

**PLANNING & ZONING**  
**Town of Schodack**  
265 Schuurman Rd.  
Castleton, NY 12033

October 10, 2019

Supervisor David Harris  
Schodack Town Board Members  
Schodack Town Hall  
265 Schuurman Road  
Castleton, NY 12033

**Planning Board**

Denise Mayrer,  
Chairperson  
Wayne Johnson, PE  
Paul Puccio  
John LaVoie  
Lawrence D Angelo  
Andrew Aubin, PE  
James D Shaughnessy, PE  
Craig Crist, Esq.

Re: Giovanni Maruca/Cedar Hill Solar  
Phillips Road  
Castleton, NY 12033

Dear Supervisor and Town Board Members:

Enclosed are a full Environmental Assessment Form and a copy of the concept plan for the above project.

This is a Type 1 Action. The Schodack Planning Board wishes to undertake a coordinated review and desires to declare itself as lead agency at a future meeting.

Please indicate if you object or concur at your earliest convenience. In addition, we look forward to your comments.

Thank you.

Nadine Fuda  
Director of Planning Board  
Town of Schodack

**Enclosure**

cc: Richard Laberge, P.E., Planning Board Engineer  
Craig Crist, Esq., Planning Board Attorney  
Giovanni Mcurca. Eden Renewables

**Voice (518) 477-7938**

**Fax (518) 477-7983**

**Zoning Board of Appeals**

David Calarco,  
Chairman  
Ed Brewer  
Anthony Maier  
Lou Spada  
Craig Crist, Esq.



# SPECIAL PERMIT / SITE PLAN APPLICATION

Town of Schoharie Planning Board  
285 Schuirmen Road, Castleton, NY 12033  
Phone: 518-477-7986; Fax 518-477-7983; Nadine.fuda@schoharie.org

FILE # 2019-25

CONCEPT MEETING: Monday 10/7/19

APPLICATION RECEIVED ON 9/25/19

LOCATION OF PROPERTY East Side of Phillips Road South of Pheasant Hollow Golf Course

TAX MAP # 177-9-28.1 ZONE RA ACRES 98.8 ROAD FRONTAGE (ft.) 842 FT +/-

ENG/SURVEY FIRM Environmental Design Partnership TELEPHONE 518-371-7621 Fax / Email ospeulstra@edplp.com

EXISTING USE(S) Abandoned Farm Field

INTENDED USE(S) Community Solar Farm / Construction of a 7.5 mW (DC) solar array with solid state battery storage.

WILL DEVELOPMENT BE PHASED? YES ☐ NO ☒ IF YES, ATTACH LETTER OF EXPLANATION.

WILL YOU BE SEEKING A SITE DEVELOPMENT PERMIT BEFORE FINAL APPROVAL? YES ☒ NO ☐

WHEN PRELIMINARY APPROVAL IS GRANTED, THE BUILDING INSPECTOR WILL BE NOTIFIED. A SITE DEVELOPMENT PERMIT WILL BE ISSUED BY THE BUILDING INSPECTOR WHEN ALL PAPERWORK IS IN ORDER.

\*\* IS THIS PROPERTY IN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION? YES ☒ NO ☐

\*\* ARE THE BOUNDARIES OF THIS PARCEL WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT? YES ☒ NO ☐ IF YOU ANSWERED YES TO EITHER OF THE \*\* QUESTIONS, ADDITIONAL INFORMATION MAY BE REQUIRED.

ATTACH: EAF, Application fee, Survey/Site Plan Maps (min. 10), appropriate fees, letter of intent, must be submitted 10 days before initial review.

Application is hereby made to the Planning Office. The Applicant or Owner agrees to comply with all applicable laws, Ordinances, Regulations of the Town of Schoharie and New York State for approval of the application.

WHO WILL BE REPRESENTING YOUR APPLICATION AT THE PLANNING BOARD MEETINGS? Cedar Hill Solar, LLC / EDP

Date 9/23/2019 Giovanni Maruca / Cedar Hill Solar, LLC

Giovanni Maruca  
APPLICANT'S Signature

MAILING ADDRESS 333 Broadway, Suite 460, Troy, NY 12180

TELEPHONE# (518) 233-4011 OTHER# (518) 326 0259

FAX # \_\_\_\_\_

Date Sept 23, 2019 Elmbrook Limited Partnership

MAILING ADDRESS P.O. Box 53, Malden Bridge, NY, 12115-0053

W. Paul  
PROPERTY OWNER'S Signature

TELEPHONE# (518) 461-6251

OTHER# \_\_\_\_\_

FAX # \_\_\_\_\_

Nadine Fuda, Director / Denise Mayrer-Chairperson / Craig Crist Attorney / Richard LaBerge, P.E.  
Wayne Johnson / John LaVole / Lawrence D Angelo / Andrew Aubin / James D. Sheughnessy

5/31/19 MK

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

**Instructions for Completing Part 1**

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

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

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

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

Name of Action or Project: Cedar Hill Solar		
Project Location (describe, and attach a general location map): East Side of Phillips Road - South of the Pheasant Hollow Golf Course		
Brief Description of Proposed Action (include purpose or need): Construction of a 7.5 mW (DC) solar array with solid state battery storage with a project area of +/- 35 acres on a 98.8 acre parcel of land in the Town of Schodack (tax map id 177-8-29.1).		
Name of Applicant/Sponsor: Cedar Hill Solar, LLC c/o Giovanni Maruca		Telephone: (518) 233-4011
		E-Mail: giovanni.maruca@edenrenewables.com
Address: 333 Broadway, Suite 460		
City/PO: Troy	State: NY	Zip Code: 12033
Project Contact (if not same as sponsor, give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Elmbrook Limited Partnership		Telephone: (518) 461-6251
		E-Mail:
Address: P.O. Box 53		
City/PO: Malden Bridge	State: NY	Zip Code: 12115

## B. Government Approvals

**B. Government Approvals, Funding, or Sponsorship.** ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Town Board Planned Development	September 2019
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Site Plan Review	September 2019
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	239-m referral	September 2019
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSERDA AG District NOI	September 2019
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Possible ACOE Wetlands PCN	September 2019
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? ☐ Yes ☒ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

### C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☒ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ☒ No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No  
If Yes, what is the zoning classification(s) including any applicable overlay district?

RA - Residential Agriculture 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? Planned Development

### C.4. Existing community services.

a. In what school district is the project site located? Schodack Central School District

b. What police or other public protection forces serve the project site?

Rensselaer County Sheriff / NYS Police

c. Which fire protection and emergency medical services serve the project site?

East Greenbush 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 - power generation.

b. a. Total acreage of the site of the proposed action? +/- 38.8 acres

b. Total acreage to be physically disturbed? Less than 1 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 98.8 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☒ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☒ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed?

☐ Yes ☐ No

iii. Number of lots proposed? \_\_\_\_\_

iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?

☐ Yes ☒ No

i. If No, anticipated period of construction:

\_\_\_\_\_ 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?

If Yes, show numbers of units proposed.

☐ Yes ☒ No

One Family

Two Family

Three Family

Multiple Family (four or more)

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 Solar Array

\*array panels are 8.5 ft, CCTV poles will be 15.5 ft in height

ii. Dimensions (in feet) of largest proposed structure: 8.5\* height; 900 width; and 1,650 length

iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?

☐ Yes ☒ No

If Yes,

i. Purpose of the impoundment: \_\_\_\_\_

ii. If a water impoundment, the principal source of the water: \_\_\_\_\_

☐ Ground water ☐ Surface water streams ☐ Other specify: \_\_\_\_\_

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

iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres

v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

## D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?

(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): ACOE Federal Wetlands

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:  
Minor wetland disturbance likely with slight expansion of existing farm road width for access to project. Overall extent of impact to be less than 0.1 acres.

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

☐ Yes ☒ No

If Yes, describe:

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

☐ Yes ☒ No

If Yes:

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

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

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

☐ Yes ☒ No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

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

☐ Yes ☐ No

If Yes:

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

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

☐ Yes ☐ No

If Yes:

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

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

☐ Yes ☐ No

If Yes:

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

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

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

d. Will the proposed action generate liquid wastes?

☐ Yes ☒ No

If Yes:

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

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

iii. Will the proposed action use any existing public wastewater treatment facilities?

☐ Yes ☐ No

If Yes:

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



- Do existing sewer lines serve the project site? ☐ Yes ☐ No
  - Will a line extension within an existing district be necessary to serve the project? ☐ Yes ☐ No
- If Yes:
- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_

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

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

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

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

- e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☐ Yes ☒ No

If Yes:

- i. How much impervious surface will the project create in relation to total size of project parcel?

\_\_\_\_\_ Square feet or 0.54 acres (impervious surface)

\_\_\_\_\_ Square feet or 98.48 acres (parcel size)

- ii. Describe types of new point sources. Gravel Access Road

- 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)?
- Onsite stormwater management

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

- Will stormwater runoff flow to adjacent properties?

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

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

If Yes, identify:

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

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

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

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

If Yes:

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

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

- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
- \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
- \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
- \_\_\_\_\_ 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): \_\_\_\_\_

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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): \_\_\_\_\_

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

If Yes:

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

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_

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iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

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: \_\_\_\_\_

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vi. Are public/private transportation service(s) or facilities available within 1/4 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

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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: \_\_\_\_\_

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

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

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

<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 7 am to 5 pm</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ daylight solar generation</li> <li>• Saturday: _____ daylight solar generation</li> <li>• Sunday: _____ daylight solar generation</li> <li>• Holidays: _____ daylight solar generation</li> </ul>
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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:  
Typical of site construction equipment during construction time frame (earth moving equipment and pile driving equipment for solar panel posts and fence posts).

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☒ No  
Describe: \_\_\_\_\_

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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:  
\_\_\_\_\_

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

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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: \_\_\_\_\_

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p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☒ No  
If Yes:  
i. Product(s) to be stored \_\_\_\_\_  
ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
iii. Generally, describe the proposed storage facilities: \_\_\_\_\_

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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

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r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☒ No  
If Yes:  
i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
• Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
• Operation: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
• Construction: \_\_\_\_\_  
• Operation: \_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:  
• Construction: \_\_\_\_\_  
• Operation: \_\_\_\_\_

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

If Yes:

- i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_
- ii. Anticipated rate of disposal/processing: \_\_\_\_\_
- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
  - \_\_\_\_\_ Tons/hour, if combustion or thermal treatment
- iii. If landfill, anticipated site life: \_\_\_\_\_ years

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

If Yes:

- i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_
- ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_
- iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month
- iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_
- v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

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

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

## E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

- ☐ Urban ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☒ Rural (non-farm)
- ☒ Forest ☒ Agriculture ☐ Aquatic ☐ Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe:

General residential setting with some agricultural uses and forest.

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	0.05	0.40+/-	+0.35+/-
• Forested	53.1	53.0	-0.1
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	45.35	45.1	-0.25
• Agricultural (includes active orchards, field, greenhouse etc.)	0.00	0.0	0.0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.3	0.3	0
• Wetlands (freshwater or tidal)	Unknown / pending	Unknown / pending	Unknown / pending
• Non-vegetated (bare rock, earth or fill)	0.0	0.0	0.0
• 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? \_\_\_\_\_ >6.5 feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No  
If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

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

Bernardston-Nassua Complex	0.2 %
Hudson Silt Loam	17.9 %
Rhinebeck Silt Loam	81.9 %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ 1.0 feet

e. Drainage status of project site soils: ☐ Well Drained: \_\_\_\_\_ % of site  
☐ Moderately Well Drained: \_\_\_\_\_ % of site  
☒ Poorly Drained 100 % of site

f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: ~~86.71~~ 100 % of site  
☒ 10-15%: ~~1.28~~ 100 % of site  
☒ 15% or greater: ~~10.99~~ 100 % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☒ No  
If Yes, describe: \_\_\_\_\_

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h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☒ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☒ Yes ☐ No  
If Yes to either i or ii, continue. If No, skip to E.2.i.

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

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

• Streams:	Name 863-625	Classification C
• Lakes or Ponds:	Name _____	Classification _____
• Wetlands:	Name Federal Waters, Federal Waters, Federal Waters,...	Approximate Size TBD
• 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: \_\_\_\_\_

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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

<b>m. Identify the predominant wildlife species that occupy or use the project site:</b> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;">Deer _____</div> <div style="width: 30%;">Birds _____</div> <div style="width: 30%;">Squirrels _____</div> </div>		
<b>n. Does the project site contain a designated significant natural community?</b> <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> <b>If Yes:</b> <i>i. Describe the habitat/community (composition, function, and basis for designation):</i> _____ <i>ii. Source(s) of description or evaluation:</i> _____ <i>iii. Extent of community/habitat:</i> <div style="display: flex; justify-content: space-between;"> <div>• Currently:</div> <div>_____ acres</div> </div> <div style="display: flex; justify-content: space-between;"> <div>• Following completion of project as proposed:</div> <div>_____ acres</div> </div> <div style="display: flex; justify-content: space-between;"> <div>• Gain or loss (indicate + or -):</div> <div>_____ acres</div> </div>		
<b>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?</b> <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> <b>If Yes:</b> <i>i. Species and listing (endangered or threatened):</i> _____ _____ _____		
<b>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?</b> <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> <b>If Yes:</b> <i>i. Species and listing:</i> _____ _____		
<b>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?</b> <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> <b>If yes, give a brief description of how the proposed action may affect that use:</b> _____ _____		
<b>E.3. Designated Public Resources On or Near Project Site</b>		
<b>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?</b> <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span> <b>If Yes, provide county plus district name/number:</b> RENS006		
<b>b. Are agricultural lands consisting of highly productive soils present?</b> <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span> <i>i. If Yes: acreage(s) on project site?</i> 85.8 (78.6 acres is only Highly Productive if drained and wetlands are present onsite) <i>ii. Source(s) of soil rating(s):</i> USDA Web Soil Survey		
<b>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?</b> <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> <b>If Yes:</b> <i>i. Nature of the natural landmark:</i> <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature <i>ii. Provide brief description of landmark, including values behind designation and approximate size/extent:</i> _____ _____		
<b>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?</b> <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> <b>If Yes:</b> <i>i. CEA name:</i> _____ <i>ii. Basis for designation:</i> _____ <i>iii. Designating agency and date:</i> _____		

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NY's Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☒ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☒ Historic Building or District

ii. Name: Elmbrook Farm

iii. Brief description of attributes on which listing is based:

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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:

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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.

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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 6 NYCRR 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

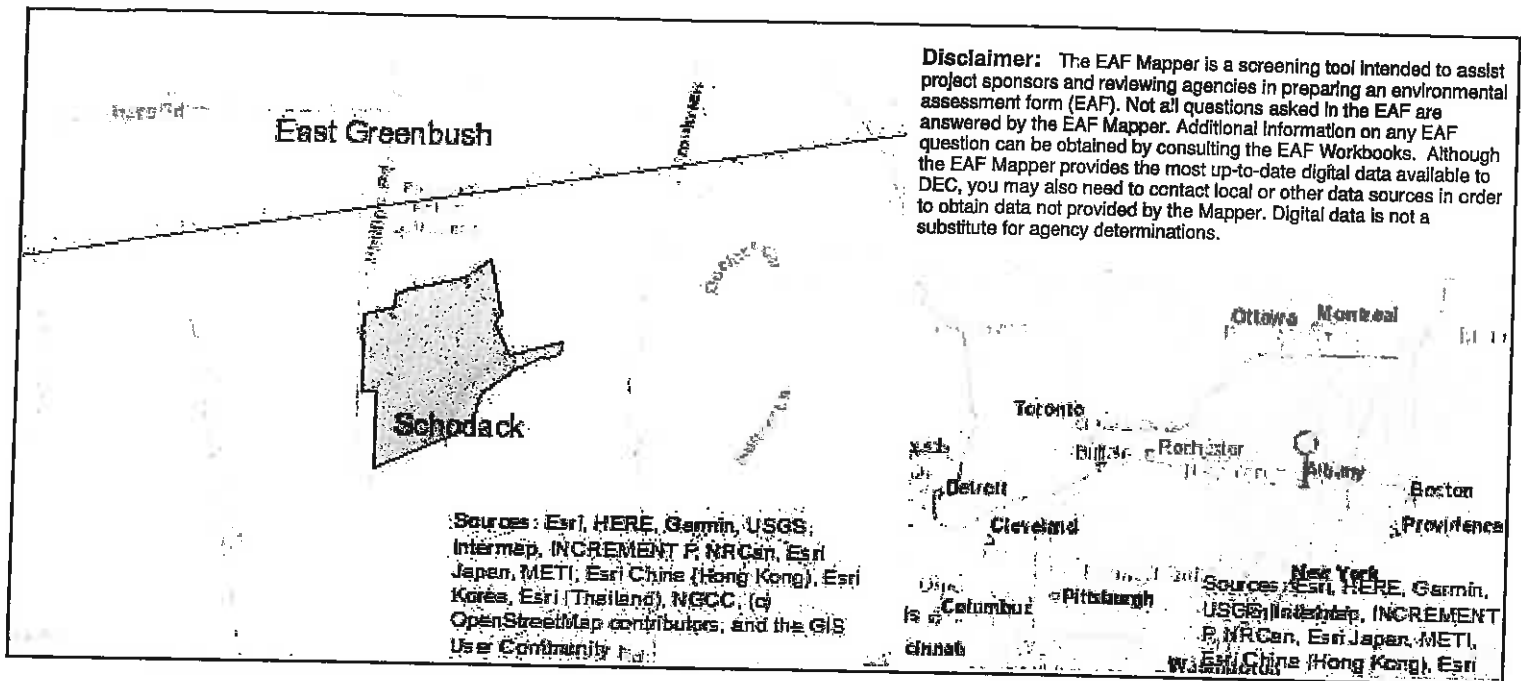
I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Giovanni Maruca Date 9/23/2019

Signature *Giovanni Maruca* Title CDO

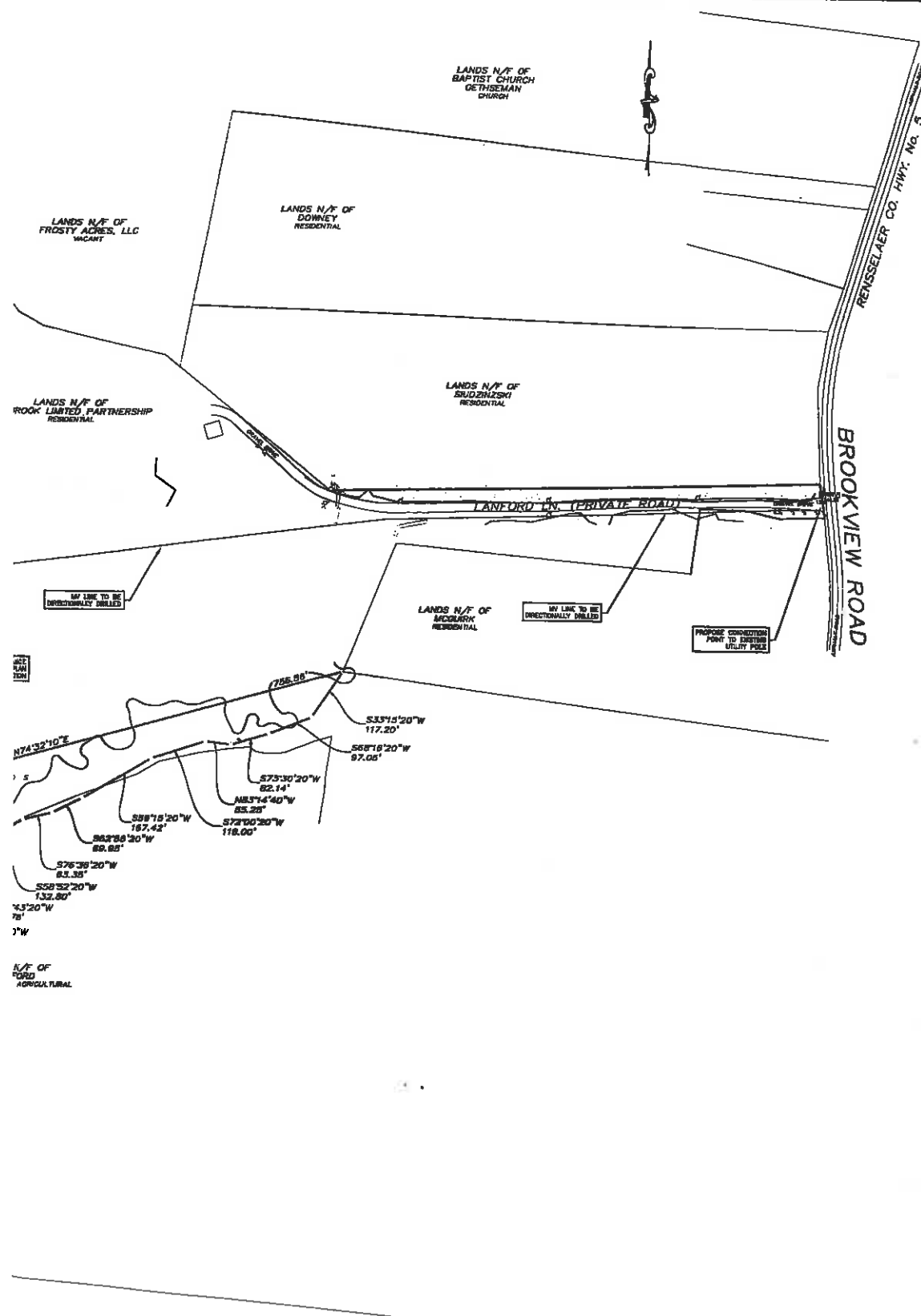
PRINT FORM





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 - Stream Name]	863-625
E.2.h.iv [Surface Water Features - Stream 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.n. [1000 Year Flooding]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.l. [Aquifers]	Yes
E.2.i. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	RENS006
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Elmbrook Farm
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

TAX MAP No. 177-8-28.1  
SEPTEMBER 23, 2019

**PROPOSED SITE PLAN FOR  
CEDAR HILL SOLAR  
CEDAR HILL SOLAR, LLC**

PHILLIPS ROAD  
TOWN OF SCHODACK  
BRENSSELAER COUNTY, NEW YORK

[illegible]

NEW JERSEY • Pennsylvania • Ohio • Texas • Virginia • Washington • Wisconsin • Wyoming



2019-304

**PLANNING & ZONING**  
**Town of Schodack**  
265 Schuurman Rd.  
Castleton, NY 12033

October 10, 2019

Supervisor David Harris  
Schodack Town Board Members  
Schodack Town Hall  
265 Schuurman Road  
Castleton, NY 12033

**Planning Board**

Denise Mayrer,  
Chairperson  
Wayne Johnson, PE  
Paul Puccio  
John LaVoie  
Lawrence D Angelo  
Andrew Aubin, PE  
James D Shaughnessy, PE  
Craig Crist, Esq.

Re: Giovanni Maruca/White River Solar, LLC.  
2270 River Road  
Castleton, NY 12033

Dear Supervisor and Town Board Members:

Enclosed are a full Environmental Assessment Form and a copy of the concept plan for the above project.

This is a Type 1 Action. The Schodack Planning Board wishes to undertake a coordinated review and desires to declare itself as lead agency at a future meeting.

**Zoning Board of Appeals**

David Calarco,  
Chairman  
Ed Brewer  
Anthony Maier  
Lou Spada  
Craig Crist, Esq.

Please indicate if you object or concur at your earliest convenience. In addition, we look forward to your comments.

Thank you.

Nadine Fuda  
Director of Planning Board  
Town of Schodack

**Enclosure**

cc: Richard Laberge, P.E., Planning Board Engineer  
Craig Crist, Esq., Planning Board Attorney  
Giovanni Mcurca. Eden Renewables

**Voice (518) 477-7938**

**Fax (518) 477-7983**



# SPECIAL PERMIT /SITE PLAN APPLICATION

Town of Schoharie- Planning Board  
265 Schuurman Road, Castleton, NY 12033  
Phone: 518-477-7938; Fax: 518-477-7983; Nadine.fuda@schoharie.org

FILE # 2019-24

CONCEPT MEETING: Monday 10/7/19

APPLICATION RECEIVED ON 9/25/19

LOCATION OF PROPERTY 2270 River Road, Castleton on Hudson, 12033

TAX MAP # 188-7-1 ZONE FA ACRES 212.09 ROAD FRONTAGE (ft.) 2600 FT +/-

ENG/SURVEY FIRM Environmental Design Partnership TELEPHONE 518-371-7621 Fax / Email ospeulstra@edp1p.com

EXISTING USE(S) Residential and Agricultural

INTENDED USE(S) Community Solar Farm / Construction of a 7.5 mW (DC) solar array with solid state battery storage.

WILL DEVELOPMENT BE PHASED? YES \_\_\_\_\_ NO X IF YES, ATTACH LETTER OF EXPLANATION.

WILL YOU BE SEEKING A SITE DEVELOPMENT PERMIT BEFORE FINAL APPROVAL? YES \_\_\_\_\_ NO X

WHEN PRELIMINARY APPROVAL IS GRANTED, THE BUILDING INSPECTOR WILL BE NOTIFIED. A SITE DEVELOPMENT PERMIT WILL BE ISSUED BY THE BUILDING INSPECTOR WHEN ALL PAPERWORK IS IN ORDER.

\*\* IS THIS PROPERTY IN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION? YES X NO \_\_\_\_\_

\*\* ARE THE BOUNDARIES OF THIS PARCEL WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT? YES X NO \_\_\_\_\_ IF YOU ANSWERED YES TO EITHER OF THE \*\* QUESTIONS, ADDITIONAL INFORMATION MAY BE REQUIRED.

ATTACH: EAF, Application fee, Survey/Site Plan Maps (min. 10), appropriate fees, letter of intent, must be submitted 10 days before initial review.

Application is Hereby Made to the Planning Office. The Applicant or Owner agrees to comply with all applicable laws, Ordinances, Regulations of the Town of Schoharie and New York State for approval of the application.

WHO WILL BE REPRESENTING YOUR APPLICATION AT THE PLANNING BOARD MEETINGS? White River Solar, LLC / EDP

Date 9/23/2019 Giovanni Maruca / White River Solar, LLC

MAILING ADDRESS 333 Broadway, Suite 460, Troy, NY 12180

TELEPHONE# (518) 233-4011 OTHER# (518) 326 0259 FAX # \_\_\_\_\_

Giovanni Maruca  
APPLICANT'S Signature

Date 9/23/2019 Giovanni Maruca

MAILING ADDRESS 2270 River Road, Castleton on Hudson, NY 12180

TELEPHONE# (518) 233-4011 OTHER# \_\_\_\_\_ FAX # \_\_\_\_\_

Giovanni Maruca  
PROPERTY OWNER'S Signature

Nadine Fuda, Director / Denise Mayrer -Chairperson / Craig Crist Attorney / Richard Laberge, P.E.  
Wayne Johnson / John LaVole / Lawrence D Angelo /Andrew Aubin / James D. Shaughnessy

5/31/19 MK

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

**Instructions for Completing Part 1**

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

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

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

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

Name of Action or Project: White River Solar, LLC		
Project Location (describe, and attach a general location map): East side of River Road (Route 9J) (North of Stony Point Road)		
Brief Description of Proposed Action (include purpose or need): Construction of a 7.5 mW (DC) solar array with solid state battery storage with a project area of +/-50 acres on a 212.08 acre parcel of land in the Town of Schodack (tax map id 188-7-1)		
Name of Applicant/Sponsor: White River Solar, LLC c/o Giovanni Maruca		Telephone: (518) 233-4011
Address: 333 Broadway, Suite 460		E-Mail: giovanni.maruca@edenrenewables.com
City/PO: Troy	State: NY	Zip Code: 12180
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
Address:		E-Mail:
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Giovanni Maruca		Telephone: (518) 233-4011
Address: 2270 River Road		E-Mail: giovanni.maruca@edenrenewables.com
City/PO: Castleton on Hudson	State: NY	Zip Code: 12033



## B. Government Approvals

### B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Town Board Planned Development	September 2019
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Site Plan Review	September 2019
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	239-m referral	September 2019
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSEDA AG District NOI	September 2019
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Possible ACOE Wetlands PCN	September 2019
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input checked="" type="checkbox"/> Yes <input 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? ☐ Yes ☒ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

### C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☒ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ☒ No

If Yes, identify the plan(s):

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c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

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<b>C.3. Zoning</b>	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? <u>RA - Residential Agriculture District</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the use permitted or allowed by a special or conditional use permit?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action? If Yes, i. What is the proposed new zoning for the site? <u>Planned Development</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>C.4. Existing community services.</b>	
a. In what school district is the project site located? <u>Schodack Central School District</u>	
b. What police or other public protection forces serve the project site? <u>Rensselaer County Sheriff / NYS Police</u>	
c. Which fire protection and emergency medical services serve the project site? <u>Schodack Valley Volunteer Fire Department</u>	
d. What parks serve the project site? <u>Schodack Town Park</u>	

#### D. Project Details

<b>D.1. Proposed and Potential Development</b>	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? <u>Commercial - power generation.</u>	
b. a. Total acreage of the site of the proposed action?	<u>212.09</u> acres
b. Total acreage to be physically disturbed?	<u>+/-45</u> acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	<u>212.09</u> acres
c. Is the proposed action an expansion of an existing project or use? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____	
d. Is the proposed action a subdivision, or does it include a subdivision? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____	
ii. Is a cluster/conservation layout proposed? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
iii. Number of lots proposed? _____	
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will the proposed action be constructed in multiple phases? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
i. If No, anticipated period of construction: <u>12</u> months	
ii. If Yes:	
• Total number of phases anticipated _____	
• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year	
• Anticipated completion date of final phase _____ month _____ year	
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____	

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

g. Does the proposed action include new non-residential construction (including expansions)? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes,	
i. Total number of structures <u>1 Solar Array</u>	
ii. Dimensions (in feet) of largest proposed structure: <u>8.5'</u> height; <u>1,300</u> width; and <u>2,500</u> length	
iii. Approximate extent of building space to be heated or cooled: _____ square feet	

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

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
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?	
<ul style="list-style-type: none"> <li>• Volume (specify tons or cubic yards): _____</li> <li>• Over what duration of time? _____</li> </ul>	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____	
iv. Will there be onsite dewatering or processing of excavated materials? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
ix. Summarize site reclamation goals and plan: _____	

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

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:  
Minor wetland disturbance likely with slight expansion of existing farm road width for access to project. Overall extent of impact to be less than 0.1 acres.

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

If Yes, describe: \_\_\_\_\_

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

If Yes:

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

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

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

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

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

If Yes:

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

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

If Yes:

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

- Source(s) of supply for the district: \_\_\_\_\_

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

If Yes:

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

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

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

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

If Yes:

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

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

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

If Yes:

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

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

<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>			
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>			
<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend  <input type="checkbox"/> Randomly between hours of _____ to _____</p> <p>ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade, to an existing substation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 7 am to 5pm</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ daylight solar generation</li> <li>• Saturday: _____ daylight solar generation</li> <li>• Sunday: _____ daylight solar generation</li> <li>• Holidays: _____ daylight solar generation</li> </ul> </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 7 am to 5pm</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ daylight solar generation</li> <li>• Saturday: _____ daylight solar generation</li> <li>• Sunday: _____ daylight solar generation</li> <li>• Holidays: _____ daylight solar generation</li> </ul>
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<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:  <u>Typical of site construction equipment during construction time frame (earth moving equipment and pile driving equipment for solar panel posts and fence posts).</u></p>	
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>Describe: _____</p>	
<p>n. Will the proposed action have outdoor lighting? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:          _____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:          _____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):          _____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> <li>• Construction: _____ tons per _____ (unit of time)</li> <li>• Operation : _____ tons per _____ (unit of time)</li> </ul> <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul>	

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

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

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

If Yes:

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

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

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

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

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

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

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

### E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

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

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

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

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.56	0.75	+0.19
• Forested	155.93	155.93	0.0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	54.77	54.77	0.0
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.63	0.63	0.0
• Wetlands (freshwater or tidal)	TBD	TBD	TBD
• 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): 546031  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  
Hudson River PCB Sediments  
\_\_\_\_\_

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

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

---

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ +/-5 feet

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

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

Hudson Silt Loam	70 %
Nassua Complex	25 %
Rhinebeck Silt Loam	5 %

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

e. Drainage status of project site soils: ☒ Well Drained: 20 % of site  
☒ Moderately Well Drained: 70 % of site  
☒ Poorly Drained: 10 % of site

f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: 25 % of site  
☒ 10-15%: 25 % of site  
☒ 15% or greater: 50 % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☒ No  
If Yes, describe: \_\_\_\_\_

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h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☒ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☒ Yes ☐ No  
If Yes to either i or ii, continue. If No, skip to E.2.i.

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

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

• Streams:	Name 863-629, 863-627	Classification C, C(T)
• Lakes or Ponds:	Name _____	Classification _____
• Wetlands:	Name Federal Waters, Federal Waters, Federal Waters,...	Approximate Size TBD
• 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

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; border-bottom: 1px solid black;">Deer</td> <td style="width: 33%; border-bottom: 1px solid black;">Birds</td> <td style="width: 33%; border-bottom: 1px solid black;">Squirrels</td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> </tr> </table>			Deer	Birds	Squirrels			
Deer	Birds	Squirrels						
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>								
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Species and listing (endangered or threatened): _____</p> <p>Shortnose Sturgeon, Bald Eagle</p>								
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Species and listing: _____</p>								
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p>								
<p><b>E.3. Designated Public Resources On or Near Project Site</b></p>								
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: <u>RENS006</u></p>								
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>i. If Yes: acreage(s) on project site? <u>+/- 106</u></p> <p>ii. Source(s) of soil rating(s): <u>USDA Web Soil Survey</u></p>								
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></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>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></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 the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District</li> <li>ii. Name: _____</li> <li>iii. Brief description of attributes on which listing is based: _____</li> </ul>	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>	
g. Have additional archaeological or historic site(s) or resources been identified on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Describe possible resource(s): _____</li> <li>ii. Basis for identification: _____</li> </ul>	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Identify resource: _____</li> <li>ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____</li> <li>iii. Distance between project and resource: _____ miles.</li> </ul>	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Identify the name of the river and its designation: _____</li> <li>ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> </ul>	

#### F. Additional Information

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

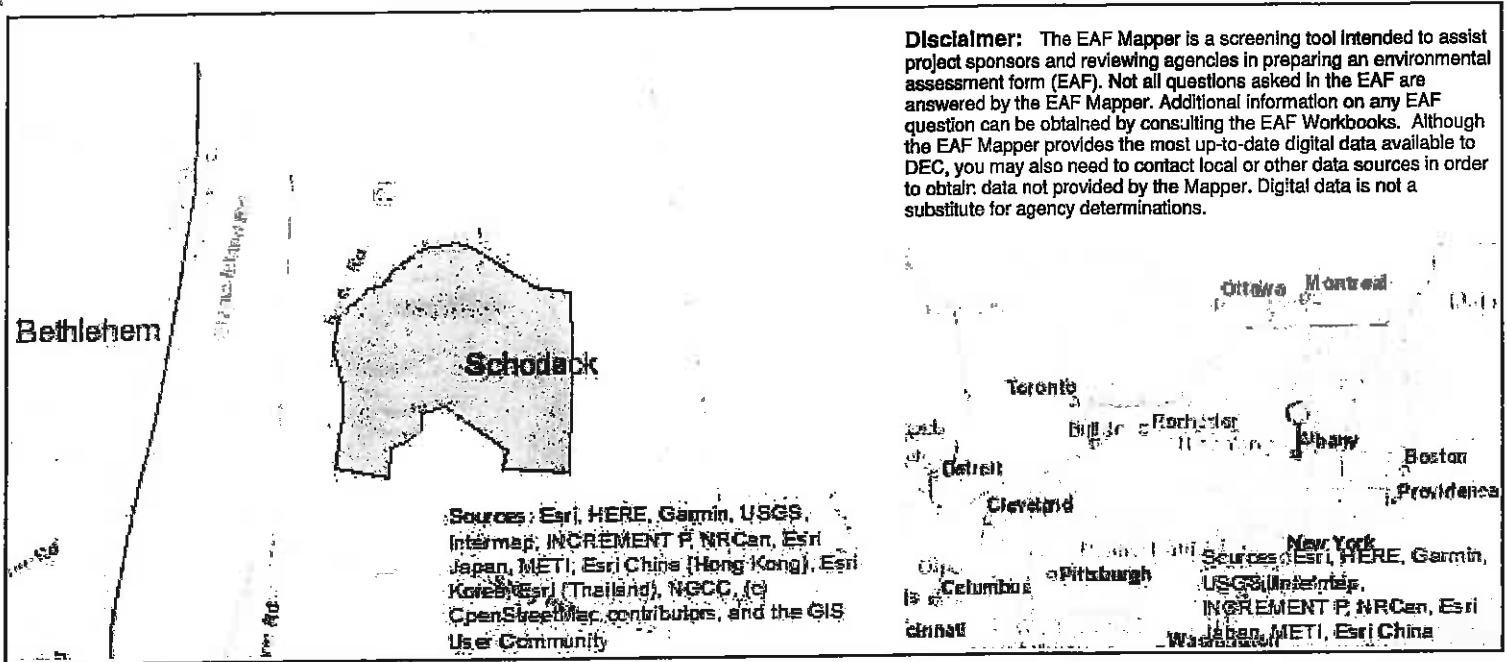
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

#### G. Verification

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

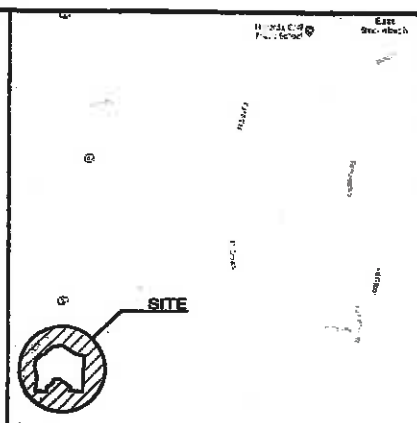
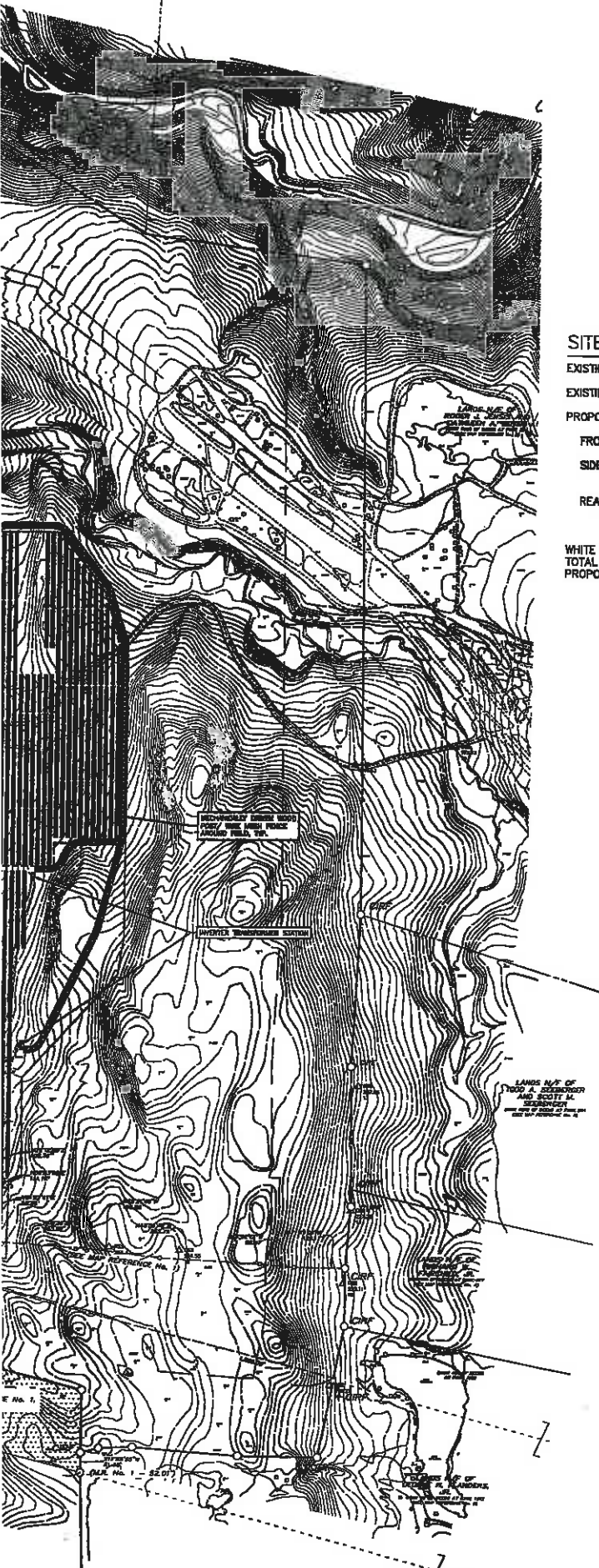
Applicant/Sponsor Name GIOVANNI MARUCA Date 9/23/2019

Signature  Title CDU



B.1.i [Coastal or Waterfront Area]	Yes
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]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	546031
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 - Stream Name]	863-629, 863-627
E.2.h.iv [Surface Water Features - Stream Classification]	C, C(T)
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 are incomplete. Refer to EAF Workbook.
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Shortnose Sturgeon, Bald Eagle
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	RENS006
E.3.c. [National Natural Landmark]	No
E.3.d. [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No



**SITE LOCATION MAP**  
SCALE: 1" = 2,000'

**SITE STATISTICS**

EXISTING ZONING	RESIDENTIAL AGRICULTURAL DISTRICT (RA)
EXISTING PARCEL AREA	212.08± ACRES
PROPOSED SOLAR FIELD SETBACKS	
FRONT YARD	200 FT
SIDE YARD	200 FT
REAR YARD	200FT
WHITE RIVER SOLAR FIELD	
TOTAL ACRES	212.08± ACRES
PROPOSED COVERAGE	38.0± ACRES FENCED AREA



TAX MAP No. 188-2-1  
DATE: SEPTEMBER 28, 2018

**PROPOSED SOLAR COLLECTOR FIELD**  
**EDENS RENEWABLES WHITE RIVER**  
OWNER/APPLICANT OR BLANK (AS NEEDED)  
2270 RIVER ROAD  
TOWN OF SCHODACK  
RENSSELAER COUNTY, NEW YORK

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

LICENSE NAME OF PROFESSIONAL  
#####

LICENSE NAME OF PROFESSIONAL  
#####

LICENSE NAME OF PROFESSIONAL  
#####

SCALE:  
1"=150'

NOT FOR CONSTRUCTION

SHEET TITLE:  
OVERALL SITE PLAN

SHEET:  
1 of 1

2018-24





2019-302

Girl Scout Troop 1493  
% Trish Rapant  
517 Poyneer Rd  
Castleton, NY 12033  
trishrapant@gmail.com

Town of Schodack  
David Harris, Supervisor  
265 Schuurman Road  
Castleton, NY 12033

Dear Mr. Harris:

We are Girl Scout Troop 1493, based in Nassau, and we would like your approval to build a *Little Free Library* in the Schodack Town Park. A *Little Free Library* is a national program that aims to inspire a love of reading, build community, and spark creativity by fostering neighborhood book exchanges via a clean, neat, small enclosure that people can use to anonymously exchange books. The troop would be willing to maintain the *Little Free Library* over time.

As Girl Scouts we are always looking for ways that we can help our community. We would also like to do this project as part of earning our Bronze Award. In order to earn our Bronze Award we must do a community project, and we thought that this would be a nice idea. We would like to use the Schodack Town Park because it is a very nice community area for people to come and go and we think lots of people could use the library there.

The *Little Free Library* has many perks. First and foremost, if you have books you don't want to read anymore you can use the *Little Free Library* to switch your books out. It is like a "have-a-penny-leave-a-penny, need-a-penny-take-a-penny" jar, but for books. It is also a space for education and creativity. You can find more information at [littlefreelibrary.org](http://littlefreelibrary.org), and we have also included a picture of a sample library for your reference.

Please let us know how we should proceed with this project, or if you have other suggestions of where we could create this community building project.

Sincerely, Ella Rapant Natalie  
Milly ~~W~~ Jasmina Celunjanin  
Girls Scout Troop 1493 Matti Nicole

Riley ♡  
♡ Radewitz



2019-303

**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:

Alan Roche

Name of Seminar/Conf./Course:

Axon taser instructor

Location (Venue, City):

Zone 5 Academy, Schenectady

Dates of Seminar:

November 21<sup>st</sup>

Cost of Seminar (Registration Fees):

\$495.00

<u>Travel Costs:</u>	<u># of Miles</u>	<u>Rate as of 1/1/18</u>	<u>Estimated Amount</u>
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			\$0
Town Vehicle			

Lodging:

Name of Hotel/Motel

# of Rooms

# of Nights

Cost per night

Total Lodging Cost

N/A

Meals:

Included in seminar cost

Estimated cost if you answered no above

Total estimated cost to attend:

\$495.00

Estimated cost per staff member\*

\$495.00

(total cost divided by # of ppl attending)

Is the total cost budgeted?

Y

**TB Resolution needed?\***

Y

If Yes, please document resolution #

#2019

Department Head Approval

Chris J. Ball

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 (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. Most restaurants will accept the tax-exempt letter. There is also a special tax-exempt form for hotels.



PoliceOne.com  
5217 Tennyson Pkwy  
Suite 500  
Plano, TX 75024

Date: 10/13/2019 11:58:45 PM (US/Pacific)

Invoice #: 63390 rev. 1

If paying by check, please print out your invoice and submit to your finance department for payment, a physical invoice will not be mailed.

Checks must be mailed to **PoliceOne.com** and made payable to **PoliceOne.com**.

Include your invoice number on checks to expedite processing.

Item #	Item	Quantity	Unit Cost, \$	Discount, \$	Total, \$
1	Taser CEW Instructor Certification for X2, X26P and TASER 7 • Alan Roehr Schenectady, NY TASER CEW V21 Instructor Course 11/21/2019	1	495.00	0.00	495.00
Order Total, \$					495.00

A current copy of the PoliceOne W-9 is available for download at: <https://academy.praetorian.nctdna-ssi.com/uploads/W9/PoliceOne-2019.pdf>

Please feel free to contact us if you have any questions or need assistance:

PoliceOne Accounting Department  
[accounting@policeone.com](mailto:accounting@policeone.com)  
P: (415) 962-2019  
F: (415) 962-2018

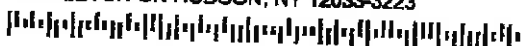


2019-310  
ShelterPoint Life Insurance Company  
1225 Franklin Avenue, Ste. 475  
Garden City, NY 11530  
Fax: 516.504.6412 (main) | 516.504.6436 (service) | 516.504.6414 (claims)  
Phone: 800.365.4999 (516.829.8100)  
www.shelterpoint.com

November 1, 2019



TOWN OF SCHODACK  
285 SCHURMAN RD  
CASTLETON ON HUDSON, NY 12033-3223



**Re: Replacement of your Statutory Disability and Paid Family Leave Policy from your Current Carrier**

Dear Policyholder:

Your current carrier has agreed to allow ShelterPoint Life Insurance Company (ShelterPoint Life) the opportunity to offer you coverage to fulfill the need for New York statutory short-term disability (DBL) and Paid Family Leave (PFL) insurance due to their **exit from the statutory market** in New York. We are ready to **replace your DBL/PFL policy** from your current carrier with a ShelterPoint Life DBL/PFL policy effective 01/01/2020.

*Please let us introduce ourselves to you:*

- Founded in 1972, ShelterPoint Life has grown into New York's **largest statutory insurance carrier**:
  - More than **160,000 New York employers** trust us to help them strike the right balance between compliance, coverage, and cost to complete their DBL/PFL equation.
  - Over **1.6 million members** rely on us with their DBL/PFL coverage.
- Providing DBL for **over 45 years** as our core product, has helped us build deep expertise in statutory coverages. Let us help you with **uninterrupted coverage** as your current carrier is no longer offering this product.
- Access the following free online resources and help at **www.shelterpoint.com/welcome:**
  - Guide on how to complete our premium bill
  - FAQs
  - Claim forms & guides
  - And much more!
- Once you are part of the ShelterPoint Life family of policyholders:
  - You can easily and securely **pay your premium online** via our e-Pay feature (no roster or census needed) to keep your new policy active;
  - Your employees can manage their DBL/PFL claims easily in our **online claims portal** and **mobile app** when they are out because of a covered disability or paid family leave.

*If you wish to purchase a DBL/PFL policy from ShelterPoint Life, here are the next steps:*

- Once coverage is confirmed, we will send your DBL/PFL policy.
- You will subsequently receive a premium invoice directly from ShelterPoint Life.
- Keep your new policy active to **remain compliant with New York's statutory requirements.**

*We look forward to welcoming you to the ShelterPoint Life family soon!*

Sincerely,

ShelterPoint Life



## Exhibit "A"

## Short Environmental Assessment Form

### Part 1 - Project Information

**Instructions for Completing**

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

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

<b>Part 1 - Project and Sponsor Information</b>			
Stewart's Shops Corp.			
<b>Name of Action or Project:</b>			
Stewart's Relocation			
<b>Project Location (describe, and attach a location map):</b>			
1540 Columbia Turnpike			
<b>Brief Description of Proposed Action:</b>			
Stewart's will raze the existing multi-tenant building and neighboring automobile repair shop for the redevelopment of a new Stewart's Shop (convenience store) with self-service gasoline.			
<b>Name of Applicant or Sponsor:</b>		<b>Telephone:</b> (518) 581-1201 and 4435	
Stewart's Shops Corp.		<b>E-Mail:</b> cmarshall@stewartshops.com	
<b>Address:</b>			
P.O. Box 435			
<b>City/PO:</b>		<b>State:</b>	<b>Zip Code:</b>
Saratoga Springs		New York	12866
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<input checked="" type="checkbox"/> <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			NO YES
If Yes, list agency(s) name and permit or approval: NYSDEC, NYSOCT, Town of Schodack ZBA, Rensselaer County Health Dept, Town of Schodack Town Board			<input type="checkbox"/> <input checked="" type="checkbox"/>
3a. Total acreage of the site of the proposed action?			2.4 acres
b. Total acreage to be physically disturbed?			1.75 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			2.4 acres
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			



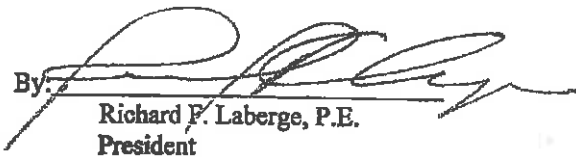


Denise Mayrer, Chairwoman  
May 29, 2019  
Page 5 of 5

- c) Annual certification to the Town that the stormwater management facilities have been inspected, serviced, and maintained in accordance with applicable manufacturer's recommendations and best management practices.
- 3.) Approval of the Site Plan conditioned upon the outstanding technical issues identified in comments nos. 4 – 16 above, all other administrative items, and the establishment of a site review escrow on the amount of \$3,000.00 to be deposited prior to the start of construction.

Please contact us if you have any comments on the above.

Very truly yours,  
LABERGE GROUP

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

RFL:bnl

C: Craig Crist, Esq., Planning Board Atty. (via email only)  
Chuck Marshall, Stewart's (via email only)

J:\2018090\Correspondence\Final Site Review 05-29-19.Docx



5. Is the proposed action,		NO	YES	N/A
a. A permitted use under the zoning regulations?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES	
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES	
If Yes, identify:		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES	
b. Are public transportation service(s) available at or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?		NO	YES	
If No, describe method for providing potable water:		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?		NO	YES	
If No, describe method for providing wastewater treatment:		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Potential expansion of the municipal sewer				
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?		NO	YES	
b. Is the proposed action located in an archeological sensitive area?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:				
<input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban				
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?		NO	YES	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?		NO	YES	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources?		NO	YES	
If Yes,		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
a. Will storm water discharges flow to adjacent properties?		<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES		
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?		<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES		
If Yes, briefly describe:				
A Stormwater Pollution Prevention Plan is being developed for the construction activity and long-term operation of the site.				
The site is considered a "Hot Spot" by NYSDOT guidelines because of the petroleum elements and design accordingly.				

new trail (P)



<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>Temporary retention will be held in stormwater basins with the final volume included in the SWPPP as the final Site Plan will affect the volume of the basins.</p>	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Stewart's Shops Corp</u> Date: <u>1/18/19</u></p> <p>Signature: <u>Charles Marshall (Charles Marshall)</u></p>		



Agency Use Only (If applicable)

Project:

Date:

## Short Environmental Assessment Form Part 2 - Impact Assessment

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

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

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

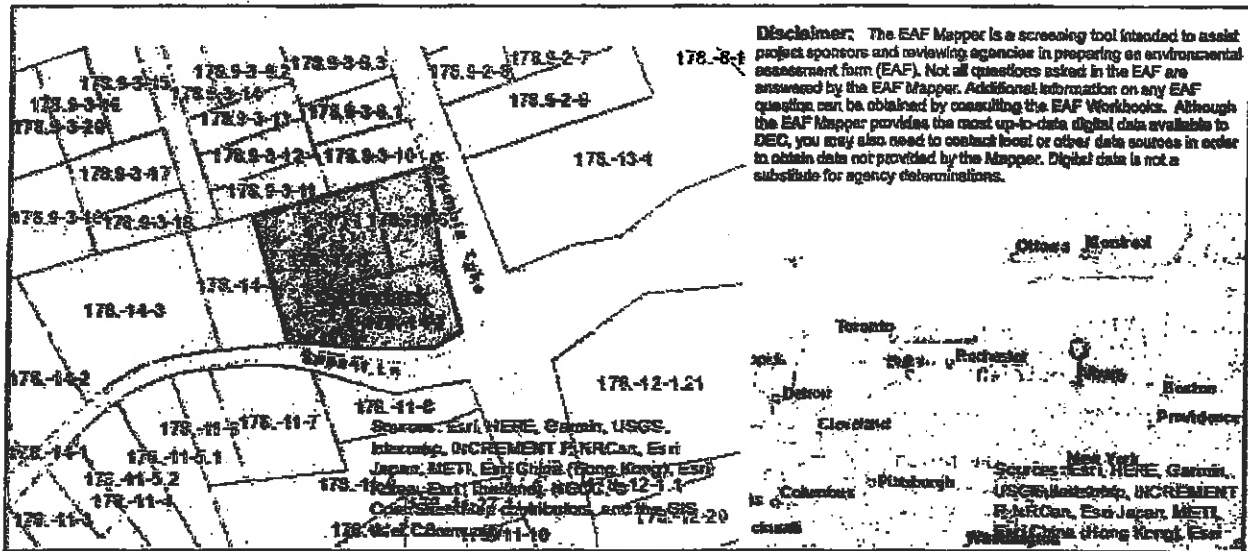
PRINT FORM





# EAF Mapper Summary Report

Tuesday, August 28, 2018 10:25 AM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archaeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No



Agency Use Only (If applicable)

Project:

Date:

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

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

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
TOWN OF SCHODACK PLANNING BOARD	
Name of Lead Agency	
6/3/19	
Date	
DENISE MAYRER	
Print or Type Name of Responsible Officer in Lead Agency	
CHAIRPERSON	
Title of Responsible Officer	
[Signature]	
Signature of Responsible Officer in Lead Agency	
[Signature] CONSULTANT	
Signature of Preparer (if different from Responsible Officer)	

PRINT FORM





WASTE CONNECTIONS INC.  
Connect with the Future®

## NON-HAZARDOUS WASTE DISPOSAL AGREEMENT

2019-2020  
313

### Customer Billing Information

Name: Town of Schodack  
Address: 265 Schuurman Road  
City: Castleton-on-Hudson  
State: New York Zip: 12033  
Phone: 518-477-8491 Fax: \_\_\_\_\_  
Contact: Bruce Goodall – Director of Transfer Station Operation

### Waste Connections Subsidiary ("Service Provider")

County Waste & Recycling B3 Transfer Station  
25 Flints Crossing Road  
Canaan NY 12029

Schodack Transfer Station  
446 Poyneer Road

Project: Nassau NY 12123 County of Origin: Rensselaer County

Additional Information: \_\_\_\_\_

1. **Waste Service.** Subject to the terms and conditions contained herein, Service Provider and Customer agree to be legally bound hereby and Service Provider agrees to accept at its Facility, "Solid Waste" as defined in Section 27-0701(1) of New York Environmental Conservation Law and additional regulations promulgated thereunder, and as further defined in any site specific operating permits for the Facility (hereinafter referred to as "Acceptable Waste") delivered by Customer, and which is acceptable to Service Provider as herein provided.

2. **Intentionally Omitted.**

3. (A) **Rates for Disposal:**

<u>Waste</u>	<u>Disposal Method</u>	<u>Disposal Rate:</u>	<u>Fees / Taxes / Misc.</u>	<u>Transportation</u>
<u>MSW</u>	<u>Transfer Station</u>	<u>\$87.00 per ton</u>	<u>N/A</u>	<u>N/A</u>
<u>C&amp;D</u>	<u>Transfer Station</u>	<u>\$87.00 per ton</u>	<u>N/A</u>	<u>N/A</u>

Additional Information: Disposal rate will increase annually on anniversary date based on the consumer price index.  
Mattresses will be limited to 5 per load.

Customer shall also be liable for all taxes, fees, or other charges imposed by federal, state, local or provincial laws and regulations.

County and State of origin of Waste: Rensselaer County, New York

Cannot exceed daily volume of 25 tons per day without prior approval of Service Provider.

(B) **Incorporation by Reference.** In addition to the Terms and Conditions of Non-Hazardous Waste Disposal Agreement set forth on the reverse side of this document, the following documents are incorporated by reference into this Agreement as if fully set forth herein.

- 1) \_\_\_\_\_
- 2) \_\_\_\_\_

4. **Term of Agreement.** This Agreement is effective for 60 months, commencing 1/1/2020. This Agreement may be terminated by either party hereto, for any reason or no reason at all, upon ten (10) days' prior written notice to the other party.

**SERVICE PROVIDER AND CUSTOMER, IN CONSIDERATION OF THE MUTUAL OBLIGATIONS CONTAINED HEREIN, AGREE THAT THIS IS A LEGALLY BINDING AGREEMENT WHICH IS SUBJECT TO THE TERMS AND CONDITIONS SET FORTH ON THIS PAGE AND ON THE REVERSE SIDE OF THIS DOCUMENT.**

X \_\_\_\_\_  
CUSTOMER SIGNATURE (AUTHORIZED REPRESENTATIVE)

X \_\_\_\_\_  
SERVICE PROVIDER SIGNATURE (AUTHORIZED REPRESENTATIVE)

X \_\_\_\_\_  
CUSTOMER NAME AND TITLE (PLEASE PRINT)

X \_\_\_\_\_  
SERVICE PROVIDER NAME AND TITLE (PLEASE PRINT)

X \_\_\_\_\_  
DATE

X \_\_\_\_\_  
DATE

# Terms and Conditions of Non-Hazardous Waste Disposal Agreement

3. **The Agreement.** This Non-Hazardous Waste Disposal Agreement (this "Agreement") for the disposal of Acceptable Waste shall consist of this Agreement, riders to the Agreement (if any) and any application, permit and/or approval that may be applicable to such Waste.
6. **Waste Accepted at Facility.** Customer represents, warrants and covenants that the Waste delivered to Service Provider at its Facility hereunder will be Acceptable Waste, and will not contain any radioactive, volatile, corrosive, highly flammable, explosive, biomedical, infectious, biohazardous, toxic or hazardous material as defined by applicable federal, state or local laws or regulations (collectively referred to as "Unacceptable Waste"). Customer shall in all matters relating to the collection, transportation and disposal of the Waste hereunder, comply with all applicable federal, state and local laws, regulations, rules and orders regarding the same. The word "Facility" shall mean any landfill, transfer station or other location used to transfer, process or otherwise dispose of such Acceptable Waste.
7. **Acceptable Waste.** Customer represents, warrants and covenants that the waste delivered to Service Provider hereunder will not contain any Unacceptable Waste. The parties may incorporate special waste streams as part of this Agreement if prior to delivery of such special waste to Service Provider, Customer has provided an application for such special waste and Service Provider has approved disposal of such special waste within the limitations and conditions contained in Service Provider's written notice of approval of special waste disposal. Title to any and all Unacceptable Waste, handled or disposed of by Service Provider shall at all times remain with Customer and any agent of Customer (if an agent is involved).
8. **Rights of Refusal/Rejection.** Customer shall inspect all waste at the place(s) of collection and shall remove any and all Unacceptable Waste. Service Provider has the right to refuse, or to reject after acceptance, any load(s) of waste(s) delivered to its Facility including if Service Provider believes Customer has breached (or is breaching) its representations, warranties, covenants or agreements hereunder, or any applicable federal, state or local laws, regulations, rules or orders, even if only a portion of such waste load is unacceptable. Service Provider shall have the right to inspect all vehicles and containers of waste haulers, including Customer's vehicles, in order to determine whether the waste is Acceptable Waste or Unacceptable Waste pursuant to this Agreement and all applicable federal, state and local laws, rules and regulations. Service Provider's exercise, or failure to exercise, its rights hereunder shall not operate to relieve Customer of its responsibilities or liability under this Agreement. Customer shall be responsible for, and bear all reasonable expenses and damages incurred by Service Provider, as a result of the Unacceptable Waste and in the reloading and removal of Unacceptable Waste disposed in the Facility. Service Provider, may also, in its sole discretion, require Customer to promptly remove the Unacceptable Waste.
9. **Limited License to Enter.** This Agreement provides Customer with a license to enter the Facility for the limited purpose of, and only to the extent necessary for, off-loading Acceptable Waste at the Facility in the manner directed by Service Provider. Except in an emergency, Customer's personnel shall not leave the immediate vicinity of their vehicle. After off-loading the Acceptable Waste, Customer's personnel shall promptly leave the Facility. Under no circumstances shall Customer or its personnel engage in any scavenging of waste or other materials at the Facility. Service Provider reserves the right to make and enforce reasonable rules and regulations concerning the operation of the Facility, the conduct of the drivers and others on the Facility premises, quantities and sources of waste, and any other matters necessary or desirable for the safe, legal and efficient operation of the Facility including, but not limited to, speed limits on haul roads imposed by Service Provider, and the wearing of hard hats and other personal protection equipment by all individuals allowed on the Facility premises. Customer agrees to conform to such rules and regulations as they may be established and amended from time to time. Service Provider may refuse to accept Waste from and shall deny an entrance license to, any of Customer's personnel whom Service Provider believes is under the influence of alcohol or other chemical substances. Customer shall be solely responsible for its employees and subcontractors performing their obligations in a safe manner when at the facility of Service Provider.
10. **Charges and Payment.** Payment shall be made by Customer within thirty (30) days after receipt of invoice from Service Provider. In the event that any amount is overdue, Service Provider may terminate this Agreement. Customer agrees to pay a finance charge equal to the maximum interest rate permitted by law. Customer shall be liable for all taxes, fees, or other charges imposed upon the disposal of the Waste by federal, state, local or provincial laws and regulations. In addition, Customer shall be liable for all fees and other charges associated with handling and processing payments made by Customer, including, without limitation, credit card surcharges and processing fees.
11. **Termination.** Customer's obligations, representations, warranties and covenants regarding the waste delivered and all indemnities shall survive termination of this Agreement. Should Customer materially default in any of its obligations hereunder, then Service Provider may immediately terminate this Agreement and Customer shall be liable for all costs and damages incurred by Service Provider.
12. **Driver's Knowledge and Authority.** Customer represents, warrants and covenants that its drivers who deliver Acceptable Waste to Service Provider's Facility have been advised by Customer of Service Provider's prohibition on deliveries of hazardous materials or substances, radioactive materials or substances, or toxic waste or substances or any other Unacceptable Waste to the Facility of Service Provider's restrictions on deliveries of Acceptable Waste to the Facility, of the definitions of "Hazardous Waste" and "Hazardous Substances" as provided by applicable federal, state and local law, rules and regulations and "Acceptable Waste" as provided herein, and of the terms of this license to enter Service Provider's Facility.
13. **Indemnification.** Customer shall indemnify, defend and hold harmless Service Provider and its subsidiaries, affiliates and parent corporations, as applicable, and their respective officers, directors, lenders, employees, subcontractors and agents from and against any and all claims, suits, losses, liabilities, assessments, damages, fines, costs and expenses, including reasonable attorneys fees arising under federal, state or local laws, regulations or ordinances, or relating to the content of the waste, or arising out of or in connection with any breach of this Agreement or arising out of the negligence or willful misconduct of Customer or Customer's employees, agents, subcontractors or representatives thereof, including, without limitation, the negligent collection, transportation and disposal of Waste by Customer or Customer's employees, agents, subcontractors or representatives thereof. Customer shall also be responsible for increased inspection, testing, study and analysis costs made necessary due to reasonable concerns of Service Provider as to the content of the waste, following discovery of Unacceptable Waste. This indemnification and other obligations stated in this Section 13 shall survive the termination of this Agreement.
14. **Insurance.** Customer shall maintain in full force and effect throughout the term of this Agreement the following types of insurance in at least the amounts specified below:

Coverages	Minimum Amounts of Insurance
(a) Worker's Compensation	Statutory
(b) Employer's Liability	\$1,000,000 per incident
(c) General Liability	\$2,000,000 combined single limit
(d) Automobile Liability	\$2,000,000 combined single limit
(e) Excess / Umbrella Liability	\$2,000,000 in excess of (b), (c), and (d) above

All insurance will be by insurers authorized to do business in the state in which the Facility is located. Prior to Customer being allowed on Facility premises, Customer shall provide Service Provider with

certificates of insurance or other satisfactory evidence that such insurance has been procured and is in force. All policies, except workers' compensation, must add Service Provider as an additional insured, must contain waivers of subrogation in favor of Service Provider, and must be primary and non-contributory to any insurance policies carried by Service Provider. Said policies shall not thereafter be cancelled, be permitted to expire or lapse, or be changed without thirty (30) days advance written notice to Service Provider. Customer warrants that it will secure the above minimum amounts of insurance from any transportation of the Acceptable Waste to the Facility.

15. **Failure to Perform.** Neither party hereto shall be liable for its failure to perform hereunder due to circumstances not its fault and beyond its reasonable control, including, but not limited to, strikes or other labor disputes, riots, protests, civil disturbances or sabotage, changes in law, fires, floods, compliance with government requests, explosions, accidents, weather, lack of required natural resources, or acts of God affecting either party hereto. In the event of any of the circumstances provided for in the preceding sentence, including, but not limited to, whether any federal, state or local court or governmental authority takes any action which would (i) close or restrict operations at the Facility, (ii) limit the quantity or prohibit the disposal of Acceptable Waste at the Facility, or (iii) limit the ability of or prohibit Customer from delivering Acceptable Waste to the Facility, Service Provider shall have the right, at its option, to reduce, suspend or terminate Customer's access to the Facility immediately, without prior notice and without any additional liabilities between the parties, other than Customer's payment obligation hereunder. Neither Party is required hereunder to settle any labor dispute against its own best judgment.
16. **Other Termination.** The occurrence of any of the following events shall also constitute an event of default by Customer and shall give Service Provider the right to immediately terminate this Agreement:
- (i) A petition for reorganization or bankruptcy filed by or against Customer.
  - (ii) Failure by Customer to pay any amounts due to Service Provider.
  - (iii) Any breach by Customer of any of its obligations pursuant to the Agreement.

Customer shall be liable for and shall indemnify, defend and hold harmless Service Provider from any losses, claims expenses or damages incurred by Service Provider as a result of termination hereunder.

17. **Assignment.** Customer may not assign, transfer or otherwise vest in any other Service Provider, entity or person, in whole or in part, any of its rights or obligations under the Agreement without the prior written consent of Service Provider, provided, however, that Service Provider may without any such prior written consent, assign its rights and/or obligations under the Agreement to a subsidiary or affiliate corporation.
18. **Right of Disposal.** This Agreement does not grant any rights to dispose of Acceptable Waste other than in accordance herewith. Additionally, the ability to dispose of Acceptable Waste at the Facility may be limited at any time, and from time to time, by Service Provider in connection with the Facility's permit(s), and capacity constraints, in addition to applicable laws, rules, and regulations. Service Provider reserves the right to immediately terminate access to the Facility by Customer and Customer's personnel in the event of breach or violation by Customer of any of the terms of this Agreement, Service Provider's operating rules or payment policies or any applicable laws or regulations.
19. **Continuing Compliance.** Customer has a continuing obligation to inform Service Provider of any new information, or information not previously provided to Service Provider by Customer which may affect the acceptability of the waste by Service Provider. Further, Customer shall comply with all Service Provider requests for evidence of Customer's continuing compliance with the terms of the Agreement including but not limited to the following: (i) providing new, updated waste profiles on the Acceptable Waste(s) offered for disposal or, (ii) providing appropriate certification that the Acceptable Waste being offered for disposal is accurately reflected by the appropriate application or, (iii) re-sample the Acceptable Waste at Customer's expense if reasonable cause exists as to its acceptability under the terms of this Agreement or, (iv) allow Service Provider to re-sample the Acceptable Waste if reasonable cause exists as to its acceptability under the terms of this Agreement (and Customer shall be responsible for all costs and expenses associated with such sampling if such waste is determined to be Unacceptable Waste), or (v) all of the above.
20. **Notices.** All notices herein provided for shall be considered as having been given upon being placed in the mail, certified postage prepaid addressed to Service Provider or Customer at the address herein set forth in this Agreement or to such other address as may be given to the other party in writing.
21. **Miscellaneous.**
- (i) This Agreement shall be governed by the laws of the State of New York.
  - (ii) No waiver of a breach of any of the obligations contained in the Agreement shall be construed to be a waiver of any prior or succeeding breach of the same obligation or of any other obligation of this Agreement.
  - (iii) No modification, release, discharge or waiver of any provision or obligation hereof shall be of any force, or effect, unless in writing signed by all parties to this Agreement.
  - (iv) Customer shall treat as confidential and not disclose to others during or subsequent to the terms of this Agreement, except as is necessary to perform this Agreement, or to comply with any applicable law or regulation any information (including any technical information, experience or data) regarding Service Provider's plans, programs, plants, processes, products, costs, equipment or operations which may come within the knowledge of Customer or its employees in the performance of this Agreement, without in each instance securing the prior written consent of Service Provider.
  - (v) If any term, phrase, obligation or provision of this Agreement shall be held to be invalid, illegal or unenforceable in any respect, this Agreement shall remain in effect and be construed without regard to such term, phrase, obligation or provision.
  - (vi) This Agreement constitutes the entire understanding between the parties, replacing and amending any prior agreements between the parties, and shall be binding upon all parties hereto, their successors, heirs, representatives and assigns. Any provision, term or condition in any acknowledgement, purchase order or other response by Customer which is in addition to or different from the provisions of this Agreement shall be deemed objected to by Service Provider and shall be of no effect.
  - (vii) Customer represents, warrants and covenants that it is and, during the term of this Agreement will remain, in compliance with and will perform its obligations pursuant to all applicable laws and regulations and shall indemnify, defend and hold harmless Service Provider from any breach thereof.

CUSTOMER: X

SERVICE PROVIDER: X