching exposed areas, where specified;
 - Temporary seeding and planting of all unpaved areas using the hydro-mulching grass seeding technique within 14 days of disturbance;

- Frequent watering to minimize wind erosion during construction; and
- Rock check dams
- Permanent structural practices for this site shall include:
 - Outlet protection using stone riprap as specified;
 - Utilize storm sewer collection system that will be tested for water tightness;
 - Sedimentation basins will also serve as a temporary sediment basin; and
 - Vegetated and/or riprap lined swales.

The site contractor will be required to adhere to all erosion and sediment control measures as defined in the MS4 approved SWPPP.

The building will be constructed in a single phase with a total building area of approximately 1,015,740 ± SF. MS4 Town of Schodack approval to disturb more than five (5) acres at a time will be required. To obtain this approval, at least two site inspections be required to be performed during construction by a qualified professional, every seven days, for as long as the disturbed area exceeds five acres. This increased frequency of inspection will ensure that the erosion and sediment control facilities are functioning as designed and that there are no impacts to the waters of the U.S.

In addition to the sedimentation basins required by the NYSDEC, the project will incorporate two additional means of stormwater treatment to protect against any potential impact to potable water wells and the aquifer. The first additional measure is an oil/water separator immediately upstream of the sedimentation basin and the second feature is located at each catch basin and manhole. Each stormwater structure within the parking lots will contain a sump with a hood over the outlet pipe which will capture the first flush stormwater runoff prior to being discharged to the above mention oil/water separator. In conclusion, stormwater will be routed through 3 cleansing mechanism prior to being infiltrated back into the groundwater.

Based on the above, the Planning Board finds that there will not be a significant impact on stormwater runoff from the Project Site.

c. Water Usage.

Water will be supplied through the Town of Schodack municipal water system. The Project Site is located near Water District #CWD101, but is currently not within the District. The water district will be extended to encompass the Project Site, which will require approval by the Schodack Town Board, the NYS Department of Health and the NYS Department of Environmental Conservation.

As noted in the Environmental Assessment Report, based upon actual water usage from a similarly sized facility, the projected water usage for the sales distribution center facility is estimated to be 6,000 GPD. It is planned to extend the municipal water main to the project site from the existing 12-inch main located in the vicinity of the intersection of Routes 9 & 20.

The water system serving Water District #CWD101 has a capacity of 0.5 MGD and current usage is approximately 130,000 GPD. Therefore, the system has sufficient capacity to meet the water demand of 6,000 GPD for this Project.

Based on the above, the Planning Board finds that the Project will not have a significant impact on the municipal water system.

d. Sanitary Sewer.

As demonstrated by the application, the projected sanitary sewer discharge from the sales distribution center facility is estimated to be 6,000 GPD, based upon actual usage from a similarly sized facility. It is planned to extend the municipal sanitary sewer to the project site from the existing 12-inch main located in the vicinity of the intersection of Routes 9 & 20.

Sanitary sewer will be collected and directed to the Town of Schodack municipal sanitary sewer system. The project site is located near a Sanitary Sewer District, but is currently not within the District. The sewer district will be extended to encompass the project site, which will require approval by the Schodack Town Board, the NYS Department of Health and the NYS Department of Environmental Conservation.

Sanitary wastewater collected within the Sewer District is directed to the Town of East Greenbush municipal sewer system. The Town of Schodack has an agreement with the Town of East Greenbush for the discharge of up to 45,000 GPD into the East Greenbush sewer system. The Town of Schodack is currently sending 25,000 GPD to East Greenbush. Therefore, there is sufficient reserve capacity to accept the additional wastewater from the Project, leaving additional capacity available if needed by others in the future.

Based on the above, the Planning Board finds that this project will not have a significant impact on the municipal sanitary sewer system.

4. **Impact on Groundwater.** According to the Schodack Terrace and Valatie Kill Aquifer map provided in Appendix H of the Applicant's initial Environmental Assessment Report, the Project Site is located over a groundwater aquifer and lies within the Direct Recharge Area Boundary. As such, the Project Site is subject to the requirements of Town Code Chapter 223 Water Quality Control. Provided below is a summary of the requirements that are or may be perceived to be applicable to the development of the proposed project, followed by either how the Project complies with the requirement or justification as to why the requirement is not applicable.

- a. *Uses permitted under the Town of Schodack Zoning Law (Chapter 219) are permitted in the Water Quality Control District subject to the provisions of Chapter 223 Water Quality Control (223-6.C.1).*

Sales Distribution Center is an allowed use within the PD-3 district.

- b. *Permits for wastewater disposal shall be obtained from the Rensselaer County Department of Health (RCDOH) or the New York State Department of Environmental Conservation (NYSDEC) as required and provided to the Town (223-6.C.1.c).*

Appropriate approvals will be obtained from the RCDOH and/or the NYSDEC, as applicable. All wastewater will be collected and be treated at an approved existing off-site wastewater treatment facility.

- c. *There shall be no open storage of hazardous materials or petroleum (223-6.C.1.f).*

There will be no open storage of petroleum or hazardous materials.

- d. *Hazardous material storage for commercial/industrial uses that is not regulated by NYSDEC shall only occur on an enclosed, impervious surface that is bermed or otherwise constructed to contain spills or leaks (223-6.C.1.h).*

The operator intends to use hydrogen fuel cells to power their forklifts used inside the sales distribution center. As such there will be no hazardous material stored onsite.

- e. ***Petroleum shall be stored in individual containers with a capacity less than 60 gallons or in aboveground tanks. The tanks shall be installed on an impervious surface and be fully enclosed by a structure that prevents exposure to outside weather or have a secondary containment with a minimum capacity equal to that of the tanks (223-6.C.1.i).***

Petroleum will not be stored on-site, therefore this section is not applicable to the project.

- f. ***For parking lots and vehicle storage or sales areas regularly holding 100 vehicles or more for at least five days per week, or at vehicle washing facilities, gasoline sales and motor vehicle service stations, an impervious surface (e.g., asphalt or concrete) with water flow directed towards an appropriately sized and maintained oil/water separator or water quality inlet structure shall be required. Collected petroleum product and other waste materials shall be removed as needed by a hauler licensed by the NYSDEC. The Planning Board may require oil/water separators or water quality inlet structures for other uses where petroleum is stored or transferred or where less than 100 commercial trucks or construction vehicles are stored. This provision may be waived if the site requires and has obtained a NYSDEC SPDES permit (223-6.C.1.j).***

The Project will provide off-line oil water separators at the end of each closed drainage system before discharge into the sediment basins forebays. In addition, each drainage structure will have a 2 foot sump and a hooded outlet to further trap sediment and oil providing additional water quality volume and resulting in cleaner runoff.

- g. ***Excavations or cut-ins that expose groundwater within the Wellhead Protection Area are prohibited. This provision does not apply to temporary (less than 60 days) construction-related excavations or cut-ins (223-6.C.1.m).***

The Project is not within a Wellhead Protection Area.

Accordingly, the project will comply with all applicable requirements of the Water Quality Control regulations.

In addition, based on the Geotechnical Engineering Report (refer to Appendix E of the Environmental Assessment Report), groundwater was encountered only in the extreme west and east portions of the site. Borings B-1 and B-10, on the west edge of the site show groundwater at a depth of approximately 26 feet. On the east edge borings B-9, B-13, and B-14 show groundwater at 20, 15, and 8 feet respectively. Based on this information, all grading will occur above the elevation of the groundwater encountered in the borings and as such there is no anticipated impact to aquifer.

The Project complies fully with the NYSDEC Stormwater Design Manual which has been developed by NYSDEC to ensure that development projects use infiltration practices to continue to introduce, post-construction, stormwater into the groundwater system. Additionally, the NYSDEC Stormwater Design Manual also ensures that projects, such as the Project, incorporate extensive treatment measures into the design of the project so that stormwater is appropriately treated before discharge back into the groundwater, which measures will be replicated by the Project.

To demonstrate that the Project meets the requirements for a special permit due to its proximity to the aquifer, Terracon engineering (Dente) was contracted to evaluate the potential impact of the project on

potable water wells on adjoining properties and the underlying aquifer. Their study concluded that the ground water flows from north to south and east to west, as a result, the infiltrated stormwater will flow away from the potable water wells to the north and south of the project. *See* letter report dated June 27, 2018.

Amazon has committed to not store such salt materials on the site for outdoor use. Generally, Amazon contracts with a local provider of snow plowing services, just as most commercial facilities do in the winter. Amazon has adopted the recommended application rates for reduced environmental impacts as published by the Minnesota Pollution Control Agency and expects that its contractor will adhere to best available practices for snow and ice management to avoid the potential for any impacts to the aquifer and any potable water wells on properties adjacent to the site. In addition, the Project Sponsor will manage snow in a manner that will not result in the centralized location of snow storage.

Based on the above, the Planning Board finds that the Project will not have a significant impact on the groundwater aquifer.

5. **Impact on Flooding.** The Project Site is not located in a designated floodway, a 100 year floodplain or a 500 year floodplain. In addition, the stormwater management facilities will attenuate runoff from the Site and comply with the NYSDEC requirements for such facilities.

Accordingly, the Project not have a significant impact on flooding.

6. **Impact on Air Quality.** No fixed source point emissions are anticipated as part of the Project. The proposed building within the Project will be cooled by electrically powered systems. Heating will be supplied by natural gas, which is a clean burning fuel. Therefore, potential impacts on air would be due to the emissions from car and truck traffic associated with the proposed facility. It is anticipated that there would be a maximum of 1017 passenger vehicle trips during the weekday PM peak hours; and a maximum of 26 truck trips.

Standard operating procedures for the inbound and outbound truck traffic is as outlined below:

- Inbound trucks coming into the site first check in at the security gate and then either: 1) drop off their loaded or empty trailer in one of the parking spaces in the yard; or 2) go to one of the loading docks to unload their freight; or 3) pick up either an empty or a loaded trailer from the yard.
- Trucks that drop off their trailer will usually pick up a loaded or empty trailer when they leave.
- Trucks that go to the loading dock leave once their delivery is made.
- All outbound trucks check in at the security gate before they leave the site.

There is typically a minimal amount of time that trucks will be idling and waiting to drop off or pick up a trailer. In the event that they are waiting for a period of more than five (5) minutes, they are required to turn off their engine in accordance with the New York State Heavy Duty Vehicle Idling Law (6 NYCRR Subpart 217-3).

The facility does not produce significant air emissions from the building itself. Such emissions are generally limited to exhaust from air conditioning units, commercial refrigeration equipment, and other appliances. However, as noted above, vehicle traffic is a potential source of air quality impacts at such locations. The Project Sponsor has provided documentation on the Project's possible traffic impacts. Peak-hour counts and level of service projections show that the potential traffic volume increases related to the Project will not be great enough to significantly impact air quality on or around the Project Site, which is in an area traversed by a New York State Route 9, two US Routes (150 & 20), and Interstate 90.

To further reduce any risk of air quality impacts, all vehicles at the Project Site will be expected to comply with New York State's idling limit of five minutes for heavy-duty vehicles, including diesel trucks.

Based on the above, the Planning Board finds that the Project will not have a significant impact on air.

7. **Impact on Plants and Animals.** An endangered species screening was conducted on the site by Quenzer Environmental LLC ("Quenzer") for the Project. The purpose of the screening was to identify any rare (i.e. endangered or threatened) species on the project site. The results of the screening are that no rare species are present on the Project Site. The full report, Wetland Delineation and Endangered Species Screening, Sales Distribution Center Site, Beaudoin Parcel – Tax Map 200.00-6-22.1 (43± Acres), and Palmer-Otterbeck parcel – Tax Map 200.-6-13 (73± Acres), Town of Schodack – Rensselaer County, NY dated April 2018 was included in the Applicant's initial Environmental Assessment Report as Appendix F.

The Project Site consists of actively farmed upland, upland forest, successional forest, northern hardwood forest, emergent wetland, forested/scrub-shrub wetland, a small pond and a vernal pool wetland.

A large portion of the property is actively farmed upland, which comprise the eastern two thirds of the site. The dominant species found in this area was corn (*Zea mays*). In the upland forest species included: black cherry (*Prunus serotina*), smooth sumac (*Rhus glabra*), blackberry (*Rubus occidentalis*), honeysuckle (*Lonicera morrowii*), multiflora rose (*Rosa multiflora*), Canada goldenrod (*Solidago canadensis*), False baby's breath (*Galium mollugo*), and horse nettle (*Solanum carolinense*). In the wetland areas the following species were found: red maple (*Acer rubrum*), green ash (*Fraxinus pennsylvanica*), buttonbush (*Cephalanthus occidentalis*), sycamore (*Platanus occidentalis*), winterberry (*Ilex verticillata*), loosestrife (*Lythrum salicaria*), northern willowherb (*Epilobium glandulosum*), arrowleaf tearthumb (*Polygonum sagittatum*), and tussock sedge (*Carex stricta*). The hardwood forests consist of: quaking aspen (*Populus tremuloides*), big-tooth aspen (*P. grandidentata*), balsam poplar (*P. balsamifera*), paper birch (*Betula papyrifera*), or graybirch (*B. populifolia*), pin cherry (*Prunus pensylvanica*), black cherry (*P. serotina*), red maple (*Acer rubrum*), white pine (*Pinus strobus*), with lesser amounts of white ash (*Fraxinus americana*), green ash (*F. pennsylvanica*), and American elm (*Ulmus americana*).

Based on field investigations plant communities found on the Project Site are common habitats in New York State and the Project Site did not contain any rare plant species. No endangered, threatened, or rare federally-listed or state-listed species were recorded on the Project Site and none are expected to occur.

Quenzer contacted the NYSDEC Natural Heritage Program. They reported no known species or unique communities in the project vicinity. In addition, the NYSDEC is an Involved Agency and as such commented on the Project by letter dated June 1, 2018 addressed to the Planning Board. In the NYSDEC's SEQRA letter they listed their comments on the Project and did not identify any issues related to rare or endangered species or plants.

Based on the above, the Planning Board finds that the Project will not have a significant impact on plants and animals.

8. **Impact on Agricultural Resources.** The property has been available and marketed for sale as a commercial property for some time based on the uses allowed in the PD-3 District. There has been past agricultural use of the property and the property contains class 3 and 4 soils. The property is not in an agricultural district. The property was previously rented to a farmer and that arrangement was temporary until the property could be developed; the area farmed was small in relation to the acreage in the Town that will continue to be available and used for agricultural purposes. Furthermore, the Project Site is located

within the commercially zoned Planned Development 3 zoning district where sales distribution centers are allowed to be located. The Project Site is privately owned land and the land owner does not seek to continue with past agricultural uses. Thus, there is no risk of significant adverse impact to such agricultural resources.

9. Impact on Aesthetic Resources. Impacts on aesthetic resources are essentially related to visual impacts of this project. According to the NYSDEC Policy on Assessing and Mitigating Visual Impacts (DEP-00-2), an aesthetic impact occurs when there is a detrimental effect on the perceived beauty of a place or structure. In order for an impact to occur, a project, by virtue of its visibility, must clearly interfere with or reduce the public's enjoyment and/or appreciation of the appearance of an inventoried resource (e.g. a cooling tower plume blocks the view from a State Park overview).

A visual assessment has been completed and is included in the Applicant's initial Environmental Assessment Report as Appendix J, which identifies the inventoried resources within a five-mile radius of the project site. The closest of the listed resources within a five-mile radius is approximately 1 mile away. With the areas hilly topography and vegetation, the Project is not expected to be visible. Therefore, based on the State's criteria the Project will not have a significant visual impact on inventoried State resources.

a. Visual Impacts on Neighbors.

Although the Project does not have a visual impact based on the NYSDEC guidelines, there are potential visual impacts to the surrounding neighbors; and while the adjacent residential neighborhood is not considered an inventoried resource, it is considered in this Negative Declaration.

The Project is located in between two residential neighborhoods, one to the north and one to the south of the Project Site. The visual impact on these neighborhoods has been assessed by reviewing a cross-section through the neighborhood into the Project Site. This was demonstrated in the Applicant's initial Environmental Assessment Report and also in its supplemental submission dated June 13, 2018.

Section View 1 is taken from one of the northern residence that is closest to the proposed facility. The grade elevation is approximately 347 at the viewpoint from the property. The building finished floor will be at elevation 336± and the maximum height of the building is approximately 45 feet. As shown in the cross-section and landscape plans in the record, views from the neighboring property will be screened by the existing vegetation (tree line) which is estimated to be 30 to 40 feet tall.

Section View 2 is taken from another northern residence that is closest to the proposed facility. The grade elevation is approximately 328 at the viewpoint from the property. As shown in the cross-section and landscape plans in the record, views from the neighboring property will be screened by the existing vegetation (tree line) which is estimated to be 30 to 40 feet tall, and the proposed landscaped berm.

Section View 3 is taken from the southern residence that is closest to the proposed facility. The grade elevation is approximately 347 at the viewpoint from the property. The building finished floor will be at elevation 336± and the maximum height of the building is approximately 45 feet. As shown in the cross-section and landscape plan in the record, views from the neighboring property will be screened by the existing vegetation (tree line) which is estimated to be 30 to 40 feet tall.

Over 20 computer generated photo simulations were prepared at 16 different locations around the project site. The photo simulations represented the view point of a person standing along the common property line of the neighboring residences. At each location the proposed project was accurately inserted into the photo using precise surveyed camera location and design cadd drawings provided by the architect and engineering design team.

The photo simulations demonstrate that the project landscaped berms and noise wall significantly screen the project from the neighboring residences. In addition, a significant stand of mature trees and vegetation will remain along the northeast and southeast portion of the project property to provide a natural visual buffer.

Additional landscaping along the south, west and east sides of the project site to provide partial screening of the building and noise wall.

A water tank has been included on the Project site plans to supply water to the fire suppression system. The water tank will be located on south west portion of the Project Site near Interstate I-90 furthest away from the residential areas. The water tank will be approximately 35 feet in height (lower than the building height) and approximately 30-40 feet in diameter to hold approximately 200,000 gallons of water. Due to its location and scale as compared to the proposed building, the water tank will not have an adverse impact on any of the residential neighbors, or any significant visual impact.

Based on the above, the proposed landscaped berm along the northern edge of the Project Site, along with maintaining the existing tree lines along the north and south property line, will provide adequate mitigation to screen views from the adjacent residential neighborhoods.

Therefore, the Planning Board finds that the Project will not have a significant visual impact on neighboring properties.

b. Site Lighting.

As demonstrated in the record, lighting will be provided for the parking lot areas surrounding the building, the fire access road and along the driveway into the site. The lighting will consist of energy efficient LED light fixtures with a color temperature range of 2,700k. The lights will have edges that extend below the level of the fixture to reduce the potential for source glare and light spillage. The light fixtures will be mounted on poles and on the building ranging in height from 20 to 40 feet. The foot-candle level will be zero at the property line, except for the driveway where lighting will extend to Route 9 and light the driveway intersection for safety.

Based on the above, the Planning Board finds that the Project will not have a significant impact on aesthetic resources.

10. Impact on Historic and Archaeological Resources. A full Phase 1 Archeological Sensitivity Assessment & Survey of the project site was conducted on the site by Historical Archeological Zoological Explorations – H.A.Z.Ex of Ithaca, New York (H.A.Z.Ex) for the Project. The purpose of the study was to analyze the effects of the Project on any cultural resources. The conclusion of the report is that the proposed development is not anticipated to affect any known cultural resources. The full report, Phase 1 Archeological Sensitivity Assessment & Survey for the Sales Distribution Center Development Town of Schodack, County of Rensselaer, New York dated April 2018 was submitted by the Applicant as Appendix M to their initial Environmental Assessment Report.

Historical Archeological Zoological Explorations – H.A.Z.Ex, completed a Phase 1 Archeological Sensitivity Assessment & Survey of the Project Site. The assessment was conducted in compliance with 33 CFR 61, Section 14.09 of the NYS Parks Law, New York State Historic Preservation Office (“SHPO”) guidelines, and the New York Archaeological Council’s Standards for Cultural Resource Investigations and the Curation of Archaeological Collections in New York State (NYAC 1994). The full Project Site was walked and over 1,200 shovel tests were conducted in search of artifacts.

The recommendations of the assessment found that no potential cultural resources were identified on the site, and no further investigation was recommended.

The New York State Office of Parks, Recreation and Historic Preservation (“OPRHP”) was contacted to review the Project, and on April 30, 2018 issued their concurrence that the Project will have no impact on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places.

Based on the above, the Planning Board finds that the Project will not have a significant impact on historical or archaeological resources.

11. Impact on Open Space and Recreation. The project will disturb approximately 79 ± acres, out of a total 116± acres. Of the 79 ± acres disturbed areas, 23± acres (29%) will be buildings, 28± acres (35%) will be asphalt or concrete, and the remaining 28 acres (35%) will be restored to lawn area or utilized for stormwater management facilities. Overall 65 of the total 116 acres remaining as open green space (56%), and 37 of the total 116 acres will be remain undisturbed.

Although the construction of the sales distribution center facility will result in the reduction of current open space, the Project Site is currently woodland and agricultural farmland. The property is privately owned and maintained and does not currently provide a recreational benefit to the community. In addition, the development of this land is compatible with the Town zoning and Comprehensive Plan.

Based on the above, the Planning Board finds that the Project will not have a significant impact on open space and recreation.

12. Impact on Critical Environmental Areas. The Project Site is not located in or adjacent to a Critical Environmental Area as designated by the NYSDEC or any local agency.

13. Impact on Transportation. A Traffic Impact Study (TIS) was performed by McFarland-Johnson, Inc. of Saratoga Springs, New York (“MJ”) for the proposed sales distribution center project dated March 29, 2018 and submitted with the Applicant’s Environmental Assessment Report. The Traffic Impact Study was revised on June 8 and 26, 2018 and submitted to the Planning Board. The purpose of this study is to evaluate traffic operations for the weekday morning and evening peak hours for 2018 Base Conditions as well as the 2019 Build and No-Build Conditions within the study area which included the following intersections (the “Study Area”):

- US Route 9/20 @ NYS Route 150 (Schodack Valley Rd.) - *Signalized*
- US Route 9 @ US Route 20 (Main Intersection)- *Signalized*
- US Route 9 @ US Route 20 (Channelized Movements West) - *Un-Signalized*
- US Route 9 @ US Route 20 (Channelized Movements East) - *Un-Signalized*
- US Route 9 @ Maple Hill Road (CR 6) - *Un-Signalized*
- US Route 9 @ Richwood Drive - *Un-Signalized*
- US Route 9/20 @ I-90 Westbound exit 11 Off-Ramp off – *Un-Signalized*
- US Route 9/20 @ I-90 Eastbound Exit 11 On-Ramp of– *Un-Signalized*

Data such as roadway geometrics, traffic signal timings and peak hour traffic volumes provide the basis for a thorough understanding of existing conditions and the requisite data necessary to provide projections of future traffic conditions typical, under the Build scenario.

a. Trip Generation.

The Project is scheduled to be completed by August 2019. For analysis purposes, site generated traffic was estimated using traffic data available from a similar distribution center currently operated by the same end user. The sale distribution center will operate on separate day and nighttime shifts associated with two separate operations, receiving employees and shipping employees. Because of this, the majority of the employee traffic to/from the site occurs during the following shifts:

- Day Shift Receiving 7:00AM to 5:30PM
- Day Shift Shipping 7:30AM to 6:00PM
- Night Shift Receiving 6:00PM to 4:30AM
- Night Shift Shipping 6:30PM to 5:00AM

The truck traffic is consistently projected to be between 15-30 trips per hour during the daytime hours of 8AM to 8PM and lighter volumes (0 to 15 trips per hour) during the nighttime hours from 8PM to 8AM. The below table demonstrates the resulting trip generation volumes for the proposed project during the peak timeframe, which were used to assume the worstcase scenario as it relates to traffic impacts.

Type of Land Use	Source	Vehicle Type	Weekday Early Morning Peak (4:30-5:30AM)			Weekday Morning Peak (6:30-7:30AM)			Weekday Evening Peak (5:30-6:30PM)		
			Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
1,000,000 SF Distribution Center	Similar Facility	Employees	34	414	448	570	3	573	414	603	1017
		Trucks	3	3	6	1	3	4	15	11	26
		Total	37	417	454	571	6	577	429	614	1043

* Trip Generation Data provided by end user's similar distribution center traffic volume data.

b. Trip Distribution.

Trip distribution for the proposed Project included consideration of the existing traffic patterns in the area, previous distribution center traffic studies completed as well as the general residential base for potential employee locations in the region. The TIS resulted in an estimation that 70% of the employee traffic will head north on US Route, 9 while 30% will head south. It is also assumed that nearly all of the truck traffic (90%) will enter from the north to utilize the I-90 partial cloverleaf Interchange 11; however all truck will exit to the south due to the exiting left turn restriction at the truck entrance.

An alternative truck distribution scenario was analyzed to assess the possibility that the distribution center will primarily provide shipping services to the south. The alternative analysis assumed that 70% of the trucks would enter from the south on US Route 9 towards I-90 interchange 12 with the remaining 30% entering from the north. The alternative distribution also had all exiting truck proceeding south to Exit 12 based on the proposed truck driveway configuration.

c. 2019 Build Traffic Volumes.

The revised TIS demonstrates the weekday morning and evening proposed peak hour traffic volumes associated with the 2019 build conditions. These volumes represent the 2018 base volumes combined with the addition of the estimated trips generated by the proposed Project as well as the background annual traffic growth. As a conservative measure, the Project's peak hour of traffic generation was combined with the existing background traffic's peak hours. These peak hours may be offset by 15 to 45 minutes; however, the background traffic in the area is fairly consistent during the overall commuter

peak periods (7-9AM and 4-6PM) such that combining the peak volumes was determined to be the most appropriate and accurate means of determining the overall 2019 Build volumes.

d. Traffic Operations Analysis – Intersection Capacity Analysis.

The Project, with the proposed traffic signal, has a negligible effect on the traffic operations in the Study Area. Described below is a detailed breakdown of the impacts, if any, on the Study Area intersections' operations as a result of traffic from the proposed Project.

No. 1 – US Route 9/20 at NYS Route 150 (Schodack Valley Rd.)

This signalized intersection is operating efficiently today during the morning peak hour and evening peak hour considering the high volume of traffic entering this intersection. The intersection will have minor increases in delay as a result of the proposed development's traffic; however, these impacts can be mitigated with slight modifications to the intersections signal timings as shown in Table 4. With the proposed timing changes the intersection will operate at similar levels of service with the additional traffic, as the overall intersection levels of operation are maintained. The only impacts are negligible increases in delay for turning movements during the evening peak hour; however, all individual movements will operate at acceptable levels with LOS 'C' or better projected. No physical mitigation is recommended at this intersection as a result of the proposed development.

No. 2 – US Route 9 at US Route 20

This 2-Phase signalized intersection only services the conflicting through movements at the 'Y' interchange, resulting in acceptable levels of operations for all scenarios (LOS 'C' or better). No noticeable impacts from the proposed development are projected at this intersection; therefore, no mitigation is recommended as a result of the proposed outpatient development.

No. 3 – US Route 9 at US Route 20 (East Connections)

This un-signalized intersection has low stop sign controlled volumes as it provides specific movements for US Route 9 NB traffic turning onto US Route 20 SB and vice versa. This intersection has good operations for all scenarios (LOS 'B' or better). The proposed development has no impacts as all LOS are maintained, and the vehicle delays are not projected to change. No mitigation is recommended at this intersection

No. 4 – US Route 9 at US Route 20 (West Connections)

This un-signalized intersection has low stop sign controlled volumes as it provides specific movements for US Route 20 NB traffic turning onto US Route 9 SB and vice versa. This intersection has acceptable operations for all scenarios (LOS 'C' or better). The proposed development is projected to increase the delay for the left turn movements at the stop sign by approximately 7 seconds; however, acceptable levels of service are maintained. No mitigation is recommended at this intersection as a result of the proposed development's traffic

No. 5 – US Route 9 at Maple Hill Rd. (CR 6)

This un-signalized intersection has acceptable operations for all scenarios (LOS 'C' or better). The proposed development is projected to increase the delay for the left turn movements at the stop sign approach on Maple Hill Road by an average of 3 seconds and 4 seconds during the morning and evening peak hours, respectively. This minor increase in delay results in the LOS change from a

'B' to a 'C' for this individual movement; however, the overall intersection LOS remains at a LOS 'A'. No mitigation is recommended at this intersection as good operating conditions remain after incorporating the proposed development's traffic.

No. 6 – US Route 9 at Richwood Drive

This un-signalized intersection has acceptable operations for all scenarios (LOS 'C' or better). The proposed development is projected to increase the delay for the side street approach by an average of 4 seconds and 6 seconds during the morning and evening peak hours, respectively. This minor increase in delay results in the LOS change from a 'B' to a 'C' for this individual movement; however, the overall intersection LOS remains at an 'A' LOS. No mitigation is recommended at this intersection as good operating conditions remain after incorporating the proposed development's traffic.

No. 7 – US Route 9/20 & I-90 Westbound Exit 11 Off-Ramp

This un-signalized intersection has acceptable operations for the morning peak hour (LOS 'C'); however, existing left-turn movements from the off-ramp experience some delay in the evening peak hour for all scenarios. The proposed development is projected to increase the delay for off-ramp approach by an average of 5 seconds and 13 seconds during the morning and evening peak hours, respectively. These minor increases in delay results in no LOS change from the background to the build scenarios and the overall intersection LOS remains at a LOS 'A' as the US Route 9/20 traffic remains a free flow condition. No mitigation is recommended at this intersection as no degradation of operating conditions result after incorporating the proposed development's traffic.

No. 8 – US Route 9/20 & I-90 Eastbound Exit 11 On-Ramp

This un-signalized intersection has free flow conditions for all movements except the northbound left turns to enter the on-ramp; therefore, it operates at a LOS 'A' for all scenarios. The proposed development is projected to increase the delay for the northbound left-turn movement by an average of less than 1 second during both the morning and evening peak hours, respectively. The overall intersection LOS remains at unchanged at an 'A' LOS as the US Route 9/20 traffic remains a free flow condition. No mitigation is recommended at this intersection as good operating conditions remain after incorporating the proposed development's traffic.

No. 9 – US Route 9 at Proposed Employee Driveway

The proposed distribution center development project will add considerable volume of passenger car traffic to the roadway network at this intersection during the four primary shift changes at the distributions center. Due to the proposed volume of traffic at this intersection the assessment showed that left turning vehicles exiting the proposed development would experience unacceptably long vehicle delays between 4.5 to 5 minutes during the evening peak hour under stop sign controlled conditions. Although not calculated, similar exiting delays would also occur during the early morning (4:30-5:30AM) release of employees. As a result of the signal warrant analysis that was performed (see later section of this report) a signal was analyzed at this proposed intersection.

After the implementation of a new semi-actuated, 2-phase traffic signal at this intersection, acceptable levels of operation were provided with overall LOS 'A' and 'B' during the morning and evening peak hours respectively and LOS 'C' or better for all individual movements. The developer also requested adding an additional left turn exit lane to create a dual left turn configuration. This configuration was conceptually agreed upon by the NYSDOT and was included as additional mitigation at the intersection. The semi-actuated traffic signal and the dual exiting left turn lane will allow the signal to rest in green for US Route 9 until traffic is detected on the driveway and the dual left turn lanes allows the driveway green times to be reduced, providing acceptable levels

of operations for all movements and 'A' LOS for the traveling public through traffic on US Route 9.

No. 10 – US Route 9 at Proposed Truck Driveway

The proposed distribution center development project will add consistent low volume truck traffic at this intersection through the day. Due to the proposed volume of truck traffic at this intersection the proposed stop-sign control provides acceptable LOS for the morning and evening peak hours, with proposed LOS 'C' or better. Due to the high speeds on US Route 9, the NYSDOT required that exiting truck traffic be restricted to right turn only onto US Route 9. The proposed driveway will have a negligible impact on the traveling public on US Route 9 as this will be a free movement.

e. Sight Distance Analysis.

The sight distance at the proposed site entrances was measured to determine if the available intersection sight distances meet the AASHTO recommended values. The employee driveway utilized the standard intersection sight distance recommendations for the right turning movement with additional gap timing added to the left turn movement to account for the 5-lane section of US Route 9. The truck driveway was analyzed in the same fashion; however, the "Combination Truck" time gap was utilized as well as the truck drivers eye height. Detailed drawings of the horizontal and vertical alignments for the sight distance are provided in the revised TIS (Appendix B), which were used to calculate the available sight distances.

Pursuant to the above, and as demonstrated by the revised TIS, adequate site distance is available at the proposed entrances onto US Route 9

f. Signal Warrant Analysis.

Signal warrants were reviewed for the study area's un-signalized intersections in accordance with the Federal Highway Administrations; Manual of Uniform Traffic Control Devices, 2009 edition. The site entrances were reviewed to see if the volume of employee or truck traffic warranted the consideration of a signal.

The detailed signal warrant analysis worksheets for the existing and proposed conditions at the Proposed Employee site entrance onto US Route 9 were provided in the revised and updated TIS (Appendix D). This analysis showed that this intersection meets two of the MUTCD signal warrants for the proposed build conditions. Warrants 3A and 3B, the peak hour warrants are met for the evening peak hour. Based on these warrants being met, a signal was assessed to determine what impacts it would have, both positive and negative, on the overall traffic operations.

From a capacity standpoint, the signal will elevate the failing operation of a stop sign controlled intersection (4.5-minute delay for exiting employees) and provide adequate levels of operations for the proposed site driveway with minor increases in delay to the operations of the US Route 9 northbound/southbound traffic. A semi-actuated signal is proposed, which can rest on green for the northbound/southbound approaches to minimize the impacts on US Route 9. Between the high volumes and speed of vehicles along this straight stretch of US Route 9, the ability to make a left turn safely onto US Route 9 is difficult during the peak hours. Particularly, the high volumes of exiting traffic during shift changes.

As a result of this assessment, a signal is recommended at this intersection as a mitigation measure for the redevelopment project.

g. Pedestrian Safety.

The site plan shows a sidewalk in front of the Project Site. As noted on the Project site plans, this sidewalk will be constructed at the Project Sponsor's expense and at the direction of the Town. It has been noted that, it is Amazon's experience that some of its employees may seek to use public transportation to go to work. In the event this proves to be the case, Amazon will work with CDTA to determine if a bus stop is feasible on or near the site of the Sales Distribution Center.

h. Conclusions and Recommendations.

MJ has evaluated the traffic operations within the study area surrounding the proposed Sales Distribution Center in Schodack, NY. Results from the 2019 Build conditions indicate that the proposed project will produce no noticeable increase in delay to the traveling public within the existing study area intersections and that access into and out of the proposed development can be provided in a safe manner with the proposed roadway configurations shown on the concept site plan and the proposed signal mitigation.

Based on the completed capacity analysis, the following conclusion are determined:

- The proposed distribution center is projected to create 577 trips during the morning peak hour and 1043 trips during the evening peak hour based on projected staffing/shifts provided by a similar sales distribution center.
- The employee driveway for the proposed development shall have a dedicated right turn and a dedicated left turn lane and the existing center two-way left turn lane will be re-striped to provide a dedicated northbound left turn lane into the site with permissive/protected signal phasing. A second exiting left turn lane was requested by the developer and reviewed by the NYSDOT. This additional lane will improve operations at the intersection and was included under the mitigation scenario. Although it is not needed from a traffic capacity standpoint, due to the high volume of southbound right turn movements it is recommended that a dedicated southbound right turn lane be constructed at the proposed driveway as well.
- The secondary truck driveway will see significantly less volume as it is restricted to truck traffic only and a proposed stop-sign control for this approach is acceptable to provide adequate traffic operations. At the NYSDOT's request, the driveway will restrict the exiting vehicles to right turn movements only.
- A signal warrant analysis revealed that two warrants were met for the proposed employee entrance. Based on additional assessment of the impacts of a signal, it is recommended that a traffic signal be installed as mitigation for the sales distribution center and be constructed prior to the opening of the facility.
- The proposed driveways locations have site distance that meets the AASHTO design guidelines; however, it is recommended that when the driveways are constructed, existing vegetation and any proposed features should be removed from the driver's sight line. This is particularly true for the view to the south from the truck entrance.
- The existing surrounding roadway network has adequate capacity to accommodate the additional traffic generated by the proposed development with negligible impacts to the traveling public.

The NYSDOT has agreed with the mitigation proposed for the Project, the installation of a traffic light and the installation of turning lanes into the site. This approval can be found in NYSDOT's

communication dated June 27, 2018. The TIS, dated March 29, 2018 and the supplement to the TIS, dated June 8 and 26, 2018, submitted by the Project engineers was also reviewed by the Town Designated Engineer. From a transportation perspective, this is an appropriate location for a sales distribution center serving the northeast.

The mitigation measures set forth in the TIS demonstrate that there will not be an adverse environmental effect due to the traffic. Data specific to the tenant of the sales distribution center, Amazon, was used and is a greater amount of traffic than would have been predicted using the standard ITE data.

The use of this Amazon specific data ensures that the model predicting the generation of traffic and all potential transportation impacts that could potentially arise due to that traffic are being addressed.

Based on the above and with the proposed traffic mitigation measures, the Planning Board finds that the Project will not have a significant impact on transportation.

14. **Impact on Energy.** National Grid (“NG”) currently provides natural gas and electric in the Town of Schodack and the proposed distribution center facility will utilize National Grid for these services. National Grid has provided a communication dated June 28, 2018 confirming that based on their review to date, they are able to serve the site with electricity and natural gas and do not anticipate a need to upgrade an existing substation or to undertake a major extension of its transmission supply system.

The electric distribution system on site will consist of a below ground duct bank system with ground mounted transformers. Natural gas will be piped underground into the building mechanical room to run the buildings heating system.

The Project will therefore avoid any significant adverse effects with regard to energy.

15. **Impact on Noise, Light, and Odor.**

a. **Noise.**

The Applicant submitted a report from Ostergaard Acoustical Associated (“OAA”), Evaluation of Site Sound Emissions, Proposed Sales Distribution Center, Schodack New York, dated May 21, 2018 (the “OAA Report”). The OAA Report was submitted to the Planning Board at its May 21, 2018 meeting. The OAA Report followed the NYSDEC noise impact assessment guidance and also the regulations of the Town of Schodack relating to noise. The OAA Report also evaluated the noise that would be emitted from the Sales Distribution Center and specified immediately the mitigation measures that would be integrated into the Project to address noise.

The Project site currently consists of vacant wooded land situated adjacent heavily trafficked roadways (Interstate 90 and Rt. 9). The OAA Report highlights that the Project has centrally placed the proposed building, proposed substantial earthen berms to the north, and proposed a sound wall to the south to shield site activity from the surrounding residences. To minimize potential noise complaints, Amazon has agreed to equip switcher engines and as many other on-site trucks as feasible with smart, ambient sensing, multifrequency back up alarms. These devices reduce annoyance generated from constant level, pure tone back up alarms.

This sound wall is 18 feet high and has been designed to attenuate any noise such that noise from the operation of the Project will be maintained at a pre-construction level at least. Moreover, to assist in

keeping noise down during construction as well, Amazon and the Project Sponsor have committed to construct the wall, as well as the berms as early as possible in the construction of the sales distribution center.

Therefore, the OAA Reports concludes that “these features will sufficiently mitigate on-site HVAC and vehicle noise to have no discernible effect on the surroundings since increases will not be higher than 6 Db(A) over the existing sound levels.”

The OAA report also notes that Project sound emissions will be sufficiently below the Town of Schodack Chapter 151 Noise Code sound limit of 90 dB(A). The OAA Report also concludes that “[g]iven the results of this analysis and the prevailing activity on Interstate 90 and Route 9, on-site noise is expected to have little-to-no acoustical impact per DEC guidelines and will fully comply with Schodack Code Chapter 151 and Chapter 219-23A.”

Based on the above, and given the locations and setbacks to residences, the Project will not have any significant adverse effects with regard to noise.

b. Light.

As noted above (see Section 9(b)), lighting will be provided for the parking lot areas surrounding the building, the fire access road and along the driveway into the site. The lighting will consist of energy efficient LED light fixtures with a color temperature range of 2,700k. The lights will have edges that extend below the level of the fixture to reduce the potential for source glare and light spillage. The light fixtures will be mounted on poles and on the building ranging in height from 20 to 40 feet. The foot-candle level will be zero at the property line, except for the driveway where lighting will extend to Route 9 and light the driveway intersection for safety. Landscape buffering, and Site grading, will likewise protect against light pollution.

Based on the above, the Planning Board finds that the Project will not have a significant impact on light.

c. Odor.

Regarding odor, the Project Site is not expected to produce appreciable odors. Refuse and recycling will be contained until pickup for disposal on a regular basis in appropriate containers. In addition, the Project does not include any fixed-point source of air emissions that would cause any odor.

As noted above (see Section 6), potential impacts on air would be due to the emissions from car and truck traffic associated with the proposed facility. However, also as noted above, the Project Sponsor has provided documentation on the Project's possible traffic impacts. Peak-hour counts and level of service projections show that the potential traffic volume increases related to the Project will not be great enough to significantly impact air quality on or around the Project Site, which is in an area traversed by a New York State Route 9, two US Routes (150 & 20), and Interstate 90. To further reduce any risk of air quality impacts, all vehicles at the Project Site will be expected to comply with New York State's idling limit of five minutes for heavy-duty vehicles, including diesel trucks.

Based on the above, the Planning Board finds that the Project will not have a significant impact on odor.

16. **Impact on Human Health.** The Project will not have any adverse effect on human health. All necessary approvals from state and local Departments of Health for water and sewer connections, and other aspects as applicable will be obtained at the appropriate time by any and all users.

In addition, the Project Site is not located within 1,500 feet of a school, hospital, licensed daycare center, group home, nursing home or retirement community. The Project Site is not currently undergoing remediation nor was in need of remediation in the past. In addition, the Project will not result in the unearthing of solid or hazardous waste, result in an increase in the rate of disposal, or processing of solid waste, result in excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste, result in the migration of explosive gases from a landfill site to adjacent off-site structures, or result in the release of contaminated leachate from the Project Site.

Therefore, the Planning Board finds that the Project will not have a significant impact on human health.

17. **Consistency with Community Plans.** The site is zoned Planned Development District ("PD-3"). The proposed sales distribution center facility is a permitted use within the PD-3 zoning district. Because the project site is located within the Town's Water Quality Control District, the Project also requires a special permit pursuant to Town Code Section 233-5. There are no specific area and bulk zoning regulations applicable to the Project. However, however, the Schodack Planning Board will establish appropriate area and bulk regulations as part of the Site Plan Review process for this Project (this process was confirmed by the Town Building Inspector by determination dated June 18, 2018).

The Project is consistent with the Town of Schodack Comprehensive Plan (January 2011), particularly Guiding Principle #5: Encourage business growth around the I-90 exits and the Route 9 Corridor to build a strong tax base for public services and to provide retail and service business support for Town Residents.

The Project is also consistent with the Route 9 Corridor Development Plan (July 2006) as follows:

- Traffic is concentrated where flow will be minimal and highway access greatest.
- The facility will provide employment opportunities.
- The facility is a clean operation that does not threaten the aquifer more than the existing activity.
- The facility is not water intensive and does not use or generate hazardous materials.

As noted above, "sales distribution centers" are a permitted use in the PD-3 zoning district. Based on a request from the Project Sponsor, on June 18, 2018 the Town of Schodack Building Inspector issued a determination confirming that the Project constitutes a Sales Distribution Center and that only approval from the Planning Board is required for such a use in the PD-3 zoning district.

Based on the above, the Planning Board finds that the Project is consistent with community plans.

18. **Consistency with Community Character.** The sales distribution center will not significantly alter the character of community, as the Route 9/20 corridor is principally commercial use. There is an existing distribution center within 3 miles of the proposed project. Since this property is zoned PD-3, the community planned on the development of this property to generate new jobs and support the growth of the Town of Schodack. The sales distribution center project will be a benefit to economic development in the Town and County.

The Project Site is located in an area that already contains commercial development (e.g retail, banking, convenience retail, specialty retail, food service, and service station uses). The residential properties in the immediate area already coexist with nearby commercial uses.

Based on the above, the Planning Board finds that the Project is consistent with the surrounding community character based on the Project's design incorporating measures to limit noise and to protect adjoining residential property views, among other such mitigation measures discussed above and in the various reports.

19. Impact on Growth.

a. Fire and Police.

The Project Sponsor has met with the Schodack Valley Fire Company ("SVFC") to discuss the proposed fire suppression devices proposed within the sales distribution center. The sales distribution center will have a state of the art fire early suppression fast response system ("ESFR"). ESFR technology is a unique sprinkler protection concept that varies significantly from conventional, control-mode protection schemes. There are two key factors specific to ESFR sprinkler technology that make it effective in high-challenge fire suppression. First, the sprinklers are designed to discharge water with sufficient volume and momentum to attack the fire directly at the burning surfaces, thereby achieving fire suppression. Second, the sprinklers are designed to respond very quickly to growing fires through the use of a fast-response fusible element.

The proposed building will have a sprinkler demand of approximately 2,340 gpm. This is based on the sprinkler design criteria of twelve K-22.4 ESFR sprinkler heads operating at an end head pressure of 50 psi with a 10% margin to cover additional flow due to system inefficiencies. Also included in this demand is a 250 gpm hose stream requirement. For this system, the typical water tank is approximately 200,000 gallons.

This fire suppression system delivers a calculated amount of fire flow in accordance to the scope of the building size, through individual sprinkler heads to ensure that a fire, if one breaks out, is immediately suppressed. The water for sufficient fire flows may be maintained on site in a 200,000 gallon water tank which is adjacent to the building. Although the height of the building is +/- 40 feet, any delivery of water from hoses originating outside the building would be delivered through stand pipes that are affixed to the building. The economic study prepared by Camoin Associates and submitted to the Town Planning Board on June 18, 2018 demonstrates that substantial funds will be provided by the Project to the SVFC.

The Project Engineer has reached out to the Schodack Police to provide them with information about the Project. Based on that discussion, the Schodack Police have indicated that they have no concerns regarding servicing the facility. On June 28, 2017, the Schodack Police confirmed their satisfaction with the Project.

b. Fiscal.

The Project Sponsor has provided a study by Camoin Associates, Economic & Fiscal Impact Analysis of Proposed Sales Distribution Center, Town of Schodack, NY, dated June 2018, to the Planning Board on June 18, 2018.

The Camoin Associates Report demonstrates that the potential growth from the proposed sales distribution center has the potential to result in approximately 49 additional jobs (beyond those offered by the potential tenant, Amazon) in the community. In addition, the Project will result in 83 construction phase jobs, 78 construction phase on-site jobs, and 849 annual jobs (800 direct and 49 indirect).

Per the Camoin Associate Report, across all jurisdictions, the Project is expected to generate positive net impacts totaling over \$31 million. The local jurisdictions are expected to receive \$31 million more in revenues than expenses over this time period.

Based on the above, the Planning Board finds that the Project will not result in substantial impacts to growth in the Town of Schodack.

Conclusion

The Planning Board, acting as Lead Agency in a Coordinated Review under SEQRA, has thoroughly evaluated all aspects of the Project and carefully reviewed all relevant materials. For the reasons set forth above, the Planning Board has determined that the Project will not have any significant adverse impacts on the environment. As a result, a Negative Declaration will be filed and distributed pursuant to SEQRA regulations, and a Draft Environmental Impact Statement need not be prepared.

CERTIFICATION

This SEQRA Negative Declaration and Reasons Supporting SEQRA Negative Declaration were approved at a duly called meeting of the Town of Schodack Planning Board on _____, 2018. The requirements of Article 8 of the New York State Environmental Conservation Law and 6 NYCRR Part 617 have been met.

Wayne Johnson, Acting Chair
Town of Schodack Planning Board

Date: _____

The ENB SEQRA Notice Publication Form - Please check all that apply

Reset Form

Deadline: Notices must be received by 6 p.m. Wednesday to appear in the following Wednesday's ENB

- Negative Declaration - Type I
- Conditioned Negative Declaration
- Draft Negative Declaration
- Positive Declaration
- with Public Scoping Session
- Draft EIS
- with Public Hearing
- Generic
- Supplemental
- Final EIS
- Generic
- Supplemental

DEC Region # 4 County: Rensselaer Lead Agency: Town of Schodack Planning Board

Project Title: Site Plan Review and Special Permit for Sales Distribution Center proposed by Scannell Properties #262 LLC

Brief Project Description: The action involves . . .

Scannell Properties #262, LLC is proposing to construct a 1,015,740 ± square foot sales distribution center (the "Project") on two adjoining parcels (tax ID 200.00-6-1.3, and 200.00-6-22.1) totaling 116.3 ± acres along NYS Route 9 in the Town of Schodack, Rensselaer County, New York (the "Project Site"). The sales distribution center is being constructed for the proposed tenant Amazon. The proposed facility will be constructed in its entirety in one phase.

The Project includes associated on-site roadways, parking, utility infrastructure, landscaping, and stormwater management facilities. There will be two (2) driveway entrances to the site off of NYS Route 9; one dedicated driveway for employees and one dedicated driveway for trucks. A security gate with a Guard House will be provided at the truck entrance. Approximately 1,075 parking spaces will be provided for employees and approximately 300 parking spaces will be provided for truck trailers. Off-site improvements will include extension of water, sewer, and natural gas mains to the project site. The off-site utilities will be extended from their current terminus along NYS Route 9/20 south of NYS Route 150.

The Project Sponsor is seeking Site Plan approval and a Special Use Permit under the Town's Water Quality Control Act ("WQCA") from the Planning Board and has submitted materials in support of the application which can be found in the Town Planning Department's files.

Project Location (include street address/municipality): Rt. 9, Town of Schodack, New York (Tax ID 200.00-6-1.3 and 200.00-6-22.1)

Contact Person: Nadine Fuda, Director of Planning and Zoning, Town of Schodack

Address: 265 Schuurman Road City: Castleton State: NY Zip: 12033 Phone: 518-477-7938 Fax: 518-477-9534 E-mail: nadine.fuda@schodack.org

For Draft Negative Declaration / Draft EIS: Public Comment Period ends: ___ / ___ / ___

For Public Hearing or Scoping Session: Date: ___ / ___ / ___ Time: ___ : ___ am/pm

Location: _____

A hard copy of the DEIS/FEIS is available at the following locations:

The online version of the DEIS/FEIS is available at the following publically accessible web site:

For Conditioned Negative Declaration: In summary, conditions include:

2018-202

73501
Schodack Consolidated Water District No. 101,
Water District Extension No. 6
Town of Schodack

NOTICE OF PUBLIC HEARING

**COUNTY OF RENSSELAER
TOWN OF SCHODACK
August 9, 2018**

**ORDER FOR PUBLIC HEARING ON ESTABLISHMENT OF TOWN OF
SCHODACK CONSOLIDATED WATER DISTRICT NO. 101, WATER
DISTRICT EXTENSION NO. 6 IN THE TOWN OF SCHODACK,
COUNTY OF RENSSELAER, STATE OF NEW YORK, PURSUANT TO
ARTICLE 12 OF THE TOWN LAW OF THE STATE OF NEW YORK**

WHEREAS, a map, plan and report have been prepared in such manner and in such detail as is required by Article 12 of the Town Law of the State of New York and a petition pursuant to Article 12 of the Town Law of the State of New York, relating to the establishment of Consolidated Water district No. 101, Water District Extension No. 6, in the Town of Schodack, County of Rensselaer, State of New York, have been filed in the Town Clerk's Office for public inspection; and

WHEREAS, said map, plan and report was prepared by McFarland Johnson, competent engineers, duly licensed by the State of New York, showing boundaries of the proposed Water District Extension, general plan of the Water District Extension and an analysis showing the costs thereof and method of operation; and

WHEREAS, said map, plan and report shows all facilities together with the location and the general description of all public works required including lands and easements to be acquired; and

WHEREAS, the boundaries of the proposed Water District Extension are as described in Schedule "A" annexed hereto; and

WHEREAS, the improvements proposed consist of the installation of 2,250 lineal feet of 12 inch PVC water pipe, 2200 pipe bends, 4 water valves, 6 water hydrants, 150 lineal feet of pipe for boring underneath Routes 9 & 20, in accordance with the map, plan and report now on file in the Office of the Town Clerk of the said Town of Schodack; and

WHEREAS, the maximum amount proposed to be expended for said improvements and/or acquisition of necessary lands is the sum of Four Hundred Twenty-Nine Thousand (\$429,000.00) Dollars; and

WHEREAS, approval of the New York State Comptroller will not be required for the formation of Consolidated Water District No. 101, Water District Extension No. 6, inasmuch as debt will neither be issued or assumed by the Town of Schodack, and assessments shall be on a benefit basis for the typical property; and

WHEREAS, the first year cost for operation and maintenance fees for the Water District Extension are estimated to be Eight Thousand Six Hundred Ninety-Two and 00/100 Dollars (\$8,692.00) to the typical property after the first year of the Water District Extension formation; and

WHEREAS, the water line installation fee is Two Hundred and 00/100 (\$200.00) Dollars and the Water District Extension connection fee is Twenty-Five and 00/100 (\$25.00) Dollars; and

WHEREAS, the capital charges for the typical property located within the Water District Extension are estimated to be Twelve Thousand Five Hundred Forty-Four and 00/100 (\$12,544.00) Dollars after the first year of Water District Extension formation.

NOW, IT IS HEREBY ORDERED, that the Town Board of the Town of Schodack, shall meet and hold a public hearing at the Town of Schodack Town Hall, 265 Schuurman Road, Castleton-on-Hudson, New York, in said Town, on the 23rd day of August, 2018, at 7:30 p.m., local time, to consider said petition and the map, plan and report and to hear all persons interested in the subject thereof as is required or authorized by law.

The foregoing was moved by _____, and seconded by _____

AYES NOES

David Harris
Michael Kenney
Scott Swartz
Jim Bult
Tracey Rex

Dated: August 9, 2018

CERTIFICATION OF TOWN CLERK

I, **DEBRA L. CURTIS**, the undersigned Clerk of the Town of Schodack,
Rensselaer County, New York, DO HEREBY CERTIFY:

That I have compared the foregoing copy of the minutes of the meeting of the
Town Board of said Town, including the resolution contained therein, held on the 9th day
of August, 2018, with the original thereof on file in my office, and that the same is a true
and correct copy of said original and of the whole of said original so far as the same
relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of
said Town this day of August, 2018

Debra L. Curtis, Town Clerk

SCHEDULE "A"

**Legal Description
Consolidated Water District No.101
Extension #6**

Consolidated lands now or formerly of Jill C. Palmer-Wood, Burdette J. Otterbeck, William J. & Mary Beaudoin and Mary Ann Sherman

All that certain parcel or piece of land situate in the Town of Schodack, County of Rensselaer, and State of New York, and more particularly bounded and described as follows:

Beginning at an iron pin found in the western highway boundary of U.S. Route 9 at its intersection with the division line between lands now or formerly of Jill C. Palmer-Wood and Burdette J. Otterbeck (Document number 2008-00302819) to the south and lands now or formerly of James R. Matias and Judith Dunham-Matias (Liber 169, page 1431) to the north; Thence along the western highway boundary of U.S. Route 9 South $26^{\circ} 01' 48''$ West, a distance of 1142.41 feet to a capped rod found at the northeast corner of lands now or formerly of Michael and Charlotte Belak (Liber 1298, page 417); Thence North $78^{\circ} 28' 35''$ West, a distance of 420.80 feet to a point, Thence South $21^{\circ} 23' 25''$ West, a distance of 67.67 feet to a point; Thence along the division line with lands now or formerly of Michael and Charlotte Belak (Liber 1298, page 417) North $87^{\circ} 14' 30''$ West, a distance of 16.77 feet to a capped rod found; Thence continuing along the division line with Michael and Charlotte Belak, and along the division line with lands now or formerly of Frank and Linda Paonessa (Liber 324, page 1892) South $11^{\circ} 45' 30''$ West, a distance of 226.00 feet to an iron pin found; Thence along the division line with lands now or formerly of Clifford and Deborah Brehm (Liber 1249, page 225) and along the division line with lands now or formerly of George Brehm (Liber 1032, page 306) South $86^{\circ} 54' 22''$ West, a distance of 612.61 feet to an iron pin found; Thence along the division line with lands now or formerly of George Brehm (Liber 1032, page 306), lands now or formerly of Paul and Heather Brehm (Liber 1611, page 199), and lands now or formerly of Cheryl L. Ouder Kirk (Liber 648, page 221) South $16^{\circ} 16' 15''$ East, a distance of 546.03 feet to an iron pin in concrete found; Thence along the division line with lands now or formerly William J. Beaudoin and Mary Beaudoin (Liber 1302, page 805) and with the terminus of Hillcrest Avenue South $05^{\circ} 52' 46''$ East, a distance of 200.90 feet to a rebar found; Thence along the southern side of Hillcrest Avenue and passing through an iron pipe, North $84^{\circ} 07' 14''$ East, a distance of 115.00 feet to a point in the southern line of Hillcrest Avenue at its intersection with the division line between lands now or formerly of Carl and Mary Sherman (Liber 1302, page 807) to the east and William J. and Mary E. Beaudoin and Mary Ann Sherman (Liber 7724, page 283) to the west; Thence along said division line South $05^{\circ} 52' 46''$ East, a distance of 100.00 feet to a point; Thence along the division line with lands now or formerly of Hartland Associates, Inc. (Liber 7602, page 263) and lands now or formerly of Donald Hart (Liber 168, page 2218) South $84^{\circ} 07' 14''$ West, a distance of 845.92 feet to a point; Thence continuing along the division line with lands now or formerly of Donald Hart (Liber 168, page 2218) and passing through a rebar found, South $27^{\circ} 07' 14''$ West, a distance of 532.64 feet to a rebar found; Thence along the division line with lands now or formerly Hartland Associates, Inc. (Liber 168, page 2250) North $48^{\circ} 13' 42''$ West, a distance of 586.77 feet to a rebar found at the eastern highway boundary of Interstate 90; Thence along the eastern highway boundary of Interstate 90 the following six courses and distances:

1. North $06^{\circ} 29' 05''$ East, a distance of 262.42 feet to a point;
2. North $06^{\circ} 29' 57''$ East, a distance of 1039.84 feet to a concrete monument found;

3. North 62°36'15" East, a distance of 377.34 feet to a concrete monument found;
4. North 04°25'52" West, a distance of 519.98 feet to a concrete monument found;
5. North 07° 28' 01" West, a distance of 754.97 feet to a concrete monument found;
6. North 87° 25' 18" East, a distance of 363.34 feet to an iron pipe found;

Thence along the division line with lands now or formerly of Otis J. Williams, II, and Jennifer L. Meehan (Liber 6446, page 73), and lands now or formerly of Wesley J. Sanford, Jr. and Lauren K. Sanford (Liber 7800, page 124) North 88°14'57" East, a distance of 243.29 feet to an iron pipe found; Thence continuing along the division line with lands now or formerly of Wesley J. Sanford, Jr. and Lauren K. Sanford (Liber 7800, page 124), and along the division line with lands now or formerly of Kristin M. Meashaw and Matthew B. Abatto (Liber 3129, page 334), lands now or formerly of Scott A. Dunham and Theresa A. Dunham, lands now or formerly of Robert A. Jansing (Liber 366, page 1395), lands now or formerly of Sarah E. and Kristen A. Fedigan (Liber 8173, page 197) and passing through two iron pipes found, South 89° 13' 33" East, a distance of 868.18 feet to a point; Thence along the division line with lands now or formerly of Brian J. and Laurel L. Smihosky (Liber 7266, page 77), lands now or formerly of Vittorio Lapietra & Donna Linhares-Lapietra (Liber 4008, page 178), lands now or formerly of Edward C. and Erin A. Cullings (Liber 4762, page 8), and lands now or formerly Kenneth C. and Crystal M. Swinton (Liber 7541, page 108) South 88° 41' 33" East, a distance of 585.84 feet to an iron pipe found; Thence continuing along the division line with lands now or formerly of Kenneth C. and Crystal M. Swinton (Liber 7541, page 108) South 89° 09' 53" East, a distance of 288.23 feet to capped rebar found; Thence along the division line with lands now or formerly of James R. Matias and Judith Dunham-Matias (Liber 169, page 1431) the following two courses and distances:

1. South 16° 52' 47" West, a distance of 430.00 feet to an iron pin found;
2. South 74° 02' 22" East, a distance of 280.00 feet to the point and place of beginning.

Containing or 116.39 acres or 5,070,10 square feet of land, more or less.

2018-203

TOWN OF SCHODACK EDUCATIONAL SEMINARS REQUEST

Pursuant to Resolution # 2010-044, the Supervisor is authorized to approve staff attendance at educational seminars if registration and expenses are deemed to be appropriately budgeted and do not exceed \$250 in the aggregate.

Please attach information about the seminar (i.e. agenda) include documentation to support each cost item, so that the Supervisor and/or Town Board can appropriately review.

Staff attending educational program:

JEFFREY ALNO ALAN ROEHL
JORDAN HARRINGTON, GARY ZIEGLER
STEVEN KELLY

Name of Seminar/Conf./Course:
Location (Venue, City):
Dates of Seminar:
Cost of Seminar (Registration Fees):

FIRE/ARSON INV. SEMINAR
600 COLLEGE AVE. MANTONVILLE FALLS, NY 14865
NOVEMBER 7-9th
\$125.00 REG. \$50.00 MAT. 100.00 MEALS

Travel Costs:

Mileage -

Please include a copy of mapquest to estimate total mileage - this will be used as a guideline when your actual mileage is submitted for reimbursement.

Train/Bus/Plane
Town Vehicle

# of Miles	Rate as	Estimated Amount
929.72	\$54.5	234.20
429.72		1506.70 X 2 VEHICLES - 969.40
		Tolls 35.00
		<u>Y</u> <u>X</u> <u>N</u>

Lodging:

Name of Hotel/Motel
of Rooms
of Nights
Cost per night
Total Lodging Cost

Falls Motel
23
2
\$96.00
\$576.00

Meals:

Included in seminar cost
Estimated cost if you answered no above

X Y X N
179.00

Total estimated cost to attend:

Estimated cost per staff member*

(total cost divided by # of ppl attending)

Is the total cost budgeted?

1500
300
X Y N

TB Resolution needed?*

If Yes, please document resolution # 2018-203

Y X N

Department Head Approval

Chris J. Bell

Supervisor Approval

* If the estimated cost per staff member is > \$250, then a TB resolution is required. Please plan ahead. A resolution is required prior to any town obligation and/or payment for the seminar. Please attach this form and a copy of the resolution, if applicable, to all payment requests involving payment to a vendor or an employee reimbursement.

Note: Please make sure you bring the appropriate tax exemption forms with you. There is also a special tax-exempt form for hotels.

A building safety inspector performs fire safety and property maintenance inspections on existing buildings. To receive a building safety inspector certification, an individual must complete Courses 9A16, 9B16 and 9C16. These courses must be completed within 18 months of your appointment date to the position or within 18 months from the date of the first training course attended, whichever is the shorter. Failure to complete these courses within that time frame will result in the forfeiture of the accrued basic code enforcement training credit.

A code enforcement official performs any enforcement activity. To receive a code enforcement official certification, an individual must complete Course 9A16, 9B16, 9C16, 9D16, 9E16 and 9F16. These courses must be completed within 18 months of your appointment date to the position or within 18 months from the date of the first training course attended, whichever is the shorter. Failure to complete these courses within that time frame will result in the forfeiture of the accrued basic code enforcement training credit.

Course Names and Descriptions

COURSE 9A16

Introduction to Code Enforcement Practices (2016)

Part 1 - Regulations, Administration and Enforcement

This program will discuss the role of the Code Enforcement Official and the practices necessary to carry out the job for a local government, including the process; from permit issuance, inspections, records and paperwork, through enforcement actions and legal recourse. In addition, a quick historical side trip will provide a perspective for the laws and regulations which have been enacted to create a uniform statewide approach to code enforcement. This course is designed to provide 21 hours of classroom training including a 1 hour final exam.

COURSE 9B16

Introduction to Code Enforcement Practices (2016)

Part 2 - Fire Safe Design

Prerequisite: 9A

The focus of this portion of the course is to understand the basic principles which create a building that will endure the effects of fire and enable its occupants to safely escape. The New York State Uniform Fire Prevention and Building Code provides this blueprint. This course addresses the basic concepts in the code which establish the minimum construction standards for all new buildings, and demonstrates how the code balances the potential hazards of the occupancy with the benefits of fire resistant construction techniques, notifications and suppression equipment and systems, and proper planning. This course is designed to provide 21 hours of classroom training including a 1.5 hour final exam.

COURSE 9C16

Inspection Procedures for Existing Structures (2016)

Prerequisite: Course 9A and 9B

Course 9C will provide the individual with the skills required to conduct inspections of existing buildings using the International Fire Code and the International Property Maintenance Codes. The course will consist of standard lecture on a topic, followed by a virtual inspection, requiring the student to utilize the information gained from the lecture. This course is designed to provide 21 hours of classroom training including a 1.5 hour final exam.

COURSE 9D16

General Construction Principles (2016)

Prerequisite: Course 9A and 9B

This program will acquaint code enforcement officials with the systems and equipment requirements and the structural requirements of the Uniform Code. In the first module, "Systems and Equipment", the organization, applicability and content of the International Mechanical Code, International Fuel Gas Code, International Plumbing Code, International Energy Conservation Construction Code and International Residential Code will be addressed. The second module, "Structural Requirements", will consist of basic load and design theory and the resulting structural requirements in the International Building Code and International Residential Code. This course will provide 21 hours of classroom training including a 1.5 hour final exam.

COURSE 9E16

Residential Construction (2016)

Prerequisites: Course 9A, 9B, 9D

This course will address the construction requirements for one and two-family dwellings and low-rise multiple dwellings using the International Residential Code as the compliance method. The program is designed to take the student through the steps of a typical code enforcement permit process, including code research, plan review and the inspection process. This course will provide 21 hours of classroom training including a 1.5 hour final exam.

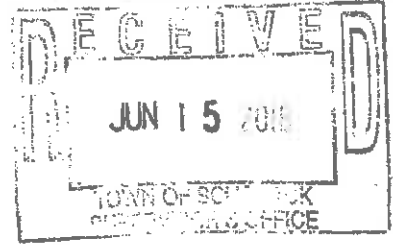
COURSE 9F16

Building Construction (2016)

Prerequisite: Course 9A, 9B, 9D, 9E

Course 9F addresses the construction requirements for a commercial structure using the International Building Code as the method of compliance. This program will take the students through a typical plan review process utilizing information from the preceding courses as well as specific code references pertaining to the detailed drawings used for this course. An inspection form following the course

Proposal



PROPOSAL SUBMITTED TO: Town of Schodack	JOB NAME: Red School House	JOB #:
ADDRESS:	JOB LOCATION:	
PROJECT #:	DATE: 6-14-18	DATE OF PLANS:
FAC #:	ARCHITECT:	

I hereby submit specifications and estimates for **The Restoration of the Red School House left rear corner of the roof edge. approximately 35'**

- Repair and OR replace:**
- Rafters
 - Roof deck
 - Facia
 - Soffit
 - Mouldings

All exposed wood to be primed
 Cover any roof deck repairs with felt paper
 No Roofing work or gutter work is included in this proposal

\$9740.00

Damage is caused by a large tree witch should be removed

I propose hereby to furnish material and labor — complete in accordance with the above specifications for the sum of: **Ninety seven hundred forty** Dollars

Any alteration or deviation from above specifications including extra work will be executed only upon written order, and will increase an extra charge over and above the estimate. All expenses contingent upon orders, accidents, or delays beyond our control.

Respectfully submitted: **Eugene L. H.**

Note — this proposal may be withdrawn by us if not accepted within _____ days.

Acceptance of Proposal

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Date of Acceptance: _____

Signature: _____
 Signature: _____

2018-207

2



PHELPS BROTHERS ROOFING, LLC
P.O. Box 182
East Schodack, NY 12063
(518) 479-4362
phelpsbrothersroofing@yahoo.com

ADDRESS

Town Of Schodack
School House
1125 South Schodack Rd
Castleton On Hudson, Ny 12033

ESTIMATE 2599

DATE 06/07/2018

EXPIRATION DATE 06/07/2019

CONTACT

Jason Don

ACTIVITY

AMOUNT

Price includes paying prevailing rate for all wages associated with this job.

9,200.00

- Remove existing roofing, clean all debris and haul away.
- Installation of new GAF Timberline HD Lifetime shingles.
- Installation of metal drip edge.
- Installation of six feet of ice & water barrier along the face of the roof.
- Installation of synthetic underlayment.
- Install new collars around plumbing vents.
- Installation of shingle over type ridge vent.

Wood replacement can only be determined by inspection upon removal of shingles.
Replacement Cost per 4' x 8' sheet of plywood: \$65.00

ALL WORK IS TO BE PERFORMED IN A WORKMANSHIP LIKE MANNER.
ALL PAYMENTS TO BE RECEIVED UPON COMPLETION OF JOB.

TOTAL

\$9,200.00

Accepted By

Accepted Date

2018-208



SALES PROPOSAL



KOMPAN, INC. * 821 Grand Ave Pkwy, Ste 410, Pflugerville, TX 78660 * Tel 1-888-579-8223 * Fax 1-888-579-8224 * www.kompan.com



Date 06/28/18
Expiration Date
Proposal No. SP58779
Project Town of Schodack
Ship to State/Zip NY 12033
Customer Service Representative Brett Barber
Sales Representative Jeff Stowe
Payment Terms DEP50%&N30

Site Location: C016047
 Town of Schodack
 512 Poyneer Road
 Castleton On Hudson, 12033
 United States

Invoice-to: C016047
 Town of Schodack
 265 Schuurman Road
 Castleton On Hudson, NY 12033
 United States

Ship-to:
 Town of Schodack
 512 Poyneer Road
 Castleton On Hudson, NY 12033
 United States

Qty.	Item No.	Description	Unit Price	Retail Price	Disc. %	Net Price
U.S. Communities Contract #2017001135						
Equipment:						
1	PCM211504-0902	MEGA DECK W/ TURBO CHALLENGE ADA Plastic Slide, IG	32,730.00	32,730.00	20.00	26,184.00
1	PCM200108-0610	TWO TOWER W/ BRIDGE & ADA C&C Plastic Slide, Steel Post IG	23,140.00	23,140.00	20.00	18,512.00
1	ELE400065-3717GR	TIPI CAROUSEL WITH TOP BRACE Green, IG	4,210.00	4,210.00	20.00	3,368.00
1	M17201-12P	HORSE BLACK HDPE IG	560.00	560.00	20.00	448.00
1	M17202-12P	HORSE ORANGE HDPE IG	560.00	560.00	20.00	448.00
1	KSW926-CUSTOM	KSW926 CUSTOM VARIANT: 20034330 3 Bay Swing: 2 Infant, 2 Belt & 1 Rope Bskt	7,410.00	7,410.00	20.00	5,928.00
7	EC-WEARMAT	Swing/Slide Mat- Black	139.00	973.00	20.00	778.40
1	M21101-3417P	AGE APPROPRIATE SIGN 2-5 Years, IG	460.00	460.00	100.00	
Continued on page 2.....						55,666.40

Continued from page 1.....

1	M21102-3417P	AGE APPROPRIATE SIGN 5-12 Years, IG	460.00	460.00	100.00	55,666.40
Freight & Installation:						
1	FRT-PA	Equipment Freight Middletown PA	1,458.00	1,458.00		1,458.00
1	CUSTOMINSTALL	Installation of KOMPAN Equipment @ PW	23,755.38	23,755.38	5.00	22,567.61
Total						79,692.01

Comments:

This quote assumes direct delivery.
 Charges for permits are not included. An appropriate amount will be added if applicable.
 A deposit will be required before order can be processed.
 Please provide us with a copy of your tax-exempt certificate if applicable.
 Please do not install any surfacing materials prior to the equipment dig and installation process.
 The site should be as level as possible, and MUST have no more than a 1" (inch) in 10' (feet) slope or change in elevation over the full length and width of the playground area.
 Price assumes NO overhead (13'6" or lower) or underground (within 3'6" of surface) obstacles.
 Customer is responsible for removal of any existing equipment / obstacles prior to installation.
 Customer is responsible for resilient surfacing appropriate to the height of the equipment.
 Customer is responsible to do all site work prior to installation.
 Customer is responsible to self-install Eng. Wood Fiber.
 Additional charges will apply if hard rock/ledge is discovered at time of installation.
 Your order includes installation of playground equipment and/or surfacing and amenities. If a delay in the installation occurs, which is not caused by KOMPAN, the order will be divided and equipment will be invoiced at the time of delivery to the site or authorized agent, and installation site amenities and related services will be invoiced when completed.
 This Does Meet Prevailing Wage requirements for this job.
 Please allow 8-10 weeks for product delivery upon order placement.

Summary:

	Retail Price	Discount	Net Price
Subtotal - KOMPAN Products	69,530.00	14,642.00	54,888.00
Subtotal - Other Products	0.00	0.00	0.00
Subtotal - Surfacing	973.00	194.60	778.40
Subtotal - Installation & Other Services	23,755.38	1,187.77	22,567.61
Subtotal - Freight	1,458.00	0.00	1,458.00
Subtotal	95,716.38	16,024.37	79,692.01

(Applicable sales tax will be added unless a valid tax exemption certificate is provided. This amount is only an estimate of your tax liability.)

Estimated Tax Rate

0.00

Total	79,692.01
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<p>Your acceptance of this proposal constitutes a valid order request and includes acceptance of terms and conditions contained within the Master Agreement, which is hereby acknowledged. Acceptance of this proposal by KOMPAN is acknowledged by issuance of an order confirmation by an authorized KOMPAN representative. Prices in this quotation are good for 60 days.</p> <p>This proposal may be withdrawn if not accepted by 08/13/18.</p> <p>KOMPAN Products are "Buy American" qualified, and compliant with the Buy American Act of 1933 and the "Buy American" provision of the ARRA of 2009.</p>	<p>KOMPAN Authorized Signature:</p> <p>Accepted By (signature): _____</p> <p>Accepted By (please print): _____</p> <p>Date: _____</p>
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A PLAYCORE Company

C/O MRC PO Box 106 Spring Lake, NJ 07762
Ph: 732-458-1111 Fx: 732-974-0226 Em:
MRC@GAMETIME.COM Web:
www.mrcrec.com

QUOTE
#142257

06/28/2018

NY Schodack Town of Playground

Schodack, Town of
Attn: Dawne Kelly
265 Schuurman Road
Castleton, NY 12033
Phone: 518-477-7918
Fax: 518-477-9594
dawne.kelly@schodack.org

Project #: P89435
Ship To Zip: 12033

Quantity	Part #	Description
1	RDU	Game Time - Custom PowerScape 5-12 Play Structure - <i>As shown on top view dated 06.27.18</i>
1	5056	Game Time - Arch Swing
1	6058	Game Time - Two Seater Jeep
1	161291	Game Time - Geo-Textile 1125 Sqft Roll
1	161290	Game Time - Geo-Textile 2250 Sqft Roll
1	EWf	GT-Impax - 166 Cubic Yards of Engineered Wood Fiber Safety Surfacing - <i>3,350 square feet of coverage at 12 inches compacted depth</i>

NY State Contract #PC67834

Total Amount: \$63,115.22

Installation is not included in this proposal.

Shipping to Castleton, NY 12033.

CUSTOMER IS RESPONSIBLE FOR OFF-LOADING OF EQUIPMENT FROM DELIVERY TRUCK.

Sales tax is not included. Please supply a copy of your tax exempt certificate when placing your order.

Contract: NASPO - NY

CHOOSE YOUR COLOR SCHEME: IT IS VERY IMPORTANT THAT YOU CHOOSE A COLOR SCHEME FOR YOUR MODULAR PLAYGROUND UNIT AT TIME OF ORDER. PLEASE SELECT FROM ONE OF THE MANY "PLAY PALETTES" LISTED IN THE BACK OF THE GAMETIME CATALOG OR ON OUR WEBSITE: www.gametime.com. INDICATE YOUR SELECTION BELOW.

GAMETIME PLAY PALETTE: _____

NOTE: COLOR SELECTION FOR ALL OTHER EQUIPMENT SHOULD BE ENTERED IN THE SPACE PROVIDED UNDER THAT SPECIFIC ITEM.





A PLAYCORE Company

C/O MRC PO Box 106 Spring Lake, NJ 07762
Ph: 732-458-1111 Fx: 732-974-0226 Em:
MRC@GAMETIME.COM Web:
www.mrcrec.com

QUOTE #142257

06/28/2018

NY Schodack Town of Playground

This quotation is subject to policies in the current GAMETIME PARK & PLAYGROUND CATALOG and the following terms and conditions. Our quotation is based on shipment of all items at one time to a single destination, unless noted, and changes are subject to price adjustment. Purchases in excess of \$1,000.00 to be supported by your written purchase order made out to GAMETIME c/o Marturano Recreation. Kindly issue one order for the equipment and a separate order for surfacing and/or equipment installation services. Customer is responsible for any required permits and fees pertaining to such permits.

PRICING / PAYMENT: Pricing f.o.b. factory, firm for 30 days from date of quotation unless otherwise stated above. Payment terms: Purchase order made payable to GameTime. Net 30 days for tax supported governmental agencies. A 1.5% per month finance charge will be imposed on all past due accounts. Equipment shall be invoiced separately from other services and shall be payable in advance of those services and project completion. Retainage not accepted.

TAXES: State and local taxes, if applicable, will be added at time of invoicing unless a tax exempt certificate is provided at the time of order entry.

SHIPMENT: Freight charges: Prepaid and added at time of invoicing. Shipment: order shall ship within 30-45 days after GAMETIME'S receipt and acceptance of your PURCHASE ORDER, signed quotation and color selections.

RECEIPT OF GOODS: Customer is responsible for unloading and uncrating equipment from truck. Customer shall receive, unload and inspect goods upon arrival, noting any discrepancies on the Delivery Receipt prior to written acceptance of the shipment. Customer must be on-site at time of wood fiber delivery. Direct access to the site is required for a tractor-trailer to deliver the wood fiber.

EXCLUSIONS: Unless specifically included, this quotation excludes all site work and landscaping; removal of existing equipment; removal of existing safety surfacing; acceptance of equipment and off-loading; storage of goods prior to installation; storage of safety surfacing prior to installation; installation tools/equipment; borders and drainage provisions.

TO ORDER: Please complete the acceptance portion of this quotation and provide color selections, PURCHASE ORDER and other key information requested. Acceptance of this proposal indicates your agreement to the terms and conditions stated herein.

Sales Representative: Andre Bertrand/es

Acceptance of quotation:

Accepted By (printed):

P.O. No:

Signature:

Date:

Title:

Phone:

Email:

Purchase Amount: \$63,115.22

Facsimile:

Order Information:

Bill To:

Ship To:

Contact:

Contact:

Address:

Tel:

Address:

Address:

City, State, Zip:

City, State, Zip:

SALES TAX EXEMPTION CERTIFICATE #: (PLEASE PROVIDE A COPY OF CERTIFICATE)



DB CONSTRUCTION
ATTN: DENNIS BUTTENSCHON
5530 Flanagan Road
Marcy, NY 13403
Ph/Fx 315-797-8901

Town of Schodack
ATTN. Dawne Kelly
265 Schuurman Road
Castleton, NY 12033
518-477-7918—PHONE
dawne.kelly@schodack.org

6/28/18

We hereby submit specifications and estimates for:

INSTALLATION ONLY:

- Custom PowerScape 5-12 Play Structure
- # 5056 Arch Swing
- # 6058 Two Seater Jeep
- Geo-textile fabric (1) roll at 2,250 SF and (1) roll at 1,125 SF
- 3,350 sq. ft. of Wood Fiber Surfacing at 12" depth

OWNER IS RESPONSIBLE FOR:

1. ACCEPTING DELIVERY & STORAGE OF THE EQUIPMENT.
2. UNLOADING EQUIPMENT OFF THE TRUCK AND DISPOSAL OF PACKAGING.
3. TRANSPORTING EQUIPMENT TO SITE OF INSTALLATION.
4. CALLING 888-DIG-SAFE AT LEAST 72 HOURS PRIOR TO THE START OF INSTALLATION.
5. PREPARATION AND/OR GRADING OF SITE TO A FLAT DIRT SURFACE.

REQUIREMENTS:

1. INSTALLATION ASSUMES A FLAT DIRT SURFACE WITH NO GRADING PREPARATION REQUIRED.
2. DIRECT ACCESS IS REQUIRED FOR LARGE CONSTRUCTION VEHICLES.

EXCLUSIONS:

1. DISPOSAL OF EXCAVATED MATERIAL IS NOT INCLUDED IN THIS QUOTE. EXCAVATED MATERIAL WILL REMAIN ON SITE.
2. SAFETY SURFACING OR LANDSCAPE TIES ARE NOT INCLUDED IN THIS QUOTE.

NOTE:

1. UNFORESEEN SUBSURFACE OBSTRUCTIONS MAY INCUR ADDITIONAL CHARGES.

THIS FORM MUST BE SIGNED AND RETURNED TO SCHEDULE INSTALLATION

The owner or general contractor shall hold the installer harmless in the event of injury due to lack of or insufficient resilient surface.

WE PROPOSE hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:
EIGHTEEN THOUSAND ONE HUNDRED FORTY-FOUR AND 25/100-----DOLLARS (\$18,144.25)

Payment to be made as follows: **50% DEPOSIT PRIOR TO INSTALLATION AND REMAINING 50% DUE UPON COMPLETION OF INSTALLATION.**

Authorized
Signature _____

Certified Game Time Installer

All material is guaranteed to be as specified. All work is to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensations Insurance.

Note: This proposal may be withdrawn
by us if not accepted within 30 days.

ACCEPTANCE OF PROPOSAL — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____

Date of Acceptance: _____

Signature _____



PlayPower LT Farmington, Inc.
 878 E. US Hwy 60
 Monett, MO 65708
 1-800-325-8828

QUOTE: E0011180128

Project: E0011_43272659810_01

Bill To:

Dawne Kelly
 Town of Schodak
 265 Schuurman Road
 Castleton-on-Hudson, NY 12033
 518-477-7918 (phone)
 dawne.kelly@schodak.org

Project Name & Location:

PB69696 - Team Swing - Bee
 Rider
 Attn: Dawne Kelly
 Schodak NY

Prepared by:

Little Tikes Commercial
 Craig Johnson
 Aberdeen, NJ 07747
 (347) 882-0514 (phone)
 (732) 566-5275 (fax)
 Craig.Johnson@playpower.com

Ship To Address:

Dawne Kelly
 Town of Schodak
 265 Schuurman Road
 Castleton-on-Hudson, NY 12033
 518-477-7918 (phone)

End User:

dawne.kelly@schodak.org

Quote Number: E0011180128
 Quote Date: 6/22/2018
 Valid For: 30 Days From Quote Date

PlayArea_2

Product line: PlayBuilders
 Age group: 5-12

Global defaults

Infinity 1 Plastic Clr	FOREST GREEN
KB/Jeep Ground Cover	Buried
PB Ground Cover	Buried
PB Panel/Crawl Tunnel Color	LIME
PB Roof/Table Color	BROWNSTONE
PB Slide Color	GREEN
PB Vinyl Clr	Green
Play Builder Accent Color	LIME
Play Builder Post Color	DARK BROWN
Team Swing Plastic Color	BROWNSTONE
Team Swing Post Color	DARK BROWN

Components

Part Number	Description	Qty	Weight	Volume	Unit Price	Total
200054500	PB SPIRAL SLIDE TUNNEL	1	393.00	303.00	4,880.00	4,880.00
200054611	PB PANEL ARCH BUBBLE	1	22.00	3.00	732.00	732.00
200054618	PB SAFETY RAIL LONG W/O MT	1	40.00	2.00	323.00	323.00
200061706	CLIMBER LOOP PB 64"/1625	1	86.00	49.00	1,042.00	1,042.00
200065770	PB 7 STATION PLAY FACTORY	1	77.00	14.00	1,890.00	1,890.00

200072938	TOOL BOX F/PLAY BUILDERS (MM)	1	5.00	0.36	0.00	0.00
200166556	ASSY F/PB POST MT.PLAS.STEER.WHL. RED	1	2.00	0.50	214.00	214.00
200200163	PB 1422MM SGL. WAVE SLIDE	1	128.00	52.00	1,058.00	1,058.00
	PB Slide Color: FOREST GREEN					
200200433	TRANSFER STATION 1220 MM PB_W/SAFE.RLS.	1	368.00	33.00	2,806.00	2,806.00
200200474	PB ACCORDION CLIMBER 1220MM(48") GROUND	1	124.00	18.00	1,260.00	1,260.00
200200481	PB SPIRAL CLIMBER 1830MM(72") GROUND TO	1	150.00	12.00	1,274.00	1,274.00
200200531	KIT MAINTENANCE PB W/O LIST PRICE	1	10.00	1.00	0.00	0.00
200200681	PB GEAR REACH PANEL	1	55.00	2.00	907.00	907.00
200200731	PB WHAT TO WEAR PNL	1	40.00	4.00	1,393.00	1,393.00
200200733	PB WEATHER GAME PNL	1	40.00	4.00	1,393.00	1,393.00
200200950	PB SS DOUBLE SLIDE 56"/1422MM (2007)	1	130.00	37.00	4,019.00	4,019.00
200201312	PB LEG LIFT BAR	1	3.00	0.10	191.00	191.00
200202129	PB INFNTY HI-CLMB 72"(1830 MM)	1	235.00	130.00	2,160.00	2,160.00
200202525	PB MORPHOUS SLIDE 1830MM(72") LEFT	1	220.00	110.00	4,826.00	4,826.00
200202620	PB POST W/CAP 4115MM (162")	2	59.00	3.00	207.00	414.00
200202622	PB POST W/CAP 4520MM (178")	8	65.00	3.00	225.00	1,800.00
200202623	PB POST W/CAP 4725MM (186")	6	68.00	3.00	232.00	1,392.00
200202839	TEAM SWING	1	200.00	30.00	5,267.00	5,267.00
200202872	PB CLIMBER POMMEL 1830MM/72"	1	134.00	0.00	1,869.00	1,869.00
200202957	PB SLATE WEDGE ROOF DOUBLE	2	90.00	30.00	969.00	1,938.00
200202959	PB SLATE WEDGE ROOF (6 SECTION)	2	270.00	90.00	2,850.00	5,700.00
200202993	PB HEX DECK	4	220.00	12.00	2,321.00	9,284.00
M00000961	SPRING RIDER BUMBLEBEE,NECTAR	1	150.00	40.00	1,239.00	1,239.00

Biba_Included

Product line: Park Service

Age group:

Global defaults

BIBA PAINT COLOR

Components

Part Number	Description	Qty	Weight	Volume	Unit Price	Total
9991Z	BIBA ENTRY SIGN	1	45.00	3.50	0.00	0.00
9992Z	BIBA POST MARKERS	1	10.00	1.00	0.00	0.00

RiskSign_Included

Product line: Park Service

Age group:

Global defaults

RISK MGNT SIGN CLR

Components

Part Number	Description	Qty	Weight	Volume	Unit Price	Total
787Z	RISK MANAGEMENT SIGN - ENGLISH	1	45.00	3.50	0.00	0.00

Additional Items

Part Number	Description	Qty	Weight	Volume	Unit Price	Total
116022	LABEL WARNING - PLAYGROUND - ENGLISH	3	0.00	0.00	1.06	3.18
200104307	LABEL AGE APP. (5 TO 12 YRS.)	3	0.00	0.00	3.17	9.51
200111492	LABEL, IDENTIFICATION STAMPED W/RIVETS	3	0.00	0.00	0.00	0.00

200305596	14' MED CRATE (ASSY DOMESTIC)	2	277.00	0.00	0.00	0.00
200305597	14' LARGE CRATE (ASSY DOMESTIC)	3	385.00	0.00	0.00	0.00

Totals:

Options:
 *Timber Borders 6' and Ramps
 **EWF Mulch – 12" depth 110cyds
 Either dumped and spread or blown in
 -Once layout is chosen estimate can be included

 -This does not include any site preparation
 Town to dispose of all packing material;
 installer will breakdown near site

Equipment Weight:	7,067.00 lbs
Equipment Volume:	1,188.96 ft ³
Equipment List:	\$59,283.69
Discount Amount:	-\$14,821.44
Products Subtotal:	\$44,462.25
Products by Other:	\$0.00
Installation:	\$26,500.00
Estimated Sales Tax*:	\$0.00
Freight:	\$3,117.96
Grand Total:	\$74,080.21

Make Purchase Orders Out To:
 PlayPower LT Farmington, Inc.
Remit Purchase Orders To:
 PlayPower LT Farmington, Inc.
 Attention: Sales Administration
 878 E US Hwy 60
 Monett, Missouri, USA 65708
 1-800-325-8828

Make Checks Payable To:
 PlayPower LT Farmington, Inc.
Remit Checks To:
 PlayPower LT Farmington, Inc.
 P.O. Box 204713
 Dallas, TX 75320-4713

NOTE:

- * Applicable sales taxes will be confirmed once order and any tax certificates are received
 - † Denotes drop ship item.
- Unloading, storage, installation, surfacing and site work are not included unless specifically noted on quotation. Not responsible for filter cloth, irrigation rerouting, grass damage, or checking for underground utilities. If installation is quoted, it is assumed that the site has been prepared and that any grade slope in any direction does not exceed 2%. In the event that unexpected soil conditions, such as subsurface rock, are encountered during installation, additional costs to the customer will be applicable. The acceptance signature below serves as authorization to order the items quoted and indicates acceptance of the prices listed. All terms are subject to credit approval.

COMMENTS:

This playground contains 12.78% recycled content
 This playground qualifies for 1 LEED point(s)

This Quote shall not become a binding contract until signed and delivered by both Customer and PlayPower LT Farmington Inc ("PPLT"). Sales Representative is not authorized to sign this Quote on behalf of PPLT or Customer, and signed Quotes cannot be accepted from Sales Representative. To submit this offer, please sign below and forward a complete signed copy of this Quote directly to "PPLT Sales Administration" via fax (417)354-2273 or email outdoordes@LTCPS.com. Upon acceptance, PPLT will return a fully-signed copy of the Quote to Customer (with copy to Sales Representative) via fax or e mail.

THIS QUOTE IS LIMITED TO AND GOVERNED BY THE TERMS CONTAINED HEREIN. PPLT objects to any other terms proposed by Customer, in writing or otherwise, as material alterations, and all such proposed terms shall be void. Customer authorizes PPLT to ship the Equipment and agrees to pay PPLT the total amount specified. Shipping terms are FOB the place of shipment via common carrier designated by PPLT. Payment terms are Net-30 days from invoice date with approved credit and all charges are due and payable in full at PO Box 204713, Dallas, TX 75320-4713, unless notified otherwise by PPLT in writing. Customer agrees to pay all additional service charges for past due invoices.

Customer must provide proper tax exemption certificates to PPLT, and shall promptly pay and discharge all otherwise applicable taxes, license fees, levies and other impositions on the Equipment at its own expense.

CUSTOMER HEREBY SUBMITS ITS OFFER TO PURCHASE THE EQUIPMENT ACCORDING TO THE TERMS STATED IN THIS QUOTE AND SUBJECT TO FINAL APPROVAL BY PPLT.

Submitted By Printed Name and Title Date

THE FOREGOING QUOTE AND OFFER ARE HEREBY APPROVED AND ACCEPTED BY PLAYPOWER LT FARMINGTON INC.

By: Date:

ADDITIONAL TERMS & CONDITIONS OF SALE

1. Use & Maintenance. Customer agrees to regularly inspect and maintain the Equipment, and to provide, inspect and maintain appropriate safety surfacing under and around the Equipment, in accordance with PPLT's product literature and the most current Consumer Product Safety Commission Handbook for Public Playground Safety.

2. Default, Remedies & Delinquency Charges. Customer's failure to pay any invoice when due, or its failure to otherwise comply with the terms of this Quote, shall constitute a default under all unsatisfied invoices ("Event of Default"). Upon an Event of Default, PPLT shall have all remedies available to it at law or equity, including, without limitation, all remedies afforded a secured creditor under the Uniform Commercial Code. Customer agrees to assist and cooperate with PPLT to accomplish its filing and enforcement of mechanic's or other liens with respect to the Equipment or its location or its repossession of the Equipment, and Customer expressly waives all rights to possess the Equipment after an Event of Default. All remedies are cumulative and not alternative, and no exercise by PPLT of a remedy will prohibit or waive the exercise of any other remedy. Customer shall pay all reasonable attorneys' fees plus any costs of collection incurred by PPLT in enforcing its rights hereunder. Subject to any limitations under law, Customer shall pay to PPLT as liquidated damages, and not as a penalty, an amount equal to 1.5% per month of any payment that is delinquent in such month and is not received by PPLT within ten (10) days after the date on which due.

3. Limitation of Warranty/ Indemnity. PPLT MAKES NO EQUIPMENT WARRANTIES EXCEPT FOR THOSE STANDARD WARRANTIES ISSUED WITH THE EQUIPMENT, WHICH ARE INCORPORATED HEREIN BY THIS REFERENCE. PPLT SPECIFICALLY DISCLAIMS ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE AND ANY LIABILITY FOR INCIDENTAL OR CONSEQUENTIAL DAMAGES. CUSTOMER AGREES TO DEFEND, INDEMNIFY AND SAVE PPLT HARMLESS FROM ALL CLAIMS OF ANY KIND FOR DAMAGES OF ANY KIND ARISING OUT OF CUSTOMER'S ALTERATION OF THE EQUIPMENT, ITS FAILURE TO MAINTAIN THE EQUIPMENT, ITS FAILURE TO PROPERLY SUPERVISE EQUIPMENT USE, OR ITS FAILURE TO PROVIDE AND MAINTAIN APPROPRIATE TYPES AND DEPTHS OF SAFETY SURFACING BENEATH AND AROUND THE EQUIPMENT IN ACCORDANCE WITH PPLT'S INSTALLATION AND OWNER'S MANUALS AND THE MOST CURRENT CONSUMER PRODUCT SAFETY COMMISSION HANDBOOK FOR PUBLIC PLAYGROUND SAFETY.

4. Restrictions. Until all amounts due hereunder are paid in full, Customer shall not: (i) permit the Equipment to be levied upon or attached under any legal process; (ii) transfer title to the Equipment or any of Customer's rights therein; or (iii) remove or permit the removal of the Equipment to any location not specified in this Quote.

5. Purchase Money Security Interest. Customer hereby grants, pledges and assigns to PPLT, and PPLT hereby reserves a purchase money security interest in, the Equipment in order to secure the payment and performance in full of all of Customer's obligations hereunder. Customer agrees that PPLT may file one or more financing statements, in order to allow it to perfect, acquire and maintain a superior security interest in the Equipment.

6. Choice of Law and Jurisdiction. All agreements between Customer and PPLT shall be interpreted, and the parties' obligations shall be governed, by the laws of the State of Missouri without reference to its choice of law provisions. Customer hereby consents to the personal jurisdiction of the state and federal courts located in the city and county of St. Louis, Missouri.

7. Title; Risk of Loss; Insurance. PPLT Retains full title to all Equipment until full payment is received by PPLT. Customer assumes all risk of loss or destruction of or damage to the Equipment by reason of theft, fire, water, or any other cause, and the occurrence of any such casualty shall not relieve the Customer from its obligations hereunder and under any invoices. Until all amounts due hereunder are paid in full, Customer shall insure the Equipment against all such losses and casualties.

8. Waiver; Invalidity. PPLT may waive a default hereunder, or under any invoice or other agreement between Customer and PPLT, or cure such a default at Customer's expense, but shall have no obligation to do either. No waiver

shall be deemed to have taken place unless it is in writing, signed by PPLT. Any one waiver shall not constitute a waiver of other defaults or the same kind of default at another time, or a forfeiture of any rights provided to PPLT hereunder or under any invoice. The invalidity of any portion of this Quote shall not affect the force and effect of the remaining valid portions hereof.

9. Entire Agreement; Amendment; Binding Nature. This fully-executed Quote, as supplemented by Change Orders and invoices containing exact amounts of estimates provided herein, constitutes the complete and exclusive agreement between the parties. A Change Order is a written instrument signed by the Customer and PPLT stating their agreement as to any amendment in the terms of this Quote. Customer acknowledges that Change Orders may result in delays and additional costs. The parties agree that all Change Orders shall include appropriate adjustments in price and time frames relating to any requested amendments. Upon full execution, this Quote shall be binding upon and inure to the benefit of the parties and their successors and assigns.

10. Counterparts; Electronic Transmission. This Quote, any invoice, and any other agreement between the parties, may be executed in counterparts, each of which shall constitute an original. The facsimile or other electronic transmission of any signed original document, and retransmission of any signed facsimile or other electronic transmission, shall be the same as the transmission of an original. At the request of either party, the parties will confirm facsimile or other electronically transmitted signatures by signing an original document.

2018-210

The Spinney Group
One Juniper Drive
Delmar, NY 12054

Morgan S. Ruthman, Esq.
Email: mruthman@thespinneygroup.com
Phone: (518) 475-9088

August 7, 2018

VIA HAND DELIVERY

Ryan P. Mullahy, Esq.
Girvin & Ferlazzo, P.C.
20 Corporate Woods Blvd.
Albany, NY 12211

Re: Pond View Road Dedication

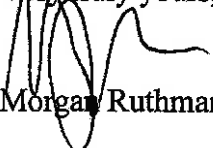
Dear Ryan,

Further to our email correspondence please find enclosed the following documents in connection with the dedication of Pond View by the Spinney at Pond View, LLC ("SPV") to the Town of Schodack ("Town"):

1. Warranty Deed with lien covenants dated August 7, 2018 granting the parcel commonly known as Pond View to the Town.
2. Easement Agreement providing SPV with access to the center island easement areas so that it may carry out its maintenance and road lighting obligations more fully described in the below referenced Road Lighting and Maintenance Agreement. Please note that I am unaware of the tax parcel ID number which has been assigned to the newly formed parcel consisting of Pond View and this item has been left blank for the time being. In addition, the copy of the deed annexed as Exhibit A is not a recorded copy of the deed; you may wish to include a recorded copy of the same as Exhibit A when filing the Easement Agreement. Lastly, please note that I have not annexed a copy of Exhibit C to the Easement Agreement as this item can be included once Supervisor Harris has duly executed the Road Lighting and Maintenance Agreement.
3. Road Lighting and Maintenance Agreement setting forth the terms and conditions of SPV's maintenance obligations of the easement areas set forth in the above referenced Easement Agreement. Again, the item referring to the tax parcel ID number assigned to the newly formed parcel consisting of Pond View has been left blank for the time being and the deed annexed as Exhibit A is not a recorded copy of the same. Lastly, I have included (3) color copies of the map and plan of Pond View prepared by Brewer Engineering, P.C. in 8 ½x11, 11x17, and 24x36 formats; please feel free to include the copy of your choosing as Exhibit C.

Items (2) and (3) require execution by Supervisor Harris; please have them dated as of the date of his execution of the same. I have not yet prepared a TP-584 or RP-5217 in connection with this conveyance nor have I calculated the filing fees. I will await your input on those items; in the meantime, please hold the enclosed in escrow pending their final execution and preparation of the necessary transfer documents.

Please do not hesitate to contact me should you have any questions or comments in connection with the above and thank you for your assistance in connection with this matter.

Very truly yours,

Morgan Ruthman

Enclosures

cc (by email):

David Harris (Town Supervisor)
Nadine Fuda (Director of Planning and Zoning)
Richard Laberge, P.E. (Town Engineer)

RECORD AND RETURN TO:
Town of Schodack
265 Schuurman Rd
Castleton NY 12033

WARRANTY DEED

THIS INDENTURE is made the 7 day of August, 2018, between THE SPINNEY AT POND VIEW, LLC, a New York State Limited Liability Company, with an office for the transaction of business located at 1 Juniper Drive, Delmar, NY 12054 (hereinafter referred to as "Grantor"), on the one hand, and the TOWN OF SCHODACK, a municipal corporation duly formed and validly existing in accordance with the laws of the State of New York, having its principal executive offices located at 265 Schuurman Road, Castleton, New York 12033 (hereinafter referred to as "Grantee"), on the other hand.

WITNESSETH:

That the Grantor, in consideration of ONE DOLLAR (\$1.00) lawful money of the United States, and other good and valuable consideration paid by the Grantee, does hereby grant and release unto the Grantee, its successors and assigns forever all that tract or parcel of land located in the Town of Schodack, County of Rensselaer and State of New York as more particularly described in Schedule "A" attached hereto and incorporated herein.

Being the same parcel and roadway commonly known as "Pond View" as depicted on the subdivision map prepared by Brewer Engineering, P.C., dated April 19, 2018, which was filed with the Rensselaer County Clerk's office on the 31st day of May, 2018 in Liber 2018, Page 062.

Together with the appurtenances and all the estate and rights of the Grantor in and to said premises.

To have and to hold the premises herein granted unto the Grantee, its successors and assigns forever.

And said Grantor covenants as follows:

First, that the Grantee shall quietly enjoy said premises;

Second, that the Grantor will forever warrant the title to said premises; and

Third, that in compliance with Section 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 cost of the improvement before using any part of the total of the same for any other purpose.

Subject to any and all enforceable covenants, conditions, easements and restrictions of record and affecting said premises.

RECORD AND RETURN TO:

Town of Schoharie
265 Schuurman Road
Castleton, NY 12033

IN WITNESS WHEREOF, the Grantor has hereunto set its hands the day and year first written above,

IN PRESENCE OF:

GRANTOR:

THE SPINNEY AT POND VIEW, LLC

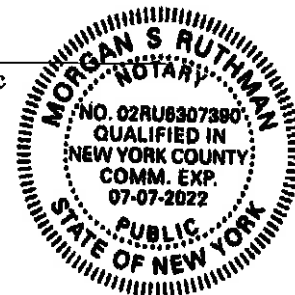
By: *Eric R. Kelly*

ACKNOWLEDGEMENT

STATE OF NEW YORK)
) SS:
COUNTY OF RENSSELAER)

On this 7 day of August, 2018, before me, the undersigned, a Notary Public in a for the State of New York, personally appeared Edward Feinberg, to personally known to me or proved to me on the basis of satisfactory evidence be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his capacity as a member of THE SPINNEY AT POND VIEW, L.L.C, and that by his signature on the instrument, the individual, or the entity upon behalf of which the individual acted, executed the instrument.

Morgan S. Ruthman
Notary Public



RECORD AND RETURN TO:
Town of Spileck
265 Spinneman Road
Castleton, NY 12033

SCHEDULE "A"

DESCRIPTION OF LANDS OF THE SPINNEY AT POND VIEW, LLC

SCHEDULE "A"

"THE SPINNEY AT POND VIEW"

DESCRIPTION OF ROAD RIGHT-OF-WAY

FOR

"POND VIEW"

TOWN OF SCHODACK

COUNTY OF RENSSELAER

STATE OF NEW YORK

MARCH 27, 2018

All that tract, piece and parcel of land situate, lying and being in the Town of Schodack, County of Rensselaer, State of New York, and more particularly bounded and described as follows:

Beginning at a point located on the northerly right-of-way line of Miller Road, said point being the southwesterly most corner of the Lands formerly of Walter J. Finkle, (Liber 1100, Page 524 & Liber 951, Page 92), said point being the southeasterly most corner of, and the point-of-beginning for the herein to be described road right-of-way for "POND VIEW".

From said point-of-beginning run the following two courses along the said northerly right-of-way line of Miller Road, (1) N89°-59'-12"W, a distance of 55.17 feet to a point; (2) Thence run, S72°-00'-48"W, a distance of 6.37 feet to a point, said point being the southwesterly most corner of the herein described road right-of-way for "POND VIEW"; Thence run the following five courses along the westerly and northwesterly right-of-way lines of "POND VIEW", (1) N17°-59'-12"W, a distance of 188.76 feet to a point; (2) Thence run, by a curve to the right having a chord bearing of N05°-49'-45"W, a chord length of 139.00 feet, a radius of 330.00 feet, a central angle of 24°-18'-54" and an arc length of 140.04 feet to a point; (3) Thence run, N06°-19'-42"E, a distance of 328.57 feet to a point; (4) Thence run, by a curve to the right having a chord bearing of N36°05'-43"E, a chord length of 278.03 feet, a radius of 280.00 feet, a central angle of 59°-32'-02" and an arc length of 290.94 feet to a point; (5) Thence run, N65°-51'-44"E, a distance of 226.82 feet to a point, said point located at the cul-de-sac at the northerly

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1 of 2

**DESCRIPTION OF ROAD RIGHT-OF-WAY
"POND VIEW"**

**MARCH 27, 2018
PAGE 2**

terminus of "POND VIEW"; Thence run the following four courses around the said cul-de-sac, (1) By a curve to the left having a chord bearing of $N41^{\circ}-01'-20''E$, a chord length of 21.00 feet, a radius of 25.00 feet, a central angle of $49^{\circ}-40'-47''$ and an arc length of 21.68 feet to a point; (2) Thence run, by a curve to the right having a chord bearing of $S24^{\circ}-08'-16''E$, a chord length of 77.65 feet, a radius of 60.00 feet, a central angle of $279^{\circ}-21'-34''$ and an arc length of 292.54 feet to a point; (3) Thence run, by a curve to the left having a chord bearing of $N89^{\circ}-17'-52''W$, a chord length of 21.00 feet, a radius of 25.00 feet, a central angle of $49^{\circ}-40'-47''$ and an arc length of 21.68 feet to a point, said point located on the southeasterly and easterly right-of-way line of the herein described "POND VIEW"; Thence run the following five courses along the said southeasterly and easterly right-of-way line of the herein described "POND VIEW", (1) $S65^{\circ}-51'-44''W$, a distance of 226.82 feet to a point; (2) Thence run, by a curve to the left having a chord bearing of $S36^{\circ}-05'-43''W$, a chord length of 218.45 feet, a radius of 220.00 feet, a central angle of $59^{\circ}-32'-02''$ and an arc length of 228.59 feet to a point; (3) Thence run, $S06^{\circ}-19'-42''W$, a distance of 328.57 feet to a point; (4) Thence run, by a curve to the left having a chord bearing of $S05^{\circ}-49'-45''E$, a chord length of 113.72 feet, a radius of 270.00 feet, a central angle of $24^{\circ}-18'-54''$ and an arc length of 114.58 feet to a point; (5) Thence run, $S17^{\circ}-59'-12''E$, a distance of 204.57 feet to a point, said point located on the said westerly line of the Lands formerly of Walter J. Finkle, (Liber 1100, Page 524 & Liber 951, Page 92); Thence run along the said westerly line of the Lands formerly of Walter J. Finkle, (Liber 1100, Page 524 & Liber 951, Page 92); $S25^{\circ}-00'-48''W$, a distance of 1.70 feet to a point, said point located on the said northerly right-of-way line of Miller Road, said point being the said southwesterly most corner of the Lands formerly of Walter J. Finkle, (Liber 1100, Page 524 & Liber 951, Page 92), said point being the said southeasterly most corner of, and the said point-of-beginning for the herein described road right-of-way for "POND VIEW".

Said "POND VIEW" contains 80,139 square feet \approx 1.840 acres, more or less.

2018

Record and return to:

Town of Schodack
265 Schuurman Road
Castleton, NY 12033

EASEMENT AGREEMENT

This EASEMENT AGREEMENT (this "Agreement") is made as of the ____ day of _____, 2018 by and among:

Town of Schodack, a municipal corporation duly formed and validly existing in accordance with the laws of the State of New York, having its principal executive offices located at 265 Schuurman Road, Castleton, New York 12033 ("Town"); and

The Spinney at Pond View, LLC, a limited liability company duly formed and validly existing in accordance with the laws of the State of New York, having its principal executive office located at One Juniper Drive, Delmar, New York 12054 ("SPV").

RECITALS:

- A. WHEREAS, SPV is the owner/operator of certain real property located the Town of Schodack, County of Rensselaer, New York, commonly known and referred to as the Spinney at Pond View, consisting of 186 senior apartment units and a +/- 5,000 sq.ft. community center, together with its appurtenances.
- B. WHEREAS, on the 7th day of August, 2018, SPV executed a deed conveying to Town that certain roadway and real property located in the Town of Schodack, County of Rensselaer, New York, commonly known and referred to as "Pond View" (SBL # _____). A copy of the deed conveying Pond View road from SPV to the Town is annexed hereto as **Exhibit A**.
- C. WHEREAS, Town desires to grant unto SPV, together with its affiliated entities, easements providing access to the islands situated along Pond View for the sole purpose of maintaining the landscaping and lighting located in each island ("Maintenance Easements").
- D. WHEREAS, Town and SPV have agreed to execute, contemporaneously with this Agreement, a "Road and Lighting Maintenance Agreement" which shall set forth the parties respective obligations for maintenance of the landscaping and lighting in the islands along Pond View ("Easement Areas").

GRANTS AND AGREEMENTS:

1. Grant of Easements.

For and in consideration of One and 00/100 Dollar (\$1.00), the mutual agreements, covenants and undertakings contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Town hereby grants and conveys to SPV Maintenance Easements for maintenance of the islands on Pond View which are depicted on the map of Pond View prepared by Brewer Engineering, P.C., dated April 19, 2018, which was filed with the Rensselaer County

Clerk's office on the 31st day of May, 2018, together with its Schedule "A" annexed thereto setting forth the locations and descriptions of the Easement Areas, a copy of which is annexed hereto and incorporated herein as **Exhibit B**.

2. Character of Easements.

The purpose of the Maintenance Easements shall be to provide SPV with a right of access to the Easement Areas so that it may maintain and manage the Easement Areas in accordance with the terms and conditions of the "Road and Lighting Maintenance Agreement" referenced above and which is being entered into contemporaneously with this Agreement, a copy of which is annexed hereto and incorporated herein as **Exhibit C**. The Easement shall be appurtenant to and shall run with the Town Property, whether or not the Easement is referenced in any deed or other conveyance thereof.

3. Duration of Maintenance Easements.

The Maintenance Easements shall exist in perpetuity.

4. Limitations on Use of Easement Property.

The parties hereto each agree not to make use of the Easement Areas in any manner inconsistent with the other's rights of access to and use thereof, and not to interfere with or interrupt the use or enjoyment of the Easement Areas by the others. The parties hereto shall comply with all applicable federal, state and local laws and regulations in exercising the reciprocal rights granted to one another hereunder.

5. Indemnity.

SPV shall defend, indemnify, and hold the Town and its board members, officers, employees, successors and/or assigns harmless from and against any and all suits, actions, losses, liabilities, claims, demands, damages, costs and expenses (including but not limited to reasonable attorneys' fees), arising from injury to person or property as a result of or in connection with SPV's exercise of its easement rights to the Easement Areas.

6. Insurance.

The parties shall at all times maintain comprehensive general public liability insurance on the Easement Areas for the benefit of each other and shall deliver to the other within ten (10) days after request, a certificate of insurance, in form and substance, reasonably satisfactory to the party requesting such certificate, naming the other as an additional insured under such policies of insurance.

7. Remedies.

In the event of any default by either party hereunder, the other parties shall have the right

to exercise any rights and remedies provided at law or in equity.

8. Instruments of Record.

The Maintenance Easements, and the rights and benefits granted hereby, are made and granted expressly subject to any and all enforceable covenants, conditions, restrictions and easements of record that affect the Easement Areas.

9. No Rights in Public; No Implied Easements.

Nothing in this Agreement shall be construed as creating any rights in the general public or as dedicating for public use any portion of any party's property. No party is granting any easements or licenses except those expressly granted herein, and no other easements over the parties' respective properties shall be implied hereby.

10. No Authority.

No party is or shall be construed as any other party's agent in contracting for any improvements to the Easement Areas.

11. Dispute Expenses.

If any controversy, claim, or dispute arises relating to this Agreement or its breach, the prevailing party shall be entitled to recover from the other parties reasonable expenses, attorneys' fees, and costs.

12. Binding Effect.

This Agreement shall bind and inure to the benefit of the parties hereto and their respective heirs, personal representatives, successors, and assigns.

13. Effect of Waiver or Consent.

No waiver or consent, express or implied, by any party to or of any breach by any party in the performance by such party of its obligations hereunder will be deemed or construed to be a consent or waiver to or of any other breach or default in the performance by such party of the same or any other obligations of such party hereunder. Failure on the part of any party to complain of any act of any party or to declare any party in default, irrespective of how long such failure continues, will not constitute a waiver by such party of its rights hereunder until the applicable statute of limitation period has run.

14. Further Assurances.

Each party agrees to execute and deliver to the others such additional documents and instruments and to perform such additional acts as may be necessary or appropriate to effectuate, carry out and perform all of the terms, provisions and conditions of this

Agreement.

15. Legal Construction.

- A. The parties warrant and represent unto one another that the Recitals are true and accurate and covenant and agree that the same shall be incorporated in this Agreement and made part hereof.
- B. If one or more of the provisions of this Agreement are invalid, illegal or unenforceable in any respect, to the extent the invalidity or unenforceability does not destroy the basis of the bargain among the parties, it will not affect any other provision and this Agreement will be construed as if such invalid, illegal or unenforceable provision were omitted.
- C. All references in this Agreement to the masculine, feminine or neuter genders shall, where appropriate, be deemed to be singular, and vice versa. The captions, headings, and arrangements used in this Agreement are for convenience only and do not in any way affect, limit, amplify, or modify the terms and provision hereof. This Agreement is not to be construed more or less favorably between the parties by reason of authorship or origin of language.
- D. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

16. Notices.

For purposes of giving any notices to the parties, the addresses of each party are shown in the heading of this Agreement. Any notices required or permitted to be given under this Agreement by any party to another shall be in writing; may be effected by personal delivery, or by certified mail, postage prepaid with return receipt requested, or by nationally recognized overnight courier, and shall be deemed received when (i) personally delivered, (ii) three (3) days after being sent by United States mail, postage prepaid, certified mail, return receipt requested, or (iii) the next business day after being deposited with a nationally recognized overnight courier service, charges prepaid, and properly addressed; provided that notices given pursuant to statute shall be given as required by statute and shall be deemed given as provided by statute. A party may change its address for purposes of giving notices hereunder by giving notice under this paragraph 16; provided that any such notice of a change of address of any party shall not be effective until actually received.

17. Entire Agreement.

This Agreement contains the entire agreement among the parties relating to its subject matter. Any oral representations or modifications concerning this Agreement shall be of no force and effect. Any subsequent amendment or modification must be in writing and agreed to by all parties.

EXECUTED and intending to be effective as of the date set forth in the preamble to this Agreement.

THE SPINNEY AT POND VIEW, LLC

TOWN OF SCHODACK

[Signature]
Title: Member

Title:



ACKNOWLEDGEMENTS

STATE OF NEW YORK)
) SS:
COUNTY OF RENSSELAER)

On this ____ day of _____, 2018, before me, the undersigned, a Notary Public in a for the State of New York, personally appeared _____, to personally known to me or proved to me on the basis of satisfactory evidence be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his capacity as _____ of the Town of Schodack, and that by his signature on the instrument, the individual, or the entity upon behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
) SS:
COUNTY OF RENSSELAER)

On this 7 day of August, 2018, before me, the undersigned, a Notary Public in a for the State of New York, personally appeared Edward Feinberg, to personally known to me or proved to me on the basis of satisfactory evidence be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his capacity as a member of the Spinney at Pond View, LLC, and that by his signature on the instrument, the individual, or the entity upon behalf of which the individual acted, executed the instrument.

Notary Public

[Signature]



EXHIBIT A

Deed of Conveyance

RECORD AND RETURN TO:
Town of Schodack
265 Schuurman Rd
Castleton NY 12033

WARRANTY DEED

THIS INDENTURE is made the 7 day of August, 2018, between THE SPINNEY AT POND VIEW, LLC, a New York State Limited Liability Company, with an office for the transaction of business located at 1 Juniper Drive, Delmar, NY 12054 (hereinafter referred to as "Grantor"), on the one hand, and the TOWN OF SCHODACK, a municipal corporation duly formed and validly existing in accordance with the laws of the State of New York, having its principal executive offices located at 265 Schuurman Road, Castleton, New York 12033 (hereinafter referred to as "Grantee"), on the other hand.

WITNESSETH:

That the Grantor, in consideration of ONE DOLLAR (\$1.00) lawful money of the United States, and other good and valuable consideration paid by the Grantee, does hereby grant and release unto the Grantee, its successors and assigns forever all that tract or parcel of land located in the Town of Schodack, County of Rensselaer and State of New York as more particularly described in Schedule "A" attached hereto and incorporated herein.

Being the same parcel and roadway commonly known as "Pond View" as depicted on the subdivision map prepared by Brewer Engineering, P.C., dated April 19, 2018, which was filed with the Rensselaer County Clerk's office on the 31st day of May, 2018 in Liber 2018, Page 062.

Together with the appurtenances and all the estate and rights of the Grantor in and to said premises.

To have and to hold the premises herein granted unto the Grantee, its successors and assigns forever.

And said Grantor covenants as follows:

First, that the Grantee shall quietly enjoy said premises;

Second, that the Grantor will forever warrant the title to said premises; and

Third, that in compliance with Section 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 cost of the improvement before using any part of the total of the same for any other purpose.

Subject to any and all enforceable covenants, conditions, easements and restrictions of record and affecting said premises.

RECORD AND RETURN TO:

Town of Schoharie
265 Schuurman Road
Castleton, NY 12033

IN WITNESS WHEREOF, the Grantor has hereunto set its hands the day and year first written above,

IN PRESENCE OF:

GRANTOR:

THE SPINNEY AT POND VIEW, LLC

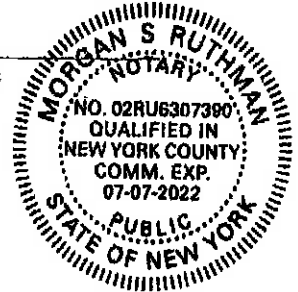
By: *[Signature]*

ACKNOWLEDGEMENT

STATE OF NEW YORK)
) SS:
COUNTY OF RENSSELAER)

On this 7 day of August, 2018, before me, the undersigned, a Notary Public in a for the State of New York, personally appeared Edward Feinberg, to personally known to me or proved to me on the basis of satisfactory evidence be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his capacity as a member of THE SPINNEY AT POND VIEW, LLC, and that by his signature on the instrument, the individual, or the entity upon behalf of which the individual acted, executed the instrument.

[Signature]
Notary Public



RECORD AND RETURN TO:
Town of Schuylkill
265 Schuylkill Road
Castleton, NY 12033

SCHEDULE "A"

DESCRIPTION OF LANDS OF THE SPINNEY AT POND VIEW, LLC

SCHEDULE "A"

"THE SPINNEY AT POND VIEW"

DESCRIPTION OF ROAD RIGHT-OF-WAY

FOR

"POND VIEW"

TOWN OF SCHODACK

COUNTY OF RENSSELAER

STATE OF NEW YORK

MARCH 27, 2018

All that tract, piece and parcel of land situate, lying and being in the Town of Schodack, County of Rensselaer, State of New York, and more particularly bounded and described as follows:

Beginning at a point located on the northerly right-of-way line of Miller Road, said point being the southwesterly most corner of the Lands formerly of Walter J. Finkle, (Liber 1100, Page 524 & Liber 951, Page 92), said point being the southeasterly most corner of, and the point-of-beginning for the herein to be described road right-of-way for "POND VIEW".

From said point-of-beginning run the following two courses along the said northerly right-of-way line of Miller Road, (1) N89°-59'-12"W, a distance of 55.17 feet to a point; (2) Thence run, S72°-00'-48"W, a distance of 6.37 feet to a point, said point being the southwesterly most corner of the herein described road right-of-way for "POND VIEW"; Thence run the following five courses along the westerly and northwesterly right-of-way lines of "POND VIEW", (1) N17°-59'-12"W, a distance of 188.76 feet to a point; (2) Thence run, by a curve to the right having a chord bearing of N05°-49'-45"W, a chord length of 139.00 feet, a radius of 330.00 feet, a central angle of 24°-18'-54" and an arc length of 140.04 feet to a point; (3) Thence run, N06°-19'-42"E, a distance of 328.57 feet to a point; (4) Thence run, by a curve to the right having a chord bearing of N36°05'-43"E, a chord length of 278.03 feet, a radius of 280.00 feet, a central angle of 59°-32'-02" and an arc length of 290.94 feet to a point; (5) Thence run, N65°-51'-44"E, a distance of 226.82 feet to a point, said point located at the cul-de-sac at the northerly

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1 of 2

DESCRIPTION OF ROAD RIGHT-OF-WAY
"POND VIEW"

MARCH 27, 2018
PAGE 2

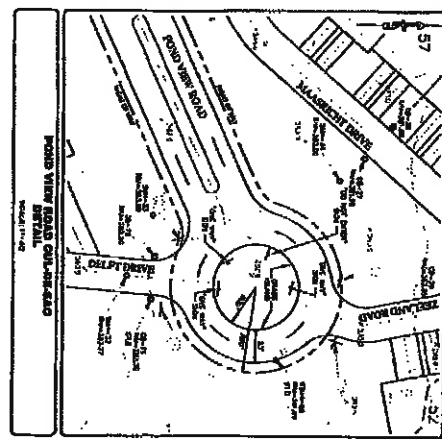
terminus of "POND VIEW"; Thence run the following four courses around the said cul-de-sac, (1) By a curve to the left having a chord bearing of N41°-01'-20"E, a chord length of 21.00 feet, a radius of 25.00 feet, a central angle of 49°-40'-47" and an arc length of 21.68 feet to a point; (2) Thence run, by a curve to the right having a chord bearing of S24°-08'-16"E, a chord length of 77.65 feet, a radius of 60.00 feet, a central angle of 279°-21'-34" and an arc length of 292.54 feet to a point; (3) Thence run, by a curve to the left having a chord bearing of N89°-17'-52"W, a chord length of 21.00 feet, a radius of 25.00 feet, a central angle of 49°-40'-47" and an arc length of 21.68 feet to a point, said point located on the southeasterly and easterly right-of-way line of the herein described "POND VIEW"; Thence run the following five courses along the said southeasterly and easterly right-of-way line of the herein described "POND VIEW", (1) S65°-51'-44"W, a distance of 226.82 feet to a point; (2) Thence run, by a curve to the left having a chord bearing of S36°-05'-43"W, a chord length of 218.45 feet, a radius of 220.00 feet, a central angle of 59°-32'-02" and an arc length of 228.59 feet to a point; (3) Thence run, S06°-19'-42"W, a distance of 328.57 feet to a point; (4) Thence run, by a curve to the left having a chord bearing of S05°-49'-45"E, a chord length of 113.72 feet, a radius of 270.00 feet, a central angle of 24°-18'-54" and an arc length of 114.58 feet to a point; (5) Thence run, S17°-59'-12"E, a distance of 204.57 feet to a point, said point located on the said westerly line of the Lands formerly of Walter J. Finkle, (Liber 1100, Page 524 & Liber 951, Page 92); Thence run along the said westerly line of the Lands formerly of Walter J. Finkle, (Liber 1100, Page 524 & Liber 951, Page 92); S25°-00'-48"W, a distance of 1.70 feet to a point, said point located on the said northerly right-of-way line of Miller Road, said point being the said southwesterly most corner of the Lands formerly of Walter J. Finkle, (Liber 1100, Page 524 & Liber 951, Page 92), said point being the said southeasterly most corner of, and the said point-of-beginning for the herein described road right-of-way for "POND VIEW".

Said "POND VIEW" contains 80,139 square feet = 1.840 acres, more or less.

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EXHIBIT B

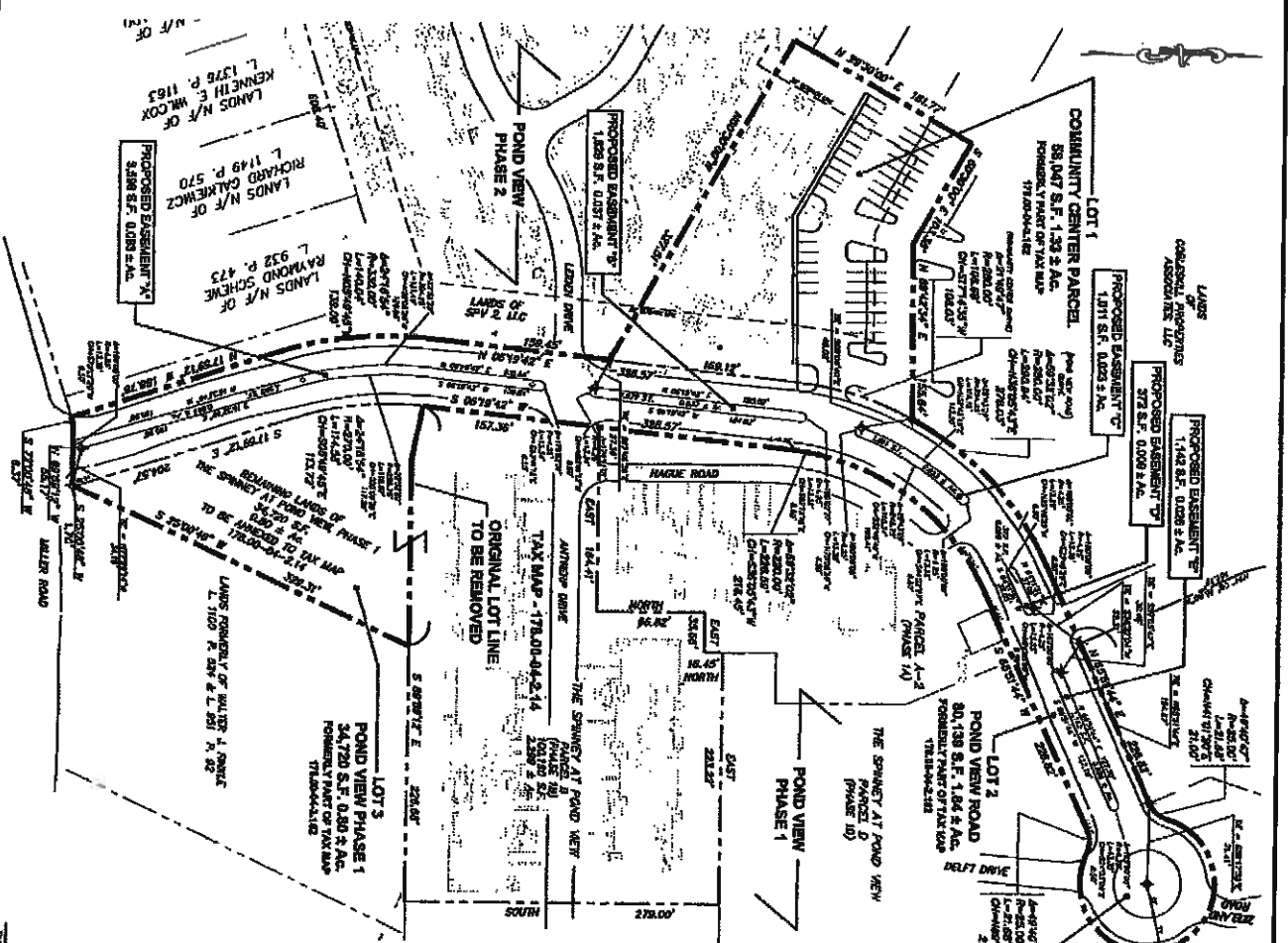
Map and Description of Easement Areas



PROPOSED EASEMENT 'C'
 1.871 S.E. 0.083 S.A.C.
 17.800 S.E. 0.083 S.A.C.
 17.800 S.E. 0.083 S.A.C.

PROPOSED EASEMENT 'D'
 1.142 S.E. 0.083 S.A.C.
 17.800 S.E. 0.083 S.A.C.

PROPOSED EASEMENT 'E'
 1.142 S.E. 0.083 S.A.C.
 17.800 S.E. 0.083 S.A.C.



NOT A REALTY SUBDIVISION

Wg Rde

TOWN OF SCHENCK PLANNING BOARD

RESOLUTION NO. 100/2018-02

APPROVED AND ORDERED: *[Signature]*

SPINNEY AT POND VIEW

PHASE 1A

PHASE 1B

PHASE 1C

PHASE 1D

PHASE 1E

PHASE 1F

PHASE 1G

PHASE 1H

PHASE 1I

PHASE 1J

PHASE 1K

PHASE 1L

PHASE 1M

PHASE 1N

PHASE 1O

PHASE 1P

PHASE 1Q

PHASE 1R

PHASE 1S

PHASE 1T

PHASE 1U

PHASE 1V

PHASE 1W

PHASE 1X

PHASE 1Y

PHASE 1Z

SUBDIVISION AND LOT LINE ADJUSTMENT MAP

DATE: 02/15/2018

SCALE: 1" = 100'

THE SPINNEY AT POND VIEW

THREE LOT MINOR SUBDIVISION

TOWN OF SCHENCK, COUNTY OF RENSSELAER

STATE OF NEW YORK

BREWER ENGINEERING ASSOCIATES, P.C.

CONSULTING ENGINEERS & PLANNERS

743 COLLINGWOOD TERRACE, EAST GREENBUSH, NEW YORK 12042

PHONE: 518-477-4229

FAX: 518-477-4228

2018-13

SCHEDULE "A"

"THE SPINNEY AT POND VIEW"

DESCRIPTION OF EASEMENT "A"

(PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT)

TOWN OF SCHODACK

COUNTY OF RENSSELAER

STATE OF NEW YORK

MARCH 27, 2018

REVISED APRIL 26, 2018

All that tract, piece and parcel of land situate, lying and being in the Town of Schodack, County of Rensselaer, State of New York, and more particularly bounded and described as follows:

Commencing at a point located on the northerly right-of-way line of Miller Road, said point being the southwesterly most corner of the Lands formerly of Walter J. Finkle, (Liber 1100, Page 524 & Liber 951, Page 92), said point being the southeasterly most corner of the easterly right-of-way line of Pond View, run, N77°-29'-14"W, a distance of 34.16 feet to a point, said point being the point-of-beginning for the herein to be described **EASEMENT "A" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT.**

From said point-of-beginning run the following eight courses through the Lands of Pond View, (1) By a curve to the right having a chord bearing of S73°-27'-20"W, a chord length of 8.50 feet, a radius of 4.25 feet, a central angle of 180°-00'-00" and an arc length of 13.35 feet to a point; (2) Thence run, N16°-32'-40"W, a distance of 195.98 feet to a point; (3) Thence run, by a curve to the right having a chord bearing of N05°-06'-29"W, a chord length of 120.65 feet, a radius of 304.25 feet, a central angle of 22°-52'-22" and an arc length of 121.46 feet to a point; (4) Thence run, N06°-19'-42"E, a distance of 100.84 feet to a point; (5) Thence run, by a curve to the right having a chord bearing of S83°-41'-12"E, a chord length of 8.50 feet, a radius of 4.25 feet, a central angle of 179°-52'-01" and an arc length of 13.34 feet to a point; (6) Thence run, S06°-19'-42"W, a distance of 100.84 feet to a point; (7) Thence run, by a curve to the left having a chord bearing of S05°-06'-29"E, a chord length of 117.28 feet, a radius of 295.75 feet, a central angle of 22°-52'-22" and an arc length of 118.07 feet to a point; (8) Thence run, S16°-32'-40"E, a distance of 195.98 feet to a point, said point being the said point-of-beginning for the herein described **EASEMENT "A" - PERMANENT**

*OK
RJK
5/2/18
1 of 2*

**DESCRIPTION OF PERMANENT MAINTENANCE AND
LANDSCAPING EASEMENT - "A"
"THE SPINNEY AT POND VIEW"**

**MARCH 27, 2018
REVISED - APRIL 26, 2018
PAGE 2**

MAINTENANCE AND LANDSCAPING EASEMENT.

Said **EASEMENT "A" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT** contains 3,598 square feet = 0.083 acres, more or less.

It is the purpose of this conveyance to grant to the Town of Schodack, to The Spinney At Pond View, LLC, and/or assigns, an easement in, on and to the property herein described and to permit the Town of Schodack and The Spinney At Pond View, LLC, and/or assigns, the right to ingress and egress, the right to install and maintain landscaping, (e.g., - but not limited to - grass, shrubs and trees), and to take whatever steps it deems necessary or advisable in connection with maintaining said landscaping. In addition this easement also restricts the grading and/or filling in the area occupied by the easement, excepting the Town of Schodack and The Spinney At Pond View, LLC, and/or assigns.

2012

SCHEDULE "A"

"THE SPINNEY AT POND VIEW"

DESCRIPTION OF EASEMENT "B"

(PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT)

TOWN OF SCHODACK

COUNTY OF RENSSELAER

STATE OF NEW YORK

MARCH 27, 2018

REVISED - APRIL 26, 2018

All that tract, piece and parcel of land situate, lying and being in the Town of Schodack, County of Rensselaer, State of New York, and more particularly bounded and described as follows:

Commencing at a point located on the westerly right-of-way line of Pond View, said point being the southerly most corner of the Lands of Lot 1, "The Spinney At Pond View Minor Three Lot Minor Subdivision", (Pond View Community Center Parcel), run , S62°-46'-36"E, a distance of 27.56 feet to a point, said point being the point-of-beginning for the herein to be described **EASEMENT "B" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT.**

From said point-of-beginning run the following four courses through the Lands of Pond View, (1) N06°-19'-42"E, a distance of 185.02 feet to a point; (2) Thence run, by a curve to the right having a chord bearing of S82°-18'-15"E, a chord length of 8.50 feet, a radius of 4.25 feet, a central angle of 180°-02'-27" and an arc length of 13.36 feet to a point; (3) Thence run, S06°-19'-42"W, a distance of 184.82 feet to a point; (4) Thence run, by a curve to the right having a chord bearing of N83°-41'-12"W, a chord length of 8.50 feet, a radius of 4.25 feet, a central angle of 179°-52'-01" and an arc length of 13.34 feet to a point, said point being the said point-of-beginning for the herein described **EASEMENT "B" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT.**

Said **EASEMENT "B" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT** contains 1,628 square feet = 0.037 acres, more or less.

It is the purpose of this conveyance to grant to the Town of Schodack, to The Spinney At Pond View, LLC, and/or assigns, an easement in, on and to the property herein

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RSM
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lot 2

**DESCRIPTION OF PERMANENT MAINTENANCE AND
LANDSCAPING EASEMENT - "B"
"THE SPINNEY AT POND VIEW"**

**MARCH 27, 2018
REVISED - APRIL 26, 2018
PAGE 2**

described and to permit the Town of Schodack and The Spinney At Pond View, LLC, and/or assigns, the right to ingress and egress, the right to install and maintain landscaping, (e.g., - but not limited to - grass, shrubs and trees), and to take whatever steps it deems necessary or advisable in connection with maintaining said landscaping. In addition this easement also restricts the grading and/or filing in the area occupied by the easement, excepting the Town of Schodack and The Spinney At Pond View, LLC, and/or assigns.

2012

SCHEDULE "A"

"THE SPINNEY AT POND VIEW"

DESCRIPTION OF EASEMENT "C"

(PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT)

TOWN OF SCHODACK

COUNTY OF RENSSELAER

STATE OF NEW YORK

MARCH 27, 2018

REVISED - APRIL 26, 2018

All that tract, piece and parcel of land situate, lying and being in the Town of Schodack, County of Rensselaer, State of New York, and more particularly bounded and described as follows:

Commencing at a point located on the westerly right-of-way line of Pond View, said point being the southeasterly most corner of the Lands Cobleskill Properties Associates, LLC, run, S09°-09'-40"E, a distance of 46.02 feet to a point, said point being the point-of-beginning for the herein to be described **EASEMENT "C" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT.**

From said point-of-beginning run the following four courses through the Lands of Pond View, (1) By a curve to the right having a chord bearing of N32°-45'-49"E, a chord length of 113.20 feet, a radius of 254.25 feet, a central angle of 25°-43'-29" and an arc length of 114.15 feet to a point; (2) Thence run, by a curve to the right having a chord bearing of S44°-22'-27"E, a chord length of 8.50 feet, a radius of 4.25 feet, a central angle of 180°-00'-00" and an arc length of 13.35 feet to a point; (3) Thence run, by a curve to the left having a chord bearing of S32°-45'-49"W, a chord length of 109.41 feet, a radius of 245.75 feet, a central angle of 25°-43'-29" and an arc length of 110.34 feet to a point; (4) Thence run, by a curve to the right having a chord bearing of N70°-05'-55"W, a chord length of 8.50 feet, a radius of 4.25 feet, a central angle of 180°-00'-00" and an arc length of 13.35 feet to a point; said point being the said point-of-beginning for the herein described **EASEMENT "C" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT.**

Said **EASEMENT "C" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT** contains 1,011 square feet = 0.023 acres, more or less.

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RM
5/2/18
1 of 2

**DESCRIPTION OF PERMANENT MAINTENANCE AND
LANDSCAPING EASEMENT - "C"
"THE SPINNEY AT POND VIEW"**

**MARCH 27, 2018
REVISED - APRIL 26, 2018
PAGE 2**

It is the purpose of this conveyance to grant to the Town of Schodack, to The Spinney At Pond View, LLC, and/or assigns, an easement in, on and to the property herein described and to permit the Town of Schodack and The Spinney At Pond View, LLC, and/or assigns, the right to ingress and egress, the right to install and maintain landscaping, (e.g., - but not limited to - grass, shrubs and trees), and to take whatever steps it deems necessary or advisable in connection with maintaining said landscaping. In addition this easement also restricts the grading and/or filling in the area occupied by the easement, excepting the Town of Schodack and The Spinney At Pond View, LLC, and/or assigns.

2012

SCHEDULE "A"

"THE SPINNEY AT POND VIEW"

DESCRIPTION OF EASEMENT "D"

(PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT)

TOWN OF SCHODACK

COUNTY OF RENSSELAER

STATE OF NEW YORK

MARCH 27, 2018

REVISED - APRIL 26, 2018

All that tract, piece and parcel of land situate, lying and being in the Town of Schodack, County of Rensselaer, State of New York, and more particularly bounded and described as follows:

Commencing at a point located on the northwesterly right-of-way line of Pond View, said point being the easterly most corner of the Lands of Cobleskill Properties Association, LLC, run, S36°-22'-04"W, a distance of 52.31 feet to a point, said point being the point-of-beginning for the herein to be described **EASEMENT "D" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT.**

From said point-of-beginning run the following four courses through the Lands of Pond View, (1) By a curve to the right having a chord bearing of S25°-48'-29"E, a chord length of 8.50 feet, a radius of 4.25 feet, a central angle of 180°-00'-00" and an arc length of 13.35 feet to a point; (2) Thence run, S64°-11'-31"W, a distance of 37.05 feet to a point; (3) Thence run, by a curve to the right having a chord bearing of N25°-48'-29"W, a chord length of 8.50 feet, a radius of 4.25 feet, a central angle of 180°-00'-00" and an arc length of 13.35 feet to a point; (4) Thence run, N64°-11'-31"E, a distance of 37.05 feet to a point, said point being the said point-of-beginning for the herein described **EASEMENT "D" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT.**

Said **EASEMENT "D" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT** contains 372 square feet = 0.009 acres, more or less.

It is the purpose of this conveyance to grant to the Town of Schodack, to The Spinney

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5/2/18
1 of 2

**DESCRIPTION OF PERMANENT MAINTENANCE AND
LANDSCAPING EASEMENT - "D"
"THE SPINNEY AT POND VIEW"**

**MARCH 27, 2018
REVISED - APRIL 26, 2018
PAGE 2**

At Pond View, LLC, and/or assigns, an easement in, on and to the property herein described and to permit the Town of Schodack and The Spinney At Pond View, LLC, and/or assigns, the right to ingress and egress, the right to install and maintain landscaping, (e.g., - but not limited to - grass, shrubs and trees), and to take whatever steps it deems necessary or advisable in connection with maintaining said landscaping. In addition this easement also restricts the grading and/or filling in the area occupied by the easement, excepting the Town of Schodack and The Spinney At Pond View, LLC, and/or assigns.

2-12

SCHEDULE "A"

"THE SPINNEY AT POND VIEW"

DESCRIPTION OF EASEMENT "E"

(PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT)

TOWN OF SCHODACK

COUNTY OF RENSSELAER

STATE OF NEW YORK

MARCH 27, 2018

REVISED - APRIL 26, 2018

All that tract, piece and parcel of land situate, lying and being in the Town of Schodack, County of Rensselaer, State of New York, and more particularly bounded and described as follows:

Commencing at a point located on the northwesterly right-of-way line of Pond View, said point being the easterly most corner of the Lands of Cobleskill Properties Association, LLC, run , S57°-05'-42"E, a distance of 30.46 feet to a point, said point being the point-of-beginning for the herein to be described **EASEMENT "E" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT.**

From said point-of-beginning run the following four courses through the Lands of Pond View, (1) N65°-51'-44"E, a distance of 127.70 feet to a point; (2) By a curve to the right having a chord bearing of S24°-03'-09"E, a chord length of 8.50 feet, a radius of 4.25 feet, a central angle of 180°-00'-00" and an arc length of 13.35 feet to a point; (3) Thence run, S65°-51'-44"W, a distance of 127.70 feet to a point, (4) Thence run, by a curve to the right having a chord bearing of N24°-03'-09"W, a chord length of 8.50 feet, a radius of 4.25 feet, a central angle of 180°-00'-00" and an arc length of 13.35 feet to a point, said point being the said point-of-beginning for the herein described **EASEMENT "E" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT.**

Said **EASEMENT "E" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT** contains 1,142 square feet = 0.026 acres, more or less.

It is the purpose of this conveyance to grant to the Town of Schodack, to The Spinney At Pond View, LLC, and/or assigns, an easement in, on and to the property herein described and to permit the Town of Schodack and The Spinney At Pond View, LLC, and/or

OK
RPL
5/2/18
1 of 2

**DESCRIPTION OF PERMANENT MAINTENANCE AND
LANDSCAPING EASEMENT - "E"
"THE SPINNEY AT POND VIEW"**

**MARCH 27, 2018
REVISED - APRIL 26, 2018
PAGE 2**

assigns, the right to ingress and egress, the right to install and maintain landscaping, (e.g., - but not limited to - grass, shrubs and trees), and to take whatever steps it deems necessary or advisable in connection with maintaining said landscaping. In addition this easement also restricts the grading and/or filling in the area occupied by the easement, excepting the Town of Schodack and The Spinney At Pond View, LLC, and/or assigns.

2012

SCHEDULE "A"

"THE SPINNEY AT POND VIEW"

DESCRIPTION OF EASEMENT "F"

(PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT)

TOWN OF SCHODACK

COUNTY OF RENSSELAER

STATE OF NEW YORK

MARCH 27, 2018

All that tract, piece and parcel of land situate, lying and being in the Town of Schodack, County of Rensselaer, State of New York, and more particularly bounded and described as follows:

Commencing at a point located on the northwesterly right-of-way line of Pond View, said point being the easterly most corner of the Lands of Cobieskill Properties Association, LLC, run along the said northwesterly right-of-way line of Pond View Drive, N65°-51"-44"E, a distance of 154.87 feet to a point; Thence run through the Lands of said Pond View, S89°-17'-52"E, a distance of 71.41 feet to a point, said point being the center point of **EASEMENT "F" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT**.

EASEMENT "F" is a permanent maintenance and landscaping easement located at the center of the cul-de-sac located at the northerly terminus of said Pond View. Said easement has a radius of 30.00 feet and a central angle of 360°-00'-00".

Said **EASEMENT "F"** contains 2,827 square feet, more or less.

It is the purpose of this conveyance to grant to the Town of Schodack, to The Spinney At Pond View, LLC, and/or assigns, an easement in, on and to the property herein described and to permit the Town of Schodack and The Spinney At Pond View, LLC, and/or assigns, the right to ingress and egress, the right to install and maintain landscaping, (e.g., - but not limited to - grass, shrubs and trees), and to take whatever steps it deems necessary or advisable in connection with maintaining said landscaping. In addition this easement also restricts the grading and/or filling in the area occupied by the easement, excepting the Town of Schodack and The Spinney At Pond View, LLC, and/or assigns.

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5/2/18

EXHIBIT C

Road and Lighting Maintenance Agreement

Record and Return to:
Town of Schodack
265 Schuurman Road
Castleton, NY 12033

ROAD LIGHTING AND MAINTENANCE AGREEMENT

This ROAD LIGHTING AND MAINTENANCE AGREEMENT (“Agreement”) is made as of the ___ day of _____, 2018, by and among:

Town of Schodack, a municipal corporation duly formed and validly existing in accordance with the laws of the State of New York, having its principal executive offices located at 265 Schuurman Road, Castleton, New York 12033 (“Town”); and

The Spinney at Pond View, LLC, a limited liability company duly formed and validly existing in accordance with the laws of the State of New York, having its principal executive office located at One Juniper Drive, Delmar, New York 12054 (“SPV”).

WHEREAS, SPV is the owner/operator of certain real property located in the Town of Schodack, County of Rensselaer, New York, commonly known and referred to as the Spinney at Pond View, consisting of 186 senior apartment units and a +/- 5,000 sq.ft. community center, together with its appurtenances.

WHEREAS, on the 7th day of August, 2018, SPV executed a deed conveying to Town that certain real property located the Town of Schodack, County of Rensselaer, New York, commonly known and referred to as “Pond View” [SBL# _____], (“Pond View road”), a copy of which is annexed hereto as **Exhibit A** and made a part hereof.

WHEREAS, contemporaneously with SPV’s conveyance of Pond View road to the Town, and in connection therewith, the Town granted unto SPV, together with its affiliated entities, easements providing access to the islands of Pond View road for the sole purpose of maintaining the landscaping and lighting located in each island (“Maintenance Easements”), copies of which are annexed hereto as **Exhibit B** and are made a part hereof.

WHEREAS, a map of Pond View road prepared by Brewer Engineering, P.C., dated April 19, 2018, which was filed with the Rensselaer County Clerk’s office on the 31st day of May, 2018, sets forth locations of the islands which are the subject of this Agreement and the Maintenance Easements referenced above, a copy of which is annexed hereto as **Exhibit C** and is made a part hereof.

NOW THEREFORE, and in consideration of the mutual agreements, covenants and undertakings contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties desire by this Agreement to set forth for themselves and for their respective successors and assigns their agreement regarding the maintenance of landscaping and lighting of the center islands of Pond View road as more

Record and Return to:
Town of Schodack
265 Schuurman Road
Castleton, NY 12033

fully set forth below.

1. **Road Maintenance.** In conformity with Town standards, Town shall maintain Pond View road in good and useable order, condition, and repair, and shall carry out its normal duties ("Road Maintenance"). Town shall be responsible for restoration of damage to center islands of Pond View road resulting from its Road Maintenance.
2. **Landscaping Maintenance.** SPV shall be responsible for maintaining the center islands, including but not limited to the following:
 - a. Mowing all lawns, fall leaf removal, spring clean-up, and maintenance of plantings.
 - b. If necessary or desirable, application of chemical or other fertilizer treatments to enhance the appearance of the center islands.
 - c. Removal and replacement of plantings which are diseased or which have died.
3. **Lighting Maintenance.** SPV shall maintain all light poles located in the center islands of Pond View road and shall remove and replace light poles in the event a light pole is no longer functioning. The Pond View entities shall be responsible for payment of utility costs and fees associated with light poles located in the center islands.
4. **Signage.** SPV shall be allowed to erect and maintain signs designating the name and address of their respective properties, together with other signage which it deems appropriate, on Pond View road and the Town right of way. The number of signs, and their respective locations, styles and sizes, shall be subject to the prior approval of the Town.
5. **Binding Effect.** This Agreement shall bind and inure to the benefit of the parties hereto and their successors, and assigns.
6. **Legal Construction.** If one or more of the provisions of this Agreement are invalid, illegal or unenforceable in any respect, to the extent the invalidity or unenforceability does not destroy the basis of the bargain among the parties, it will not affect any other provision and this Agreement will be construed as if such invalid, illegal or unenforceable provision were omitted. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instruments.
7. **Notices.** Any notices required or permitted to be given under this Agreement by any party to another shall be in writing and may be effected by personal delivery or by certified mail, postage prepaid with return receipt requested, or by nationally recognized overnight courier, to the following addresses:

Record and Return to:
Town of Schodack
265 Schuurman Road
Castleton, NY 12033

If to Town:

The Town of Schodack
265 Schuurman Road
Castleton, New York 12033

If to SPV:

The Spinney at Pond View, LLC
One Juniper Drive
Delmar, NY 12054

- 8. Entire Agreement. This Agreement contains the entire agreement among the parties relating to its subject matter. Any oral representations or modifications concerning this Agreement shall be of no force and effect. Any subsequent amendment or modification must be in writing and agreed to by all parties.
- 9. Effective Date. This Agreement shall be effective as of the date first set forth above.

TOWN OF SCHODACK:

Name

Title

THE SPINNEY AT
POND VIEW, LLC:

James

Name

Member

Title

Record and Return to:
Town of Schodack
265 Schuurman Road
Castleton, NY 12033

ACKNOWLEDGEMENTS

STATE OF NEW YORK)
) SS:
COUNTY OF RENSSELAER)

On this ____ day of _____, 2018, before me, the undersigned, a Notary Public in a for the State of New York, personally appeared _____, to personally known to me or proved to me on the basis of satisfactory evidence be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his capacity as _____ of the Town of Schodack, and that by his signature on the instrument, the individual, or the entity upon behalf of which the individual acted, executed the instrument.

Notary Public



STATE OF NEW YORK)
) SS:
COUNTY OF RENSSELAER)

On this 1 day of August, 2018, before me, the undersigned, a Notary Public in a for the State of New York, personally appeared Edward Feinberg, to personally known to me or proved to me on the basis of satisfactory evidence be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his capacity as a member of the Spinney at Pond View, LLC, and that by his signature on the instrument, the individual, or the entity upon behalf of which the individual acted, executed the instrument.

Notary Public

Morgan S. Ruthman



Record and Return to:
Town of Schodack
265 Schuurman Road
Castleton, NY 12033

EXHIBIT A

Deed of Conveyance

RECORD AND RETURN TO:
Town of Schodack
265 Schuurman Rd
Castleton NY 12033

WARRANTY DEED

THIS INDENTURE is made the 7 day of August, 2018, between THE SPINNEY AT POND VIEW, LLC, a New York State Limited Liability Company, with an office for the transaction of business located at 1 Juniper Drive, Delmar, NY 12054 (hereinafter referred to as "Grantor"), on the one hand, and the TOWN OF SCHODACK, a municipal corporation duly formed and validly existing in accordance with the laws of the State of New York, having its principal executive offices located at 265 Schuurman Road, Castleton, New York 12033 (hereinafter referred to as "Grantee"), on the other hand.

WITNESSETH:

That the Grantor, in consideration of ONE DOLLAR (\$1.00) lawful money of the United States, and other good and valuable consideration paid by the Grantee, does hereby grant and release unto the Grantee, its successors and assigns forever all that tract or parcel of land located in the Town of Schodack, County of Rensselaer and State of New York as more particularly described in Schedule "A" attached hereto and incorporated herein.

Being the same parcel and roadway commonly known as "Pond View" as depicted on the subdivision map prepared by Brewer Engineering, P.C., dated April 19, 2018, which was filed with the Rensselaer County Clerk's office on the 31st day of May, 2018 in Liber 2018, Page 062.

Together with the appurtenances and all the estate and rights of the Grantor in and to said premises.

To have and to hold the premises herein granted unto the Grantee, its successors and assigns forever.

And said Grantor covenants as follows:

First, that the Grantee shall quietly enjoy said premises;

Second, that the Grantor will forever warrant the title to said premises; and

Third, that in compliance with Section 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 cost of the improvement before using any part of the total of the same for any other purpose.

Subject to any and all enforceable covenants, conditions, easements and restrictions of record and affecting said premises.

RECORD AND RETURN TO:
Town of Schodack
265 Schurman Road
Castleton, NY 12033

IN WITNESS WHEREOF, the Grantor has hereunto set its hands the day and year first written above,

IN PRESENCE OF:

GRANTOR:
THE SPINNEY AT POND VIEW, LLC

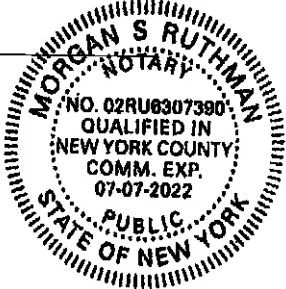
By: *Russ A. Kelly*

ACKNOWLEDGEMENT

STATE OF NEW YORK)
) SS:
COUNTY OF RENSSELAER)

On this 7 day of August, 2018, before me, the undersigned, a Notary Public in a for the State of New York, personally appeared Edward Feinberg, to personally known to me or proved to me on the basis of satisfactory evidence be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his capacity as a member of THE SPINNEY AT POND VIEW, LLC, and that by his signature on the instrument, the individual, or the entity upon behalf of which the individual acted, executed the instrument.

Morgan S. Ruthman
Notary Public



RECORD AND RETURN TO:
Town of Schuylkill
265 Schuylkill Road
Castleton, NY 12033

SCHEDULE "A"

DESCRIPTION OF LANDS OF THE SPINNEY AT POND VIEW, LLC

SCHEDULE "A"

"THE SPINNEY AT POND VIEW"

DESCRIPTION OF ROAD RIGHT-OF-WAY

FOR

"POND VIEW"

TOWN OF SCHODACK

COUNTY OF RENSSELAER

STATE OF NEW YORK

MARCH 27, 2018

All that tract, piece and parcel of land situate, lying and being in the Town of Schodack, County of Rensselaer, State of New York, and more particularly bounded and described as follows:

Beginning at a point located on the northerly right-of-way line of Miller Road, said point being the southwesterly most corner of the Lands formerly of Walter J. Finkle, (Liber 1100, Page 524 & Liber 951, Page 92), said point being the southeasterly most corner of, and the point-of-beginning for the herein to be described road right-of-way for "POND VIEW".

From said point-of-beginning run the following two courses along the said northerly right-of-way line of Miller Road, (1) N89°-59'-12"W, a distance of 55.17 feet to a point; (2) Thence run, S72°-00'-48"W, a distance of 6.37 feet to a point, said point being the southwesterly most corner of the herein described road right-of-way for "POND VIEW"; Thence run the following five courses along the westerly and northwesterly right-of-way lines of "POND VIEW", (1) N17°-59'-12"W, a distance of 188.76 feet to a point; (2) Thence run, by a curve to the right having a chord bearing of N05°-49'-45"W, a chord length of 139.00 feet, a radius of 330.00 feet, a central angle of 24°-18'-54" and an arc length of 140.04 feet to a point; (3) Thence run, N06°-19'-42"E, a distance of 328.57 feet to a point; (4) Thence run, by a curve to the right having a chord bearing of N36°05'-43"E, a chord length of 278.03 feet, a radius of 280.00 feet, a central angle of 59°-32'-02" and an arc length of 290.94 feet to a point; (5) Thence run, N65°-51'-44"E, a distance of 226.82 feet to a point, said point located at the cul-de-sac at the northerly

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DESCRIPTION OF ROAD RIGHT-OF-WAY
"POND VIEW"

MARCH 27, 2018
PAGE 2

terminus of "POND VIEW"; Thence run the following four courses around the said cul-de-sac, (1) By a curve to the left having a chord bearing of $N41^{\circ}-01'-20''E$, a chord length of 21.00 feet, a radius of 25.00 feet, a central angle of $49^{\circ}-40'-47''$ and an arc length of 21.68 feet to a point; (2) Thence run, by a curve to the right having a chord bearing of $S24^{\circ}-08'-16''E$, a chord length of 77.65 feet, a radius of 60.00 feet, a central angle of $279^{\circ}-21'-34''$ and an arc length of 292.54 feet to a point; (3) Thence run, by a curve to the left having a chord bearing of $N89^{\circ}-17'-52''W$, a chord length of 21.00 feet, a radius of 25.00 feet, a central angle of $49^{\circ}-40'-47''$ and an arc length of 21.68 feet to a point, said point located on the southeasterly and easterly right-of-way line of the herein described "POND VIEW"; Thence run the following five courses along the said southeasterly and easterly right-of-way line of the herein described "POND VIEW", (1) $S65^{\circ}-51'-44''W$, a distance of 226.82 feet to a point; (2) Thence run, by a curve to the left having a chord bearing of $S36^{\circ}-05'-43''W$, a chord length of 218.45 feet, a radius of 220.00 feet, a central angle of $59^{\circ}-32'-02''$ and an arc length of 228.59 feet to a point; (3) Thence run, $S06^{\circ}-19'-42''W$, a distance of 328.57 feet to a point; (4) Thence run, by a curve to the left having a chord bearing of $S05^{\circ}-49'-45''E$, a chord length of 113.72 feet, a radius of 270.00 feet, a central angle of $24^{\circ}-18'-54''$ and an arc length of 114.58 feet to a point; (5) Thence run, $S17^{\circ}-59'-12''E$, a distance of 204.57 feet to a point, said point located on the said westerly line of the Lands formerly of Walter J. Finkle, (Liber 1100, Page 524 & Liber 951, Page 92); Thence run along the said westerly line of the Lands formerly of Walter J. Finkle, (Liber 1100, Page 524 & Liber 951, Page 92); $S25^{\circ}-00'-48''W$, a distance of 1.70 feet to a point, said point located on the said northerly right-of-way line of Miller Road, said point being the said southwesterly most corner of the Lands formerly of Walter J. Finkle, (Liber 1100, Page 524 & Liber 951, Page 92), said point being the said southeasterly most corner of, and the said point-of-beginning for the herein described road right-of-way for "POND VIEW".

Said "POND VIEW" contains 80,139 square feet = 1.840 acres, more or less.

2012

Record and Return to:
Town of Schodack
265 Schuurman Road
Castleton, NY 12033

EXHIBIT B

Maintenance Easements

SCHEDULE "A"

"THE SPINNEY AT POND VIEW"

DESCRIPTION OF EASEMENT "A"

(PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT)

TOWN OF SCHODACK

COUNTY OF RENSSELAER

STATE OF NEW YORK

MARCH 27, 2018

REVISED APRIL 26, 2018

All that tract, piece and parcel of land situate, lying and being in the Town of Schodack, County of Rensselaer, State of New York, and more particularly bounded and described as follows:

Commencing at a point located on the northerly right-of-way line of Miller Road, said point being the southwesterly most corner of the Lands formerly of Walter J. Finkle, (Liber 1100, Page 524 & Liber 951, Page 92), said point being the southeasterly most corner of the easterly right-of-way line of Pond View, run, N77°-29'-14"W, a distance of 34.16 feet to a point, said point being the point-of-beginning for the herein to be described **EASEMENT "A" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT.**

From said point-of-beginning run the following eight courses through the Lands of Pond View, (1) By a curve to the right having a chord bearing of S73°-27'-20"W, a chord length of 8.50 feet, a radius of 4.25 feet, a central angle of 180°-00'-00" and an arc length of 13.35 feet to a point; (2) Thence run, N16°-32'-40"W, a distance of 195.98 feet to a point; (3) Thence run, by a curve to the right having a chord bearing of N05°-06'-29"W, a chord length of 120.65 feet, a radius of 304.25 feet, a central angle of 22°-52'-22" and an arc length of 121.46 feet to a point; (4) Thence run, N06°-19'-42"E, a distance of 100.84 feet to a point; (5) Thence run, by a curve to the right having a chord bearing of S83°-41'-12"E, a chord length of 8.50 feet, a radius of 4.25 feet, a central angle of 179°-52'-01" and an arc length of 13.34 feet to a point; (6) Thence run, S06°-19'-42"W, a distance of 100.84 feet to a point; (7) Thence run, by a curve to the left having a chord bearing of S05°-06'-29"E, a chord length of 117.28 feet, a radius of 295.75 feet, a central angle of 22°-52'-22" and an arc length of 118.07 feet to a point; (8) Thence run, S16°-32'-40"E, a distance of 195.98 feet to a point, said point being the said point-of-beginning for the herein described **EASEMENT "A" - PERMANENT**

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**DESCRIPTION OF PERMANENT MAINTENANCE AND
LANDSCAPING EASEMENT - "A"
"THE SPINNEY AT POND VIEW"**

**MARCH 27, 2018
REVISED - APRIL 26, 2018
PAGE 2**

MAINTENANCE AND LANDSCAPING EASEMENT.

**Said EASEMENT "A" - PERMANENT MAINTENANCE AND LANDSCAPING
EASEMENT contains 3,598 square feet = 0.083 acres, more or less.**

It is the purpose of this conveyance to grant to the Town of Schodack, to The Spinney At Pond View, LLC, and/or assigns, an easement in, on and to the property herein described and to permit the Town of Schodack and The Spinney At Pond View, LLC, and/or assigns, the right to ingress and egress, the right to install and maintain landscaping, (e.g., - but not limited to - grass, shrubs and trees), and to take whatever steps it deems necessary or advisable in connection with maintaining said landscaping. In addition this easement also restricts the grading and/or filling in the area occupied by the easement, excepting the Town of Schodack and The Spinney At Pond View, LLC, and/or assigns.

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SCHEDULE "A"

"THE SPINNEY AT POND VIEW"

DESCRIPTION OF EASEMENT "B"

(PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT)

TOWN OF SCHODACK

COUNTY OF RENSSELAER

STATE OF NEW YORK

MARCH 27, 2018

REVISED - APRIL 26, 2018

All that tract, piece and parcel of land situate, lying and being in the Town of Schodack, County of Rensselaer, State of New York, and more particularly bounded and described as follows:

Commencing at a point located on the westerly right-of-way line of Pond View, said point being the southerly most corner of the Lands of Lot 1, "The Spinney At Pond View Minor Three Lot Minor Subdivision", (Pond View Community Center Parcel), run , S62°-46'-36"E, a distance of 27.56 feet to a point, said point being the point-of-beginning for the herein to be described **EASEMENT "B" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT**.

From said point-of-beginning run the following four courses through the Lands of Pond View, (1) N06°-19'-42"E, a distance of 185.02 feet to a point; (2) Thence run, by a curve to the right having a chord bearing of S82°-18'-15"E, a chord length of 8.50 feet, a radius of 4.25 feet, a central angle of 180°-02'-27" and an arc length of 13.36 feet to a point; (3) Thence run, S06°-19'-42"W, a distance of 184.82 feet to a point; (4) Thence run, by a curve to the right having a chord bearing of N83°-41'-12"W, a chord length of 8.50 feet, a radius of 4.25 feet, a central angle of 179°-52'-01" and an arc length of 13.34 feet to a point, said point being the said point-of-beginning for the herein described **EASEMENT "B" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT**.

Said **EASEMENT "B" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT** contains 1,628 square feet = 0.037 acres, more or less.

It is the purpose of this conveyance to grant to the Town of Schodack, to The Spinney At Pond View, LLC, and/or assigns, an easement in, on and to the property herein

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**DESCRIPTION OF PERMANENT MAINTENANCE AND
LANDSCAPING EASEMENT - "B"
"THE SPINNEY AT POND VIEW"**

**MARCH 27, 2018
REVISED - APRIL 26, 2018
PAGE 2**

described and to permit the Town of Schodack and The Spinney At Pond View, LLC, and/or assigns, the right to ingress and egress, the right to install and maintain landscaping, (e.g., - but not limited to - grass, shrubs and trees), and to take whatever steps it deems necessary or advisable in connection with maintaining said landscaping. In addition this easement also restricts the grading and/or filing in the area occupied by the easement, excepting the Town of Schodack and The Spinney At Pond View, LLC, and/or assigns.

2012

SCHEDULE "A"

"THE SPINNEY AT POND VIEW"

DESCRIPTION OF EASEMENT "C"

(PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT)

TOWN OF SCHODACK

COUNTY OF RENSSELAER

STATE OF NEW YORK

MARCH 27, 2018

REVISED - APRIL 26, 2018

All that tract, piece and parcel of land situate, lying and being in the Town of Schodack, County of Rensselaer, State of New York, and more particularly bounded and described as follows:

Commencing at a point located on the westerly right-of-way line of Pond View, said point being the southeasterly most corner of the Lands Cobleskill Properties Associates, LLC, run, S09°-09'-40"E, a distance of 46.02 feet to a point, said point being the point-of-beginning for the herein to be described **EASEMENT "C" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT**.

From said point-of-beginning run the following four courses through the Lands of Pond View, (1) By a curve to the right having a chord bearing of N32°-45'-49"E, a chord length of 113.20 feet, a radius of 254.25 feet, a central angle of 25°-43'-29" and an arc length of 114.15 feet to a point; (2) Thence run, by a curve to the right having a chord bearing of S44°-22'-27"E, a chord length of 8.50 feet, a radius of 4.25 feet, a central angle of 180°-00'-00" and an arc length of 13.35 feet to a point; (3) Thence run, by a curve to the left having a chord bearing of S32°-45'-49"W, a chord length of 109.41 feet, a radius of 245.75 feet, a central angle of 25°-43'-29" and an arc length of 110.34 feet to a point; (4) Thence run, by a curve to the right having a chord bearing of N70°-05'-55"W, a chord length of 8.50 feet, a radius of 4.25 feet, a central angle of 180°-00'-00" and an arc length of 13.35 feet to a point; said point being the said point-of-beginning for the herein described **EASEMENT "C" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT**.

Said **EASEMENT "C" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT** contains 1,011 square feet = 0.023 acres, more or less.

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**DESCRIPTION OF PERMANENT MAINTENANCE AND
LANDSCAPING EASEMENT - "C"
"THE SPINNEY AT POND VIEW"**

**MARCH 27, 2018
REVISED - APRIL 26, 2018
PAGE 2**

It is the purpose of this conveyance to grant to the Town of Schodack, to The Spinney At Pond View, LLC, and/or assigns, an easement in, on and to the property herein described and to permit the Town of Schodack and The Spinney At Pond View, LLC, and/or assigns, the right to ingress and egress, the right to install and maintain landscaping, (e.g., - but not limited to - grass, shrubs and trees), and to take whatever steps it deems necessary or advisable in connection with maintaining said landscaping. In addition this easement also restricts the grading and/or filling in the area occupied by the easement, excepting the Town of Schodack and The Spinney At Pond View, LLC, and/or assigns.

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SCHEDULE "A"

"THE SPINNEY AT POND VIEW"

DESCRIPTION OF EASEMENT "D"

(PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT)

TOWN OF SCHODACK

COUNTY OF RENSSELAER

STATE OF NEW YORK

MARCH 27, 2018

REVISED - APRIL 26, 2018

All that tract, piece and parcel of land situate, lying and being in the Town of Schodack, County of Rensselaer, State of New York, and more particularly bounded and described as follows:

Commencing at a point located on the northwesterly right-of-way line of Pond View, said point being the easterly most corner of the Lands of Cobleskill Properties Association, LLC, run, S36°-22'-04"W, a distance of 52.31 feet to a point, said point being the point-of-beginning for the herein to be described **EASEMENT "D" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT.**

From said point-of-beginning run the following four courses through the Lands of Pond View, (1) By a curve to the right having a chord bearing of S25°-48'-29"E, a chord length of 8.50 feet, a radius of 4.25 feet, a central angle of 180°-00'-00" and an arc length of 13.35 feet to a point; (2) Thence run, S64°-11'-31"W, a distance of 37.05 feet to a point; (3) Thence run, by a curve to the right having a chord bearing of N25°-48'-29"W, a chord length of 8.50 feet, a radius of 4.25 feet, a central angle of 180°-00'-00" and an arc length of 13.35 feet to a point; (4) Thence run, N64°-11'-31"E, a distance of 37.05 feet to a point, said point being the said point-of-beginning for the herein described **EASEMENT "D" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT.**

Said **EASEMENT "D" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT** contains 372 square feet = 0.009 acres, more or less.

It is the purpose of this conveyance to grant to the Town of Schodack, to The Spinney

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**DESCRIPTION OF PERMANENT MAINTENANCE AND
LANDSCAPING EASEMENT - "D"
"THE SPINNEY AT POND VIEW"**

**MARCH 27, 2018
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PAGE 2**

At Pond View, LLC, and/or assigns, an easement in, on and to the property herein described and to permit the Town of Schodack and The Spinney At Pond View, LLC, and/or assigns, the right to ingress and egress, the right to install and maintain landscaping, (e.g., - but not limited to - grass, shrubs and trees), and to take whatever steps it deems necessary or advisable in connection with maintaining said landscaping. In addition this easement also restricts the grading and/or filling in the area occupied by the easement, excepting the Town of Schodack and The Spinney At Pond View, LLC, and/or assigns.

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SCHEDULE "A"

"THE SPINNEY AT POND VIEW"

DESCRIPTION OF EASEMENT "E"

(PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT)

TOWN OF SCHODACK

COUNTY OF RENSSELAER

STATE OF NEW YORK

MARCH 27, 2018

REVISED - APRIL 26, 2018

All that tract, piece and parcel of land situate, lying and being in the Town of Schodack, County of Rensselaer, State of New York, and more particularly bounded and described as follows:

Commencing at a point located on the northwesterly right-of-way line of Pond View, said point being the easterly most corner of the Lands of Cobleskill Properties Association, LLC, run , S57°-05'-42"E, a distance of 30.46 feet to a point, said point being the point-of-beginning for the herein to be described **EASEMENT "E" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT.**

From said point-of-beginning run the following four courses through the Lands of Pond View, (1) N65°-51'-44"E, a distance of 127.70 feet to a point; (2) By a curve to the right having a chord bearing of S24°-03'-09"E, a chord length of 8.50 feet, a radius of 4.25 feet, a central angle of 180°-00'-00" and an arc length of 13.35 feet to a point; (3) Thence run, S65°-51'-44"W, a distance of 127.70 feet to a point, (4) Thence run, by a curve to the right having a chord bearing of N24°-03'-09"W, a chord length of 8.50 feet, a radius of 4.25 feet, a central angle of 180°-00'-00" and an arc length of 13.35 feet to a point, said point being the said point-of-beginning for the herein described **EASEMENT "E" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT.**

Said **EASEMENT "E" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT** contains 1,142 square feet = 0.026 acres, more or less.

It is the purpose of this conveyance to grant to the Town of Schodack, to The Spinney At Pond View, LLC, and/or assigns, an easement in, on and to the property herein described and to permit the Town of Schodack and The Spinney At Pond View, LLC, and/or

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**DESCRIPTION OF PERMANENT MAINTENANCE AND
LANDSCAPING EASEMENT - "E"
"THE SPINNEY AT POND VIEW"**

**MARCH 27, 2018
REVISED - APRIL 26, 2018
PAGE 2**

assigns, the right to ingress and egress, the right to install and maintain landscaping, (e.g., - but not limited to - grass, shrubs and trees), and to take whatever steps it deems necessary or advisable in connection with maintaining said landscaping. In addition this easement also restricts the grading and/or filling in the area occupied by the easement, excepting the Town of Schodack and The Spinney At Pond View, LLC, and/or assigns.

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SCHEDULE "A"

"THE SPINNEY AT POND VIEW"

DESCRIPTION OF EASEMENT "F"

(PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT)

TOWN OF SCHODACK

COUNTY OF RENSSELAER

STATE OF NEW YORK

MARCH 27, 2018

All that tract, piece and parcel of land situate, lying and being in the Town of Schodack, County of Rensselaer, State of New York, and more particularly bounded and described as follows:

Commencing at a point located on the northwesterly right-of-way line of Pond View, said point being the easterly most corner of the Lands of Cobleskill Properties Association, LLC, run along the said northwesterly right-of-way line of Pond View Drive, N65°-51'-44"E, a distance of 154.87 feet to a point; Thence run through the Lands of said Pond View, S89°-17'-52"E, a distance of 71.41 feet to a point, said point being the center point of **EASEMENT "F" - PERMANENT MAINTENANCE AND LANDSCAPING EASEMENT**.

EASEMENT "F" is a permanent maintenance and landscaping easement located at the center of the cul-de-sac located at the northerly terminus of said Pond View. Said easement has a radius of 30.00 feet and a central angle of 360°-00'-00".

Said **EASEMENT "F"** contains 2,827 square feet, more or less.

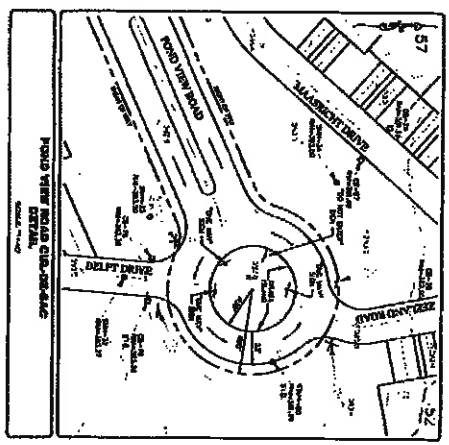
It is the purpose of this conveyance to grant to the Town of Schodack, to The Spinney At Pond View, LLC, and/or assigns, an easement in, on and to the property herein described and to permit the Town of Schodack and The Spinney At Pond View, LLC, and/or assigns, the right to ingress and egress, the right to install and maintain landscaping, (e.g., - but not limited to - grass, shrubs and trees), and to take whatever steps it deems necessary or advisable in connection with maintaining said landscaping. In addition this easement also restricts the grading and/or filling in the area occupied by the easement, excepting the Town of Schodack and The Spinney At Pond View, LLC, and/or assigns.

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**Record and Return to:
Town of Schodack
265 Schuurman Road
Castleton, NY 12033**

EXHIBIT C

**Map of Pond View road
Prepared by Brewer Engineering, P.C.
Dated April 19, 2018**



LEGEND

1. Proposed Easement "A" (1.142 S.F. 0.028 ± A.C.)

2. Proposed Easement "B" (1.142 S.F. 0.028 ± A.C.)

3. Proposed Easement "C" (1.142 S.F. 0.028 ± A.C.)

4. Proposed Easement "D" (1.142 S.F. 0.028 ± A.C.)

5. Proposed Easement "E" (1.142 S.F. 0.028 ± A.C.)

6. Proposed Easement "F" (1.142 S.F. 0.028 ± A.C.)

7. Proposed Easement "G" (1.142 S.F. 0.028 ± A.C.)

8. Proposed Easement "H" (1.142 S.F. 0.028 ± A.C.)

9. Proposed Easement "I" (1.142 S.F. 0.028 ± A.C.)

10. Proposed Easement "J" (1.142 S.F. 0.028 ± A.C.)

11. Proposed Easement "K" (1.142 S.F. 0.028 ± A.C.)

12. Proposed Easement "L" (1.142 S.F. 0.028 ± A.C.)

13. Proposed Easement "M" (1.142 S.F. 0.028 ± A.C.)

14. Proposed Easement "N" (1.142 S.F. 0.028 ± A.C.)

15. Proposed Easement "O" (1.142 S.F. 0.028 ± A.C.)

16. Proposed Easement "P" (1.142 S.F. 0.028 ± A.C.)

17. Proposed Easement "Q" (1.142 S.F. 0.028 ± A.C.)

18. Proposed Easement "R" (1.142 S.F. 0.028 ± A.C.)

19. Proposed Easement "S" (1.142 S.F. 0.028 ± A.C.)

20. Proposed Easement "T" (1.142 S.F. 0.028 ± A.C.)

21. Proposed Easement "U" (1.142 S.F. 0.028 ± A.C.)

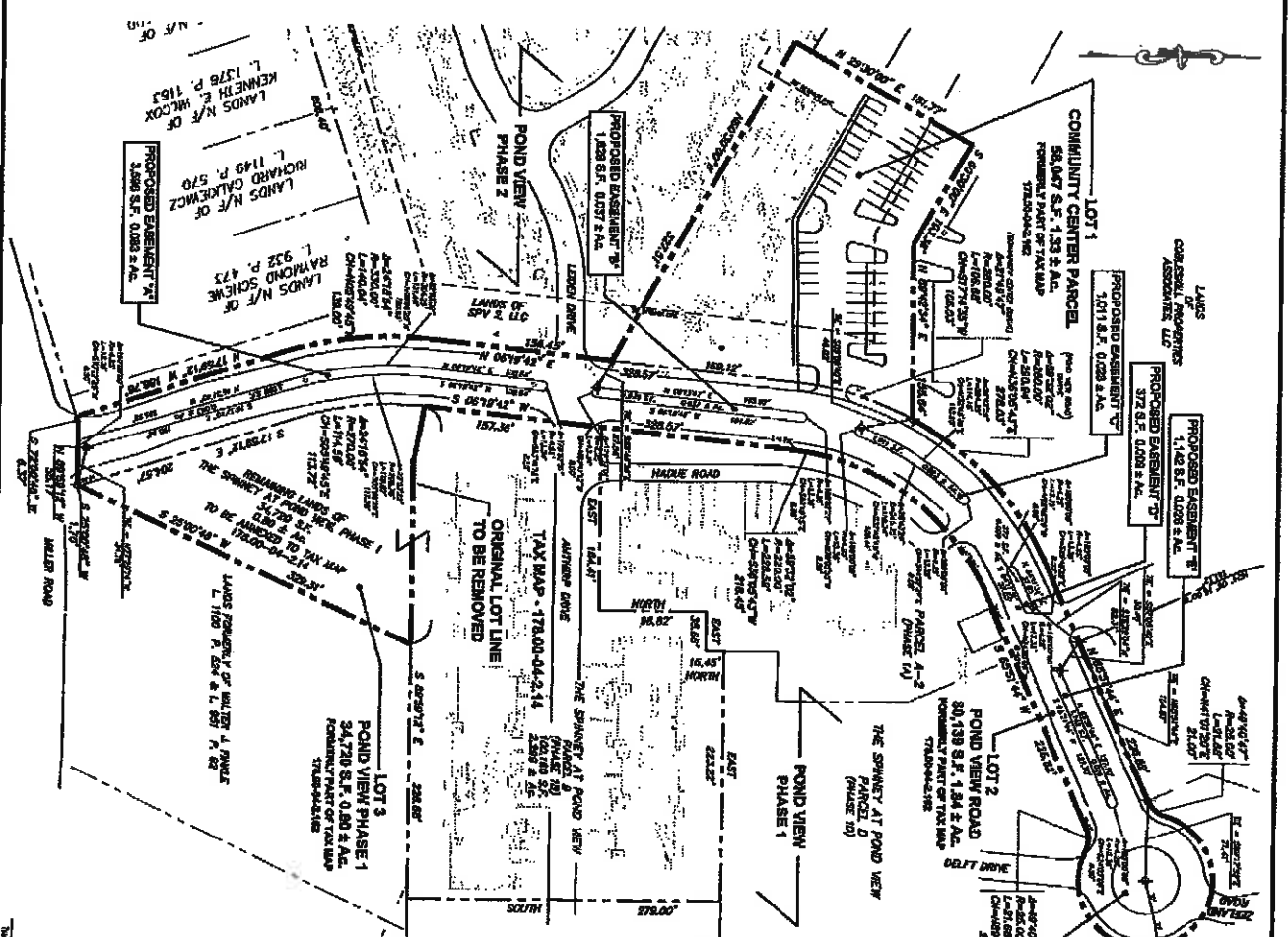
22. Proposed Easement "V" (1.142 S.F. 0.028 ± A.C.)

23. Proposed Easement "W" (1.142 S.F. 0.028 ± A.C.)

24. Proposed Easement "X" (1.142 S.F. 0.028 ± A.C.)

25. Proposed Easement "Y" (1.142 S.F. 0.028 ± A.C.)

26. Proposed Easement "Z" (1.142 S.F. 0.028 ± A.C.)



OWNER:
The Spinney At Pond View, LLC
14800 Pond View Road
Pond View, NY 12549
Phone: 518-485-8888

APPLICANT:
The Spinney At Pond View, LLC
14800 Pond View Road
Pond View, NY 12549
Phone: 518-485-8888

PREPARED BY:
Brewer Engineering Associates, P.C.
14800 Pond View Road
Pond View, NY 12549
Phone: 518-485-8888

NOTE:
ALL EASEMENTS TO BE CONVEYED TO THE TOWN OF SCHODACK AND THE SPINNEY AT POND VIEW, LLC

TOWN OF SCHODACK PLANNING BOARD:
I hereby certify that this subdivision map has been reviewed and approved by the Planning Board of the Town of Schodack, New York, on this _____ day of _____, 2018.

[Signature]
Town Engineer

CONTRACT NO.: 1780-04-018

DATE: 11/15/17

SCALE: AS SHOWN

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THE SPINNEY AT POND VIEW
THREE LOT MINOR SUBDIVISION

TOWN OF SCHODACK, COUNTY OF FRENSELAER
STATE OF NEW YORK

BEA BREWER ENGINEERING ASSOCIATES, P.C.

CONSULTING ENGINEERS & PLANNERS

148 COLUMBIA TURNPIKE, EAST GREENWICH, NEW YORK 12942
PHONE: 518-485-8888