

# TOWN OF EAST GREENBUSH PLANNING BOARD

TOWN HALL, 225 COLUMBIA TURNPIKE, RENSSELAER, NY 12144 (518)477-2005 FAX (518)477-2386

## MEMORANDUM

### PLANNING BOARD MEETING AGENDA JANUARY 26, 2022

#### **7:00PM CALL TO ORDER/DETERMINATION OF QUORUM:**

#### **PUBLIC HEARINGS:**

*NONE*

#### **ORGANIZATIONAL MEETING:**

*Review of Appointment of Planning Board Consultants, Chairman, Attorney, and Secretary*

*Appointment of Vice Chairperson*

*Acceptance of 2022 Meeting Calendar*

#### **OLD BUSINESS:**

(20-11) Carver Court-Upper Mannix Road – Major Cluster Subdivision - *SEQRA determination & schedule public hearing for February 9th*

(21-31) DeJulio – 40-44 Tanners Lane – Minor Subdivision – *SEQRA determination & schedule public hearing for February 9<sup>th</sup>*

#### **NEW BUSINESS:**

(22-01) C & T East Greenbush, LLC. – 590 Columbia Turnpike-Site Plan Modification – *Sketch Plat Presentation and Discussion*

(22-02) Gallo - 3 Hallenbeck Hill – Lot Line Adjustment – *SEQRA Classification & Review for Conditional Approval*

(22-03) Shelley's Salon 2 Greenbush Ave – Site Plan Modification and Lot Line Adjustment – *Sketch Plat Presentation and Discussion*

#### **REFERRALS-REPORTS & RECOMMENDATIONS:**

*NONE*

#### **NEW ZBA REFERRALS:**

*NONE*

#### **REVIEW & APPROVAL OF MEETING MINUTES:**

*December 22, 2021 meeting minutes*

#### **OTHER:**

*MS4 Training February 16<sup>th</sup> or 23<sup>rd</sup>, 2022*

## Notice Regarding Planning Board Meeting

Pursuant to New York State first law of 2022, and advisories issued by Federal, State and Local officials related to the COVID-19 virus, the Planning Board will convene its January 26, 2022 Board Meeting remotely as follows:

The Board Meeting will commence at 7:00 PM and will be conducted through the use of Zoom, a web-based video conferencing tool with local, desktop client and smartphone applications that will allow the Planning Board members and those with business before the Board to participate electronically and remotely by audio and with or without a video connection.

In order that members of the public can view the proceedings, the meeting will be live-streamed on the Town's YouTube Channel. To view the Live Stream, go to the Town's YouTube Channel at [https://www.youtube.com/channel/UCzStopZCsgZKn\\_GV0i1WalA](https://www.youtube.com/channel/UCzStopZCsgZKn_GV0i1WalA).

Members of the public with questions and/or comments can send correspondence to [info@eastgreenbush.org](mailto:info@eastgreenbush.org). Correspondence sent to this email will **not** be answered in real time.

Please note that this meeting will be conducted remotely only and will not be held at Town Hall.

To view a copy of the agenda, please navigate to this page:

<https://www.eastgreenbush.org/agendas- minutes/planning-board/agendas>

### Join Zoom Meeting

<https://us02web.zoom.us/j/86323807160?pwd=MklheU1KWXBjQUVXZkVtQWRuNm5FZz09>

Meeting ID: 863 2380 7160

Passcode: 607182

One tap mobile

+16468769923,,86323807160#,,,,\*607182# US (New York)

+13017158592,,86323807160#,,,,\*607182# US (Washington DC)

Dial by your location

- +1 646 876 9923 US (New York)
- +1 301 715 8592 US (Washington DC)
- +1 312 626 6799 US (Chicago)
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 408 638 0968 US (San Jose)
- +1 669 900 6833 US (San Jose)

Meeting ID: 863 2380 7160

Passcode: 607182

Find your local number: <https://us02web.zoom.us/j/kGHmVSApZ>

## **ORGANIZATIONAL MEETING 2022:**

### Meetings:

- Meetings will be held two times per month on the second and fourth Wednesday of each month.
- Meetings will commence at 7:00 PM in the Town Court Room or Community Room or via Zoom.

The Town Board voted on 1/3/22 to appoint the following Town Engineering Services Consultants: **The Town of East Greenbush Planning Board hereby (1) designate Adirondack Mountain Engineering, P.C.; CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C.; Greenman-Pedersen, Inc.; JMT of New York, Inc.; Colliers Engineering & Design; M.J. Engineering and Land Surveying, P.C.; and Stantec Consulting Services, Inc. as the Town's engineering services consultants to perform services under term services agreements executed with each firm; (2) designate H.V. LaBarba & Associates to provide water supply and sanitary sewer/treatment engineering services to Town units requiring these services; and (3) designate Wayne Bonesteel, P.E., presently of Foit-Albert Associates Architecture, Engineering and Surveying, PC, to provide MS4 permit compliance, drainage, highway, and other civil and traffic engineering services to the Department of Public Works and Planning and Zoning Department.**

### **Appointments:**

The Town Board appointed Alison Lovely as the Planning Board Secretary & Joseph Slater as the Planning Board attorney at their January 3, 2022 Organizational Meeting.

MOTION: A motion was made by Chairman Mastin as follows: **The Town of East Greenbush Planning Board hereby appoints \_\_\_\_\_ as the Vice Chairperson in absence of the Planning Board Chairman.**

Roll Called as follows:

MOTION CARRIED BY A - VOTE.

Chairman Mastin	_____
Mr. Panton	_____
Mr. Viola	_____
Mr. Bergmann	_____
Ms. Horne	_____
Mr. Conway	_____
Ms. Gill	_____

MOTION: A motion was made by Chairman Mastin as follows: **The Town of East Greenbush Planning Board hereby approves the proposed 2022 meeting calendar.**

Roll Called as follows:

MOTION CARRIED BY A - VOTE.

Chairman Mastin	_____
Mr. Panton	_____
Mr. Viola	_____
Mr. Bergmann	_____
Ms. Horne	_____
Mr. Conway	_____
Ms. Gill	_____

# **TOWN OF EAST GREENBUSH PLANNING BOARD**

**TOWN HALL, 225 COLUMBIA TURNPIKE, RENSSELAER, NY 12144  
(518) 694-4011 FAX (518) 477-2386**

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## **MEMORANDUM PLANNING BOARD PROPOSED MEETING SCHEDULE 2022**

Wednesday January 12<sup>th</sup>

Wednesday January 26<sup>th</sup>

Wednesday February 9<sup>th</sup>

Wednesday February 23<sup>rd</sup>

Wednesday March 9<sup>th</sup>

Wednesday March 23<sup>rd</sup>

Wednesday April 13<sup>th</sup>

Wednesday April 27<sup>th</sup>

Wednesday May 11<sup>th</sup>

Wednesday May 25<sup>th</sup>

Wednesday June 8<sup>th</sup>

Wednesday June 22<sup>nd</sup>

Wednesday July 13<sup>th</sup>

Wednesday July 27<sup>th</sup>

Wednesday August 10<sup>th</sup>

Wednesday August 24<sup>th</sup>

Wednesday September 14<sup>th</sup>

Wednesday September 28<sup>th</sup>

Wednesday October 12<sup>th</sup>

Wednesday October 26<sup>th</sup>

Wednesday November 9<sup>th</sup>

Wednesday November 23<sup>rd</sup>

Wednesday December 14<sup>th</sup>

Wednesday December 28<sup>th</sup>

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

Project :

Date :

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

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

**Tips for completing Part 2:**

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

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

<b>2. Impact on Geological Features</b> The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) <span style="float: right;"><input type="checkbox"/> NO <input type="checkbox"/> YES</span> <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>3. Impacts on Surface Water</b> The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) <span style="float: right;"><input type="checkbox"/> NO <input type="checkbox"/> YES</span> <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>4. Impact on groundwater</b> The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If “Yes”, answer questions a - h. If “No”, move on to Section 5.</i>			
	<input type="checkbox"/> NO	<input type="checkbox"/> YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>5. Impact on Flooding</b> The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If “Yes”, answer questions a - g. If “No”, move on to Section 6.</i>			
	<input type="checkbox"/> NO	<input type="checkbox"/> YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

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

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



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

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

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

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

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

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

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

**13. Impact on Transportation**

The proposed action may result in a change to existing transportation systems.

☐ NO

☐ YES

(See Part 1. D.2.j)

*If “Yes”, answer questions a - f. If “No”, go to Section 14.*

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

**14. Impact on Energy**

The proposed action may cause an increase in the use of any form of energy.

☐ NO

☐ YES

(See Part 1. D.2.k)

*If “Yes”, answer questions a - e. If “No”, go to Section 15.*

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

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

The proposed action may result in an increase in noise, odors, or outdoor lighting.

☐ NO

☐ YES

(See Part 1. D.2.m., n., and o.)

*If “Yes”, answer questions a - f. If “No”, go to Section 16.*

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

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

#### 16. Impact on Human Health

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

☐ NO

☐ YES

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

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

<b>17. Consistency with Community Plans</b> The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If “Yes”, answer questions a - h. If “No”, go to Section 18.</i>			
		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action’s land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>18. Consistency with Community Character</b> The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If “Yes”, answer questions a - g. If “No”, proceed to Part 3.</i>			
		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

Project :

Date :

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

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

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

**Reasons Supporting This Determination:**

To complete this section:

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

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status: ☐ Type 1 ☐ Unlisted

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

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the \_\_\_\_\_ as lead agency that:

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

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

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

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

Name of Action:

Name of Lead Agency:

Name of Responsible Officer in Lead Agency:

Title of Responsible Officer:

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

**For Further Information:**

Contact Person:

Address:

Telephone Number:

E-mail:

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

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

Applicant (if any)

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



**Town of East Greenbush Planning Board  
NOTICE OF ADOPTION OF A  
CONDITIONED NEGATIVE DECLARATION**

Date: January 26, 2022

This notice is issued pursuant to the State Environmental Quality Review Act, Article 8 of the NYS Environmental Conservation Law and its implementing regulations at Part 617 of the New York State Code of Rules and Regulations (collectively, “SEQRA”).

The Town of East Greenbush Planning Board (the “Planning Board”), as the lead agency under SEQRA, has determined that, with the imposition of the conditions described below, the proposed action will not have a significant adverse environmental impact and that a draft environmental impact statement will not be prepared.

**Name of Action:** Carver Court Major110-Lot Cluster Subdivision

**Applicant:** CLDZ, LLC

**SEQR Status:** Unlisted

**Conditioned Negative Declaration:** Yes

**Description of Action:**

## Long Environmental Assessment Form, Part 3, Determination of Significance Attachment for Carver Court Major 110-Lot Cluster Subdivision

The proposed action involves approval of a proposed major cluster subdivision plat, known as “Carver Court,” for development of 110 single family residential building lots and related infrastructure, including roadways, public utilities, stormwater management areas, and other improvements (the “Project”). The project site consists of several tax parcels totaling approximately 90.95 acres. It is situated off of Mannix Road and is zoned Residential Buffer (R-B) with water/sewer incentive. The proposed lots will be developed on 6,048 L.F. of new town roadways. Approximately 47.86 acres (53%) of open space will be provided in accordance with the R-B incentive zoning and cluster subdivision requirements. A trail will be installed along the east boundary of the site, connecting the northeast cul-de-sac to the proposed open space and an additional loop trail, and a small, flat, well-drained area will be seeded as grass for active recreation.

### Impact on Land

The project site consists of mainly vacant forested land with associated wetlands. The project area topography can be generally described as gently rolling, with the highest elevation of 436’ found in the northeasterly portion of the site and the lowest of 346’ found in the southerly portion of the site, approximately 300’ north of the Mannix Road ROW. Slopes of 15% and greater are found on the Project site. The Town’s with surface water flowing southerly and off site at Mannix Road. Vegetation within the project area can be classified as hardwood forest vegetation with a mix of other typical northeastern wetland vegetation. After the initial road clearing and grading, encourage developers to assess which trees can be reasonably preserved across the site, especially in the yards in the front or rear of units. Trees to be preserved need to be protected from disturbance and soil compaction at least out to the drip line of the crown of the tree. At least one tree (established or new planting) should be provided for each unit. Disturbance of slopes 15% and greater has been avoided, and these areas have been designed as part of the required Open Space area.

### Impacts on Surface Water

Two unnamed tributaries of Mill Creek, both Class C waterbodies, flow generally from north to south on the Project site to a point of discharge underneath Mannix Road. The road alignment has been designed in accordance with local and other engineering guidance and was chosen to cross the streams and wetlands at the narrowest point feasible. In addition, the cluster subdivision design permits a smaller “footprint” of infrastructure and building site development as well as the maintenance of open space areas. Where stream and wetlands crossings are proposed, at least 42” culverts with one-third embedment will be used to provide a natural stream bottom for all stream crossings.

There are approximately 12.59 acres of USACOE Jurisdictional Wetlands on the subject parcel. The Project will cause impact to approximately 0.194 acres of wetlands for the necessary road crossings and emergency access driveway. A permit to impact these areas has been requested from the USACOE. To mitigate the wetland impacts, a 0.59-acre mitigation project will be undertaken as part of the Project on the site; this mitigation area will be in accordance with federal requirements, including for long-term ownership and maintenance. In addition, the Town’s zoning law requires a 25-foot buffer from all federal wetlands.

Although there are three discrete areas of encroachment into this buffer:

- Impacts ranging between 3' and 15' into the buffer along the rear of lots T-23, T-28 and T-29;
- Impacts ranging between 2' and 9' into the buffer along the rear of lots T-13, T-20 and T-21; and
- Impacts extending up to 5' into the buffer adjacent to Stormwater Management Areas 1, 2 and 4.

To address the impact of this encroachment, the Project involves the following mitigation: a) For the units close to Wetlands A and B, plant a hedgerow of native wetland-tolerant shrubs to provide a buffer between the yards and wetland edge; b) Provide signage at intervals along the wetland edge indicating this is a sensitive ecological area; c) write into the HOA agreement that lawn chemicals should not be used in the yards adjacent to any wetland; and d) along the rear of lots T-23, T-28, and T-29, create a diversion swale to address water quality impacts due to runoff into the adjacent wetlands.

The Project will consist of the disturbance 40 acres for clearing and grubbing of vegetation within the area of the new buildings, roads and active recreation areas within the require Open Space. At completion of construction, approximately 10.4 acres of impervious surface will be installed. A stormwater pollution prevention plan (SWPPP) has been prepared in accordance with the Town's requirements and NYSDEC standards. The SWPPP outlines techniques and practices to reduce pollutant discharge both during construction and post-construction. Prior to land disturbance activity, coverage under the NYSDEC SPDES general permit for potential discharges from construction activity will be obtained and the conditions of the permit as well as the Town's requirements must be adhered to. Permanent stormwater management practices will be installed to manage water quality and quantity as a result of the increase in impervious surface and other changes in land cover. Upon completion of construction, these facilities will be offered for dedication to the Town. No disturbance greater than five (5) acres at any point in time is planned or permitted without written authorization from the Town of East Greenbush.

### Impact on Groundwater

The Project involves construction of 110 residential building lots. The Project site is not presently served by public water supply or public wastewater disposal facilities. According to the Engineer's Report, the Project is expected to place a demand for approximately 37,840 gallons per day (GPD) of water. It is proposed to connect to existing Town-owned water mains located on Thompson Hill Rd and Tech Valley Drive. A combination of new 8" and 12" watermains will be installed to serve the 110 building lots, and these mains will be offered to the Town for dedication. Water supply connections will also be provided to existing residences on Mannix Rd on either side of the proposed Project access road. An extension of the General Water District is necessary to encompass a portion of the Project site as well as these existing residences.

The Project was included in an analysis of available water capacity prepared for the Town ("Water Capacity Analysis").<sup>1</sup> According to the Water Capacity Analysis, the Town is able to withdraw 6.0 MGD from the City of Troy's reservoir. At present, the system is capable of delivering 4.896 MGD and currently delivers 3.995 MGD. Accord to the Engineers Report, sufficient pressure is available to meet demand and emergency flows. Therefore, there will be no adverse environmental impact on groundwater or the Town's existing water supply system.

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<sup>1</sup> *Water Capacity Analysis*, dated May 5, 2021, prepared by Stantec Consulting Services, Inc.

The Project is expected to generate an average daily flow of 37,840 GPD sanitary sewer effluent. It is proposed to install a gravity system on the Project site to collect and convey wastewater from the Project to a pump station which will discharge to an existing sanitary manhole on Thompson Hill Road. In addition to the proposed 110 building lots, sewer connections will be provided to existing homes on Mannix Rd immediately adjacent to the proposed Project access drive. The collection and conveyance infrastructure will be offered for dedication to the Town. An extension of the General Sewer District will be necessary for a portion of the Project site (approx. 15 acres) as well as the existing Mannix Rd homes. The installation of a collection and conveyance system on the Project site will mitigate potential adverse environmental impacts to groundwater resources.

From its point of discharge to the Town's existing sanitary sewer system, wastewater will be conveyed via gravity to the 3<sup>rd</sup> Ave Pump Station, via pressure and gravity sewer to the Barracks Rd station, and via pressure and gravity sewer to the Town's wastewater treatment plant (WWTP). According to the Engineers Report, from the point of discharge to the Third Avenue pump station, the existing system has adequate capacity to convey the additional flows from Carver Court to the 3<sup>rd</sup> Ave Pump Station.

According to the 3<sup>rd</sup> Avenue and Barracks Rd Engineers Report, prepared by the Town ("PS Design Report"),<sup>2</sup> the 3<sup>rd</sup> Ave Pump Station presently has reached the end of its useful life and does not have capacity to accept additional flow; it must be upgraded to accept increased flows from new development. The Barracks Road Pump Station has reached the end of its useful life and does not have capacity to accept additional flow; it must be upgraded to accept increased flows from new development. Portions of the gravity system between the 3<sup>rd</sup> Ave Pump Station and the WWTP also do not have sufficient capacity to accept additional flow and must be upgraded. The existing 8" forcemain exiting the 3<sup>rd</sup> Ave Pump Station also must be upgraded.

At this time, there are planned upgrades to the 3<sup>rd</sup> Avenue Pump Station, Barracks Road Pump Station, 3<sup>rd</sup> Avenue Pump Station Forcemain, and various segments of gravity sewer. The purpose of these planned upgrades is to accommodate increased flows from new development, including Regeneron Pharmaceuticals, which has committed, under a certain Development Agreement with Town, to fund the construction of certain of these improvements. This Project cannot occur without those upgrades and, therefore, is contingent on those upgrades being approved and constructed by the Town. Also, additional portions of the gravity system need to be increased to convey wastewater from the Project. The Applicant's engineer has identified six segments. While the engineer has proposed for this project six (6) segments totaling approximately 2,564 lf of gravity sewer, it is the Town's engineer's opinion that eight (8) segments totaling approximately 3,089 lf of gravity sewer must be replaced to provide for sufficient capacity in the municipal wastewater system. This negative declaration is conditioned, therefore, on these additional portions of the gravity system being upgraded to increase capacity, as identified by the Town's engineer. Finally, for these upgrades to occur, NYSDEC, Rensselaer County Health Department, and others must agree to the designs, and the Town must approve and construct the planned and necessary upgrades, if sufficient funds are available. This project is, therefore, conditioned upon the upgrade of the municipal sewer system as described above otherwise the impact of the project on the municipal sewer system would be a significant adverse impact pursuant to SEQRA.

Impact on Plants and Animals

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<sup>2</sup> [Reference H2M report]

According to the information, including a habitat assessment, performed by Ingalls & Associates, LLP (dated June 28, 2021 and last revised November 30, 2021), the site's geographic location does not make it likely habitat for NYS listed rare plants, rare animals, and/or significant natural communities. identified threatened or endangered species as having the potential of inhabiting the proposed project site. The Northern Long-Eared Bat (*Myotis septentrionalis*) ("NLEB") is identified as an endangered species possibly found on the site. To minimize the possible impacts to the NLEBs potentially inhabiting the Project site, tree clearing must occur only between the dates November 1st and March 31st. Clearing the trees in this window will decrease the likelihood of impacts to NLEBs ("incidental take") as they will be in their winter hibernacula.

### Impact on Agricultural Resources

According to the Town's Natural Resource Inventory, the major of the project area contains soils conducive to agriculture, with large proportions of the site consisting of Prime Farmland Soils or Prime Farmland Soils if Drained, and a comparatively smaller portion of the site shown as Farmland Soils of Statewide Significance. Adjacent parcels to the north and northwest are situated within County Ag District 6. While the project will result in the conversion of approximately 40 acres of land containing soils important to agriculture to residential uses, there are no active farm operations on the Project site or on adjacent parcels. And this Project is being developed under the Town's Residential Buffer incentive zoning requirements and cluster subdivision regulations, and in accordance with these requirement, half of the Project site will be set aside as required Open Space and remain undeveloped. While the conversion of over 10 acres of land to non-farm uses and the impacts to soil groups important for farming will occur, the impact to the Town's agricultural resources will be small because there are no active farm operations in the Project area, the Project site is zoned residential, and a significant proportion of the Project site land area will remain undeveloped.

### Impact on Historic and Archeological Resources

The Project site is located in or adjacent to an area designated as sensitive for archaeological sites. An archaeological investigation was previously performed for the Project site. That investigation, involving a Phase IA/IB Archaeological Survey (SHPO #20SR00096), found no archaeological sites, and it was relied upon by the Town when conducting a review of a prior action proposed for the Project site, which was completed, with the Town having found no potential significant adverse environmental impacts on historic and archaeological resources at that time. The NYS Office of Historic Preservation (SPHO) issued a letter in May 2021, relying on that prior investigation, that concludes that no further archaeological investigation is necessary.

### Impact on Transportation

All primary access will be off of Upper Mannix Road with emergency access provided to Thompson Hill Road. A 20-foot fire access road is proposed on the western side of the site to intersect with Thompson Hill Road. This driveway will only be used for emergency access into the site. Additional connection points have been stubbed for potential future connections to the parcels to the north and west of the development.

A Traffic Study<sup>3</sup> was developed for the Project. Upper Mannix Road currently carries approximately 870 vehicles per day, with 9.2% of the daily traffic occurring during the weekday morning peak hour and 11.8% occurring during the weekday evening peak hour. The proposed project is expected to generate 83 new vehicle trips (21 entering and 62 exiting) during the AM peak hour and 111 new vehicle trips (70 entering and 41 exiting) during the PM peak hour. It is expected that approximately 35% of the site-generated traffic will travel to and from the east on Upper Mannix Road and 65% will travel to and from the west on Upper Mannix Road toward US Route 4.

According to the Traffic Study, NYSDOT and industry standards do not require further detailed intersection study where projected traffic volumes at involved intersections will be less than 100 trips. The available stopping sight distances eastbound and westbound on Upper Mannix Road satisfy the AASHTO guidelines for a 45-mph operating speed eastbound and a 50-mph operating speed westbound at the site access road. To maximize the sight lines in both directions, it is recommended that vegetation along the project frontage be cleared and maintained a minimum of 14.5 feet back from the travel way. It is further recommended that any site signing and landscaping be placed 14.5 back from the roadway or be of a height not to restrict the sight lines. To address cut through traffic using Thompson Hill Rd, it is recommended that signage be placed at the Mannix/Thompson Hill Rd intersection indicating that local traffic only is permitted.

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<sup>3</sup> [REFERENCE VHB REPORT]

The proposed action involves approval of a proposed major cluster subdivision plat, known as “Carver Court,” for development of 110 single family residential building lots and related infrastructure, including roadways, public utilities, stormwater management areas, and other improvements (the “Project”). The project site consists of several tax parcels totaling approximately 90.95 acres. It is situated off of Mannix Road and is zoned Residential Buffer (R-B) with water/sewer incentive. The proposed lots will be developed on 6,048 L.F. of new town roadways. Approximately 47.86 acres (53%) acres of open space will be provided in accordance with the R-B incentive zoning and cluster subdivision requirements. A trail will be installed along the east boundary of the site, connecting the northeast cul-de-sac to the proposed open space and an additional loop trail, and a small, flat, well-drained area will be seeded as grass for active recreation.

The Planning Board concluded that, with the imposition of the conditions set forth below, the Project will not have any significant adverse environmental impacts. The following are the conditions that were imposed:

#### **Sanitary Sewer**

- Planned upgrades to the 3rd Avenue Pump Station, Barracks Road Pump Station, 3rd Avenue Pump Station Forcemain, and various segments of gravity sewer, as identified in the Town’s engineers report and in accordance with the Developers Agreement between the Town and Regeneron Pharmaceuticals, Inc., must be approved and constructed.
- Additional portions of the gravity system need to be increased to convey wastewater from the Project, as identified by the engineer for the Project and

subject to approval by the Town. These additional pipes are not part of the aforementioned “planned upgrades.” The Town’s engineer has indicated that approximately eight (8) additional segments of the gravity system, totaling approximately 3,089 lineal feet of gravity sewer pipe, need to be increased in capacity to convey wastewater from the Project.

- These upgrades are contingent or conditions upon approval by the Town Board, NYSDEC, and Rensselaer County Health Department among other agencies and the construction of the upgrades must occur in order to ensure that no significant adverse environmental impact will occur as a result of the proposed project. This project is therefore, conditioned upon the receipt of agency approvals for and the construction of the additional capacity in the municipal wastewater conveyance system necessary to serve this project, i.e. the improvements to the system described above as such improvements may be authorized by the reviewing agencies.



A copy of the Conditioned Negative Declaration is available at the Planning and Zoning Department office at Town Hall, 225 Columbia Turnpike, Rensselaer, New York 12144.

Comments on the Conditioned Negative Declaration may be submitted through close of business on February 23, 2022, to Adam Yagelski, Director of Planning and Zoning, at Town Hall, 225 Columbia Turnpike, Rensselaer, New York 12144, or at [ayagelski@eastgreenbush.org](mailto:ayagelski@eastgreenbush.org).

**DEJULIO**  
**MINOR 2-LOT SUBDIVISION**  
**40-44 TANNERS LANE**  
**JANUARY 26, 2022**

**ADOPTION of NEGATIVE DECLARATION**  
**(21-31)**

MOTION: A motion was made by Chairman Mastin as follows:

**WHEREAS**, the East Greenbush Town Planning Board is in receipt of an application by Michael and Mary Jane DeJulio (the Owner) with Holbritter Land Surveying, professional design consultant to the Owner, for a 2-lot Minor Subdivision approval under Section 276 of the New York State Town Law for a residential subdivision involving the subdivision of two parcels totaling 1.81 acres parcel located at 40 and 44 Tanners Lane on which there are currently two single family homes, both of which are owned by the Owner; and

**WHEREAS**, the proposal would subdivide the parcel so that each home is on its own lot creating a third new buildable lot between the two existing parcels and single family homes; and

**WHEREAS**, the Town Project Review Team did review the preliminary plat and the various supporting data on May 10<sup>th</sup>, 2021 and meeting notes show discussion related principally to procedural review regarding area variances; and

**WHEREAS**, on November 10, 2021 the Planning Board did classify the proposed sketch plat as a Minor Subdivision; and

**WHEREAS**, on November 10, 2021 the Planning Board classified the action as an Unlisted action in accordance with 6NYCRR Part 617, declared its intent to seek lead agency status, and initiated a coordinated review under SEQRA ; and

**WHEREAS**, the Planning Board did refer the application to the Town's Zoning Board of Appeals on November 10, 2021, in accordance with New York State Town Law Section 277(6) and Section 4.2.4 of the Town's Comprehensive Zoning Law, as the application as proposed required the following variances:

1. Proposed Lot #1, with a proposed area of 1.08 +/- acres, lacks appropriate width (frontage), having only 35.71 feet of width in violation of Section 2.6.6.E:
  - a. Area and Bulk Schedule in Residential District (R-2) requires a

minimum lot width of 75 feet

2. Proposed Lot #2, with a proposed area of 0.46 +/- acres lacks appropriate width (frontage), having only 39.35 feet width in violation of Section 2.6.6.E:
  - a. Area and Bulk Schedule in Residential District (R-2) requires a minimum lot width of 75 feet

**WHEREAS**, the Planning Board, has carefully reviewed the land development application, sketch plat, Short Environmental Assessment Form Part 1, and related materials for this project in accordance with Title 8 of the Environmental Conservation Law and 6NYCRR Part 617 for potential significant adverse environmental impacts as a result of the action; and

**WHEREAS**, mitigation measures, as appropriate to this subdivision proposal, have either been incorporated into the design of this subdivision and/ or the conditions of this resolution; and

**WHEREAS**, the Planning Board has compared the proposed action (minor subdivision approval) against the criteria listed in 617.7 (c) (i-xii) and has considered the potential long-term, short-term, direct, indirect and cumulative impacts as per 617.7. (2) and has also assessed the likely consequence of the action in connection with the criteria of 617.7.(3) (i-vii); and

Now, therefore, be it

**RESOLVED**, that the Planning Board, upon completion of the coordinated review in accordance with 6 NYCRR Part 617, and having received no responses from other involved agencies to the contrary, hereby declares itself lead agency under SEQRA and re-affirms the classification of the action as an Unlisted action in accordance with 6 NYCRR Part 617; and

be it further

**RESOLVED**, that based on the environmental assessment and review, the Planning Board has determined that the project will not have any significant adverse effects on the environment and that a negative declaration, pursuant to Part 3 of the SEAF, is hereby adopted; and

be it further

**RESOLVED**, that the Planning Board authorizes the Chair to endorse the SEQRA determination and supporting rationale contained therein.

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?”

	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
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?		
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?		
7. Will the proposed action impact existing:		
a. public / private water supplies?		
b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

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.

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.

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.

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Name of Lead Agency

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Date

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Print or Type Name of Responsible Officer in Lead Agency

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Title of Responsible Officer

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Signature of Responsible Officer in Lead Agency

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Signature of Preparer (if different from Responsible Officer)

**DEJULIO**  
**MINOR 2-LOT SUBDIVISION**  
**40-44 TANNERS LANE**  
**JANUARY 26, 2022**

**MOTION to SCHEDULE PUBLIC HEARING**  
**(21-31)**

**A Public Hearing is hereby scheduled for February 9<sup>th</sup>, 2022 @ the East Greenbush Town Hall or via Zoom @ 7:00 PM, in order to receive public comment on the proposed plat for the DeJulio minor subdivision in accordance with the Article IV Section 3(D) of the Town's Subdivision Regulations and Section 276 of the NYS Town Law.**

*End of Motion*

**C & T EAST GREENBUSH, LLC**  
**590 COLUMBIA TURNPIKE**  
**MINOR SITE PLAN MODIFICATION**  
**JANUARY 26, 2022**

**MOTION FOR CONDITIONAL APPROVAL (22-01)**

A motion was made by Chairman Mastin as follows: **The Town of East Greenbush Planning Board hereby classifies this action as a Type II SEQRA action in accordance with 6 CRR-NY 617.5(9) “construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities”, and grants conditional approval of the proposed minor site plan modification subject to the following conditions:**

- **Satisfying outstanding technical details as determined by the Town’s Consulting Engineer and Town Planning Department;**
- **Site plan shall not be considered to have final approval until necessary improvements in connection with the Town Center PDD, approved major site plan as shown on plans entitled “Town Center Development Phase 1” prepared by Hart Engineering, dated December 2020, and last revised July 12, 2021, are determined by the Town to be complete;**

*End of Motion*

**GALLO**  
**LOT LINE ADJUSTMENT**  
**3 HALLENBECK HILL**  
**JANUARY 26, 2022**

**MOTION for CONDITIONAL APPROVAL (22-02)**

MOTION: A motion was made by Chairman Mastin as follows:  
**The Town of East Greenbush Planning Board hereby:**

- 1. Classifies this action as a Type II SEQRA action in accordance with 6 CRR-NY 617.5 (16) “granting of individual setback and lot line variances and adjustments”;**
- 2. Grants final approval of the proposed Lot Line Adjustment prepared by McGrath Surveyors and dated January 18, 2022, subject to the following:**
  - Satisfying outstanding technical details as determined by the Town Planning and Zoning Department; and**
  - All remaining fees are paid to the Town.**

*End of Motion*



**SHELLEY'S SALON  
2 GREENBUSH AVENUE  
SITE PLAN MODIFICATION  
JANUARY 26, 2022**

**MOTION to ACCEPT SKETCH PLAN (22-03)**

**MOTION:** A motion was made by Chairman Mastin as follows: **The Town of East Greenbush Planning Board hereby;**

- 1. Classifies this action as a Type II SEQRA action in accordance with 6 CRR-NY 617.5(c)(9) “construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities”;**
- 2. Accepts the sketch plan dated, December 2, 2021, last revised January 4, 2022 prepared by Advance Engineering & surveying, PLLC for the proposed site plan modification, and determines that the project requires full site plan review based upon its scope and/or land use, site and building design characteristics, and advises the applicant of preliminary site plan requirements.**