Town of New Lebanon
PO Box 328
New Lebanon, New York 12125
Phone: 518.794.8884 | Fax: 518.794.9694
Email: buildingdept@townofnewlebanon.com

PLANNING BOARD APPLICATION

Application No (office use only): _____

SITE INFORMATION

Site Location (911 Address): 538 Route 20 Nearest Crossroad: Tilden Rd

Tax Map No.: 19.2-1-69 Zoning District: Central Commercial

PROPERTY OWNER & APPLICANT INFORMATION

Property Owner Name: Tilden Project LLC Phone: 917-488-1061

Mailing Address: 58 Pool Hill Rd, New Lebanon, NY 12125

Email: joshuanyoung@gmail.com

Applicant Name (if different from Property Owner): _____ Phone: _____

Mailing Address: _____

Email: _____

SURVEYOR INFORMATION

Surveyor Name: _____ License No.: _____

Mailing Address: _____

Email: _____ Phone: _____

ENGINEER / ARCHITECT INFORMATION

Name: Architect: Arl Goldstein / Engineer: Brendon Becker License No.: Architect: 037279 / Engineer: 091608

Company Name & Address: Substrate Architecture, 33 Upper Hollow Rd, Hillsdale NY, 12529 / Lamont Engineers 197 NY-10, Cobleskill, NY 12043

Email: arl@substrateac.com / bbecker@lamontengineers.com Phone: 464-282-8253 / 518-231-2959

NATURE OF PROPOSED WORK (a separate application is required for each request)

☐ Lot Line Adjustment ☐ Minor Subdivision ☐ Major Subdivision ☑ Site Plan Review ☐ Special Permit ☐ Appeal of ZEO Determination

Project Use/Description: Mixed use, including multifamily dwelling and retail store

1) Please attach a detailed narrative explaining the specifics pertaining to the proposed use, any anticipated changes to the site, space or floor plans, accommodations necessary for water, sewer, parking, lighting, etc.
2) Review the applicable Code section which applies to the specific application you are pursuing. Responses to the outlined requirements in the Code should be included as part of the narrative. See General Instructions.
2) Provide stamped plans of the property as required by the zoning code including property boundaries, existing site features such as woodlands, floor plains, other natural features, etc., existing structures, approximate well and septic locations and the proposed structure(s). Dimensions must be provided from the p[illegible]sed building to the front, rear and side property lines. The front setback should be measured from the center of the traveled portion of the road.
3) [illegible]efer to the applicable Code section which applies to the nature of the proposed work for more detailed plan submission requirements.

☑ YES ☐ NO **Is the access road to the project a Town/County or State Road or highway?** (New York State Town Law: $280-a)

☐ YES ☑ NO **Is any of the property within the flood plain?** If yes, the flood plain area will need to be clearly labeled and lightly shaded on your survey map.

☐ YES ☑ NO **Is any of the property within a DEC regulated wetland?** If yes, you may be required to contact DEC to conduct a site visit to flag the area.

☐ YES ☑ NO **Is any of the property within an ACOE regulated wetland?**

☑ YES ☐ NO **Will one or more acres be disturbed by this project?** If yes, you will be required (under NYS DEC regulations) to develop a Storm Water Pollution Prevention Plan (SWPPP) in order to obtain coverage under the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity.

The project occurring within 500 feet of (Check all that may apply):

☐ A municipal Boundary

☐ County or State Park or recreation either existing or proposed

☑ State or County road or right-of-way, either existing or proposed

☐ State or County owned building or institution

☐ Stream or drainage channel owned by the County or for which channel lines have been established

☐ Active farm operation within a County Defined Agricultural District

PLEASE CHECK THE APPROPRIATE SPACE: I consent to the extension of the 62-day Public Hearing and review period. (See instruction item #4.)

☐ YES ☑ NO

I certify that the statements herein contained are true to the best of my knowledge and belief and I have prepared and submitted all pages of this application. By signing this application, the undersigned does hereby grant permission to members of the Town of New Lebanon Planning Board and Building Department to enter upon my property for the purpose of examining same by reason of an application now pending before said Board.

Signature of Property Owner _____ Date: **July 2, 2025**

Signature of Applicant _____ Date: **July 2, 2025**

Fees: Application fees are determined by the nature of the proposed work and can be found on the Town of New Lebanon website, payable by check to the Town of New Lebanon or in cash. If you were directed by the Planning Board at your Sketch Plan Conference that Escrow is required for this project, a separate check for that amount will be required at the time of application. If the escrow fees are not submitted with this application, this application will be deemed incomplete.

A DECISION DOCUMENT BY THE PLANNING BOARD AND A BUILDING PERMIT APPLICATION MUST BE SUBMITTED AND OBTAINED BEFORE BEGINNING ANY CONSTRUCTION OR OCCUPANCY.

Office Review – office use only

Date Received: _____ Application No: _____ Zoning Classification: _____

Fee Paid: ☐ $_____ Date: _____ Check No.: _____ Receipt No.: _____

Clerk Signature: _____ Date: _____

PZ clerk rec'd 07.02.25

Town of New Lebanon
PO Box 328
New Lebanon, New York 12125
Phone: 518.794.8884 | Fax: 518.794.9694
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Office Review – office use only

Date Received: _____ Application No: _____ Zoning Classification: _____

Fee Paid: ☐ $_____ Date: _____ Check No.: _____ Receipt No.: _____

Clerk Signature: _____ Date: _____

BARGAIN AND SALE DEED

(WITH COVENANT AGAINST GRANTOR'S ACTS)

THIS INDENTURE, made the 15th of April, in the year 2025
BETWEEN

FFM GROUP, LLC.,
a New York State limited liability company with offices at 837 State Route 20, New Lebanon, New York 12125, party of the first part, and

TILDEN PRIOJECT, LLC.,
a New York State limited liability company, with offices at 58 Pool Hill Road, New Lebanon, New York 12125, party of the second part,

WITNESSETH, that the parties of the first part, in consideration of One ($1.00) dollar, lawful money of the United States, and other good and valuable consideration, paid by the parties of the second part, do hereby grant and release unto the parties of the second part, the heirs or successors and assigns of the parties of the second part forever,

All that Lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Lebanon, Columbia County, New York, as is more particularly described in

SCHEDULE "A" ATTACHED HERETO AND MADE APART HEREOF

BEING the same premises conveyed to Grantors herein by deed from Nicole Rubino as Executor of the Last Will and Testament of Frank John Rubino, Sr., dated July 15, 2022, recorded in the Columbia County Clerk's Office on August 8, 2022 in Book 967 at Page 1052.

SUBJECT TO all agreements, easements, covenants and restrictions, of record and any state of facts that an accurate survey or visual inspection would reveal.

TOGETHER with all right, title and interest, if any, of the parties of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the parties of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the parties of the second part, the heirs or successors and assigns of the parties of the second part forever.

AND the parties of the first part, covenants that the parties of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal the day and year first above written.

In Presence of

FFM GROUP, LLC.

By: Ashley Zapp, Member

STATE OF NEW YORK)
) ss.:
COUNTY OF COLUMBIA)

On the 11th day of April, 2025 before me, the undersigned, a Notary Public in and for said State, personally appeared Ashley Zapp, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

Record and Return: Matthew Griesemer, Esq., 21 North 7th Street, Hudson, New York 12534

VERONICA S. CONCRA
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02CO6408405
Qualified In Columbia County
Commission Expires August 24, 2028

LEMERY GREISLER LLC, EXAMINING COUNSEL
as Examining Counsel for
CHICAGO TITLE INSURANCE COMPANY

SCHEDULE A
LEGAL DESCRIPTION

The Land is described as follows:

ALL THAT TRACT or parcel of land situate in the Town of New Lebanon, Columbia County, New York, lying northwesterly of US Route 20 & 22 and easterly of Tilden Road and being more particularly bounded and described as follows:

BEGINNING at a point on the northerly state highway boundary of the combined Routes 20 & 22 at its intersection with the easterly town highway boundary of Tilden Road; running thence northerly along the said easterly town highway boundary the following four (4) courses and distances:

1. Along a curve to the right having a radius of 113.81 feet an arc length of 63.34 feet, the chord for said curve being North 30° 55' 28" West 68.27 feet to a point of tangency; thence
2. North 13° 28' 15" West 121.59 feet to a point; thence
3. North 11° 58' 59" West 188.83 feet to a point of curvature; and
4. Along a curve to the left having a radius of 380.37 feet an arc length of 198.32 feet, the chord for said curve being North 26° 55' 10" West 196.08 feet to a point; thence northwesterly along the property line division line between lands of Brenda Browdy, Trustee of the Browdy Family Irrevocable Trust as described in Cartridge 351 of Deeds at Frame 1966 on the southeast and lands now or formerly of Lloyd W. & Andrew E. Sandstorm as described in Cartridge 411 of Deeds at Frame 1146 on the northwest the following two (2) courses and distances:

1. North 49° 40' 48" East 22.45 feet to a point; and
2. North 59° 52' 42" East 279.57 feet to an existing iron pipe; thence southerly along the property division line between the lands now or formerly of Malcom A. Larabee as described in Liber 513 of Deeds at Page 591, in part lands now or formerly of Gordon & Margaret Brueckmann as described in Liber 523 of Deeds at Page 764, in part lands now or formerly of Grover J. Askins as described in Liber 546 of Deeds at Page 37, in part lands now or formerly of Robert W. Weber, Jr. as described in Liber 585 of Deeds at Page 434, in part all on the east and said lands of Browdy on the west, the following five (5) courses and distances:

1. South 08° 17' 43" East 76.00 feet to a point; thence
2. South 16° 57' 13" East 88.33 feet to a point; thence
3. South 18° 10' 42" East 96.36 feet to a point; thence
4. North 72° 49' 18" East 11.09 feet to a point; thence
5. South 17° 10' 42" East 78.22 feet to a point; and thence South 72° 55' 19" West, along the property division line between lands now or formerly of Pierre & Patricia Joseph as described in Liber 580 of Deeds at Page 793 and in Cartridge 296 of Deeds at Frame 416 on the south and said lands of Browdy on the north, a distance of 56.52 feet to an existing capped iron rod; thence South 21° 35' 12" East, along the property division line between said lands now or formerly of Joseph on the east and said lands of Browdy on the west, a distance of 209.03 feet to an existing capped iron rod;

Thence South 48° 43' 35" West along the aforesaid northwesterly state highway boundary of combined Routes 20 & 22, a distance of 251.50 feet to the point of beginning.

July 2, 2025

List of managing members of Tilden Project LLC

Josh Young
Ari Goldstein

There are no other major stockholders.

July 2, 2025

Adjoining property owners and property owners directly across all road frontages

Name	Address	Tax ID
Andrew E Sandstrom	26 Tilden Rd	19.2-1-20
Corksrew Rail Trail Assco	21 Tilden	19.2-1-71
Randall H Hatch	7/9/11/17 Tilden	19.2-1-72
New Lebanon Library	550 US Route 20	19.2-1-73
Shantel N Schonour & Sara J Schonour	US Route 20	19.4-1-28
Dimitrios Dilis & Ellen Dilis	531 US Route 20	19.4-1-30.200
Patricia Joseph	536 US Route 20	19.2-1-68
Robert W Weber, Jr	7A County Route 5A	19.2-1-65
Cosmicloyal LLC	8 County Route 5A	19.2-1-64
Margaret S Brueckman & Amy Ann Brueckman	13 County Route 5A	19.2-1-63
Susan Larabee & Sena Larabee	County Route 5A	19.2-1-91

NARRATIVE FOR TILDEN COMMONS

Prepared for New Lebanon Planning Board

July 2, 2025

Project Overview

The proposed development is a mixed use development on a parcel with 3.2 acres. We are seeking to build affordable housing to serve individuals and families in our area and a grocery that can serve the local area. We are seeking permitting for the housing, as a multifamily dwelling use, and for the grocery, as a retail store use. We expect this project to have a major positive impact on the downtown community and the Town overall.

HOUSING — The proposed development includes 41 apartments for local people and families. We anticipate 13 one-bedroom apartments, 15 two-bedroom apartments, and 13 three-bedroom apartments. According to anticipated state and federal housing guidelines, each apartment can house a maximum of 2 people per bedroom. Based on substantial previous experience with similar developments, we expect an average of 1.25 people across the one-bedroom apartments, an average of 3.0 people across the two-bedroom apartments, and an average of 4.5 people across the three-bedroom apartments. Thus we expect this development to house approximately 120 people.

Using State and Federal funds will require all of these apartments to be "affordable," targeting households whose gross incomes are 50–80% of Area Median Income. Affordable is defined as total housing costs no greater than 30% of a household's gross income. For a one-person household with an approximate gross annual income between $39,450 and $63,120, we expect monthly rents for a one-bedroom apartment to be between $950 and $1550. For a two-person household with an approximate gross annual income between $45,100 and $72,160, we expect monthly rents for a two-bedroom apartment to be between $1100 and $1800. And for a three-person household with an approximate gross income between $50,700 and $81,120, we expect monthly rents for a three-bedroom apartment to be between $1250 and $2050.

GROCERY — The proposed project also includes a roughly 10,000 square-foot grocery. We have in place an agreement with the New Lebanon Farmers Market & Grocery to be the tenant for this space. It is committed to supporting local farmers and food producers. It expects this expansion from its current size of 2,000 square feet to enable it to scale its operations, lower prices, and serve a dramatically greater share of the local community.

Design and construction

The design team is led by Ari Goldstein of Substrate Architecture, based in Austerlitz, NY, and includes Brendon Becker of Lamont Engineers, based in Cobleskill, NY, and landscape designer Jocine Valesco, based in New Lebanon, NY.

The design will take inspiration from the Town's rural and agricultural character and Shaker history. Its design and construction would adhere to strict design guidelines authored by New York State's Homes and Community Renewal, a recent copy of which can be accessed online at https://tinyurl.com/hcr-design.

The project will take place on a corner lot. It will conform to 50ft front setbacks from the center lines of Route 20 and Tilden Rd. It will conform to a 15ft side setback from the northerly property (i.e., 19.2-1-20) and to a 25ft rear setback from the easterly properties (e.g., 19.2-1-68).

Environmental and safety considerations

WATER — Since the project will include the construction of more than 5 residential units on one parcel, this project will need to comply with NYSDOH regulations as a community water system. The system well will need to be tested to comply with these regulations. This includes a 72-hour draw down pumping test to ensure that the well is able to meet the system water demands. During this pumping test, the hydrogeologist installed monitoring equipment to monitor existing wells within a 1000–1500-foot radius of the well to ensure the anticipated water withdrawal during extreme conditions will not affect the nearby property wells. (We began this test on June 24 but had to pause the test due to a broken well pump. We replaced the well pump as quickly as possible, restarted the test on June 29, and completed it by 2pm on July 2, with promising initial results.) This water system will also require chlorination and treatment in order to comply with NYS DOH regulations.

WASTEWATER — The project is anticipated to generate a daily wastewater flow of approximately 11,000 gallons per day. Accordingly, the project will fall under the review and regulations of NYSDEC for an intermediate system. The project does not allow for a conventional subsurface discharge septic system, so an advanced treatment will need to be used for wastewater treatment with a surface water discharge. This will require the project to apply for a SPDES permit, and the wastewater system will need to comply with the treatment quality requirements of the permit. The anticipated treatment system to be utilized is a conventional septic tank for solids removal, an Orenco Advantex treatment system for secondary treatment, and UV disinfection before discharge.

STORMWATER — Proposed stormwater treatment for the new impervious surface areas for the project site will mostly be provided by infiltration basins along the Tilden Road portion of the site. Site soils testing has been completed to ensure this is a viable treatment option for the site. This will allow stormwater to percolate slowly into the soils and avoid any impact on any of the existing roadway drainage systems. These infiltration basins will be landscaped with appealing plantings.

Traffic

The NSYDOT traffic count data for US Route 20 indicates Annual Average Daily Traffic in front of the project site of 7,603. With some preliminary assumptions of the impacts of traffic generated from this project, we estimate that the project could result in approximately 300 additional daily trips to and from the project site. This would result in a traffic impact of less than 4% of the existing traffic on US Route 20. A further detailed analysis of traffic patterns and flows will be provided following further definition of the project site.

Project timeline

Our timeline is anchored to the State's annual deadline for applications for affordable housing. We anticipate that deadline in late September 2025. Given the competitiveness of this funding, the State effectively requires projects that are shovel-ready and fully permitted. If the State approves the application, we anticipate breaking ground in 3Q 2026 and beginning operation in 1Q 2028.

Alicia R. Legland
Associate
Direct Dial: 518.433.2416
alegland@hodgsonruss.com

Hodgson Russ LLP ATTORNEYS

July 2, 2025

Town of New Lebanon
Planning Board
14755 Route 22
New Lebanon, NY 12125

Re: Tilden Commons Project - Special Use Permit and Site Plan Application

To: Members of the Planning Board

Our firm represents Tilden Project LLC (Applicant) in connection with its efforts to develop the Tilden Commons Project (the Project) at 538 Route 20 New Lebanon, New York 12125 (Tax Map ID 19.2-1-69) (Property) in the Town of New Lebanon, New York (Town). The Project will replace the abandoned building currently on the Property with a new mixed-use building comprising a grocery store and 41 affordable housing apartment units, as well as a community park. The Property is located in the Central Commercial (CC) District. This letter is in support of the Applicant's special use permit and site plan application (Application).

I. SPECIAL USE PERMIT APPLICATION.

The Project is a specially permitted use in the CC District, as Mixed Uses and Multifamily Dwellings are specially permitted, and Retail Uses, including grocery stores, are permitted with site plan approval. *See* Zoning Law of the Town of New Lebanon, New York (Zoning Law), Use Table. The Town Board made a very specific legislative determination when it enacted the Zoning Law that these land uses are appropriate in this district and in harmony with the character of this area of the Town. *See North Shore Steak House, Inc. v. Bd. of Appeals of Incorporated Vill. of Thomaston*, 30 N.Y.2d 238, 243 (1972) ("[i]nclusion of the permitted use in the ordinance is tantamount to a legislative finding that the permitted use is in harmony with the general zoning plan and will not adversely affect the neighborhood."). Additionally, where a zoning law permits "a use permit subject to administrative approval, the applicant need only show that the use is contemplated by the ordinance and that it complies with the conditions imposed to minimize anticipated impact on the surrounding area[,]" and if it does so, the authority having jurisdiction "is required to grant a special use permit unless it has reasonable grounds for denying the application." *See Edwards v. Zoning Bd. of Appeals of Town of Amherst*, 163 A.D.3d 1511, 1512 (4th Dep't 2018). As discussed thoroughly herein, the Project meets all applicable requirements in the Zoning Law for a special use permit for the proposed use, as provided in Zoning Law §§ 205-6, 205-8, and 205-13, and has demonstrated, in both this letter and in the FEAF Part I and supporting materials, that any potential impacts have been minimized or fully mitigated. As such, the Applicant respectfully requests the Planning Board grant the requested special use permit.

a. The Project meets the requirements for developments in the CC District provided in Section 205-6(C) of the Zoning Law.

1. The development of public parks, commons, or pedestrian plazas with amenities such as benches and landscaping should be encouraged.

The Project intentionally includes a park that will be available for use not just by the residents but by any member of the public. The park will have benches, a large lawn and play area, an octagonal pavilion, a gravel footpath, garden beds and a row of berry bushes and apple trees. The building also includes common space for residents consisting of a courtyard, community room and reading area on the third floor, and a sheltered bike parking area. There will be landscaping around the entirety of the Property, which will include native tree clusters, various evergreen and deciduous trees, flowering trees, ornamental grasses and perennials, etc. *See* Site Plan, L100- L 200.

2. Where practicable, existing tree rows and hedgerows, stonewalls, and similar features should be retained in the development of any new use or the expansion of any existing use.

There are no existing tree rows, hedgerows, stonewalls, or similar features currently on the Property. There is significant landscaping proposed to be included with the Project. *See* Site Plan, L100-L200.

3. Where practicable, new buildings should be designed in a manner that harmonizes with the general architectural features of the traditional and rural nature of New Lebanon in terms of form, materials, and fenestration and roof shape.

The building has been designed to complement the Town's rural character. *See* Applicant's Planning Board Architecture Memo, July 2, 2025 ("The proposed building is a traditional New England–style barn with a metal roof and cupola. A secondary porch faces most of the south face of the building. The proposed building's street-facing façade references the classic barn form with large openings and a full porch. The proposed building retains the cupola but reimagines it as a warm beacon on Main Street. The roof is set back to reduce the bulk at the edges ... The monochrome Evergreen wall color, stone base, and light metal roof come from the local classic vernacular agricultural architecture, whose buildings are often much larger than the proposed project."). The building has also been designed to include architectural and design elements consistent with the area's Shaker history. *See id.* ("The proposed design pays homage to the local Shaker Heritage in New Lebanon, NY, and other nearby Shaker communities. The yellow ochre as accent in the color palette comes from the 6 Shaker colors referenced in the Shaker Millennial Laws ... The design incorporates several architectural details that reflect the Shaker building tradition: 1. Pentice roofs over the entry doors[;] 2. Clapboard siding[;] 3. Single double hung windows with flat trim and trim extensions on top frame[;] 4. Water table at 18"[;] 5. Cove soffit at street facing façades of commercial building[;] 6. Sliding Barn doors at storefront openings").

4. All new streets shall be designed to permit the installation of electric, water, sewer, and gas utilities underground, either initially or at the time major improvements or upgrades are made to the street or the particular service.

The Project does not involve any subdivision or creation of new streets. Utility service to the Property already exists as it served the prior (now abandoned) commercial building on the Property.

5. Cross-easements shall be used to provide shared access to parking whenever possible.

There is adequate parking on the Property for residents and guests and grocery store patrons. See Tilden Commons Residential Tenant Policies ("There shall be 69 spots reserved for assigned residential parking … residents of each one-bedroom apartment shall be assigned a maximum of one parking spot … Each two-bedroom and each three-bedroom apartment shall be assigned a maximum of two parking spots … There shall be 11 spots reserved for guest parking. Residents … There shall be 50 spots reserved for grocery parking."). The Applicant has also secured the option to create, maintain, and use a 20-space parking lot on the 1- acre parcel owned by the Rail Trail Association across Tilden Road from the Property. See *Tilden Commons additional parking on Corkscrew Rail Trail land.*

b. The Project meets the requirements for commercial buildings provided in Section 205-8(E) of the Zoning Law.

1. The side of the building that provides frontage for the lot on which the building is located should be aesthetically compatible with, but not necessarily the same as, the surrounding area.

As noted above, the Project has been designed to match the overall rural character of the Town and includes Shaker elements consistent with the architectural history of the Town and area. *See* Applicant's Planning Board Architecture Memo, July 2, 2025. Because the Property is a corner lot, there is frontage on both Tilden Road and U.S. Route 20. The "primary" frontage of the building that faces U.S. Route 20 includes a classic New England-style barn design with large openings and a full porch, a set back metal roof, and cupola. Parking has also been relocated from its current position on the Property to the rear and side of the new building.

2. Parking areas should be located away from the road or behind structures.

The majority of the parking spaces will be located to the rear of the Property, opposite from U.S. Route 20. Because the Property is a corner lot, there will be some parking spaces to the second "rear" of the Property, opposite from Tilden Road. This is consistent with other commercial properties in this area of the Town.

3. Drive-up windows for any proposed or existing land use, where allowed by lot configuration, should be placed at the rear of the building. Adjacent properties shall be screened from any glare from vehicles or building lights resulting from use of a drive-up window.

There will not be any drive-up windows included in the Project.

4. In order to control traffic, the Planning Board may require, where appropriate, reductions in lane widths, use of shared access drives, shared parking lots, and rear service road connections.

Noted. However, as mentioned above, the Applicant has included adequate parking, vehicle entry/exit, and a loading dock in the Project design. The number of parking spaces is informed by residential development design guidelines, including those developed by New York State Homes and Community Renewal (HCR), and the number of parking spaces for the grocery store was developed by a review of comparable grocery stores in the area. *See* Traffic Study Report and Tilden Commons Residential Tenant Policies.

The Project meets the special use performance standards provided in Section 205-13(B) of the Zoning Law.

1. Fire and explosion hazards. All activities involving the storage of flammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion. Methods of prevention and suppression of these hazards shall be approved by the local officials responsible for fire prevention and public safety.

No fire or explosion hazards are included as part of the Project.

2. Radioactivity or electrical disturbance. No activities shall be permitted that emit radioactivity or electrical disturbance that will jeopardize the health of adjacent residents and properties or property or otherwise adversely affect the operation of any equipment other than that on the premises.

No activities that emit radioactivity or electrical disturbance will be included as part of the Project.

3. Noise. The maximum noise level at the property line applicable to the use involved shall not exceed 70 dB as measured in accord with the procedure specified by the American National Standards Institute.

As noted above, the Property is in the Town's Central Commercial District. A busy highway runs through the District, with thousands of cars and trucks, including semi-trucks, passing through daily. The District also contains similar commercial land uses that produce noise levels similar to those the Project will produce. Given the use of surrounding properties and location on the Town's main highway, the Project, once in operation, will not produce noise at the property line exceeding 70 dB. During construction, however, the Project *may* produce noise at the property line exceeding 70 dB. It should be noted, however, that bedrock is not present on the Property, so no blasting or hammering is anticipated to be needed during site work. Further, included in the Residential Policies for tenants will be quiet hours from 11 pm to 7 am, during which tenants shall not make noise disturbing other residents, whether inside apartment units or anywhere on the Property. *See* Tilden Commons Residential Tenant Policies.

4. Vibration. No vibration shall be permitted which is detectable, other than by instrument, at the property line.

Other than during construction, which may produce vibration during certain activities such as minor excavation and foundation installation, operation of the Project will not produce any vibration.

5. Glare. No direct or reflective glare from any lighting or process shall be permitted where such will interfere with traffic safety or the useful enjoyment of adjoining properties.

No part of the Project has the ability to produce glare interfering with traffic safety or enjoyment of adjoining properties other than certain exterior lighting. However, this exterior lighting, which is included in the Project for safety of residents and grocery store patrons, will be downcast, shielded, and dark sky compliant. The exterior lighting has been specifically designed and will be installed so as not to cause any glare or light pollution onto adjoining properties.

6. Smoke. No emission shall be permitted of a shade equal to or darker than Ringelmann Smoke Chart No. 2.

No part of the Project will generate smoke.

7. Odors. No emission of noxious gases or other matter shall be permitted in a quantity or of a type that permits it to be detectable, other than by instrument, at the property line.

No part of the Project will generate odors or emission of noxious gases.

8. Other forms of air pollution. No emission of fly ash, dust, smoke, vapors, gases or other forms of air pollution, including construction-related dust and odors, shall be permitted which can jeopardize human health, animal or vegetable life or which otherwise contributes to the deterioration of or detracts from adjacent properties, provided that for specific air pollutants that are regulated under federal or state law, compliance with all such applicable laws, regulations and/or permits issued thereunder shall constitute compliance with this performance standard.

Ordinary carbon emissions that will result from construction vehicles and equipment during the temporary construction period are typical of any civil construction project that takes place in the Town and will not "jeopardize human health, animal or vegetable life or which otherwise contribute[] to the deterioration of or detract[] from adjacent properties." Zoning Law § 205-13(B)(8). These emissions, which will be temporary, are no different from the emissions from the vehicles driving by on the highway adjacent to the Property. Once the Project is in operation, there will be very little emissions released as the building will be all-electric, with the only potential for emissions coming from residents' and patrons' vehicles and delivery trucks.

9. Discharge of water. No polluting or objectionable waste shall be discharged into any stream or other natural drainage channel or upon the land that will in any way interfere with the quality, operation or continuation of these natural systems or contribute to their despoliation.

There will not be any discharge of waste into any stream, drainage channel, or land that will negatively impact these systems. During construction and operation, the Applicant will mitigate all potential erosion and stormwater impacts through stormwater control design and by following the measures in the New York State Department of Environmental Conservation (NYSDEC) Stormwater Design Manual and NYSDEC Standards and Specifications for Erosion and Sediment Control (*i.e.*, The Blue Book) and the Project's approved Stormwater Pollution Prevention Plan (SWPPP). The Project will also not release wastewater into the environment. All sanitary wastewater generated from the building will be treated via a treatment system with a conventional septic tank, an Orenco Advantex treatment system for secondary treatment, and UV disinfection before discharge. Lastly, during construction and operation, the Project will manage solid waste via onsite dumpsters which will be emptied regularly.

10. Traffic access. All proposed traffic accessways shall be adequate but not excessive in number, adequate in width, grade and alignment and visibility, and sufficiently separated from street intersections and places of public assembly and shall meet other similar safety considerations.

The Project will have three traffic accessways. There will be one point of ingress, via an existing curb cut, from U.S. Route 20 for patrons, residents, and guests. There will be a point of ingress and egress along Tilden Road for patrons, residents, and guests. Together with the design of the parking lot, movement of such traffic will be efficient. In addition, there will be a second point ingress and egress along Tilden Road exclusively for deliveries. All accessways will be sufficiently distanced from any places of public assembly and from the intersections with U.S. Route 20 of Shaker Road, West Street, and Tilden Road. Further, The Applicant's engineer, Lamont Engineers, conducted a Traffic Study and prepared a Traffic Study Report to review the potential impacts on traffic from the Project. As indicated in the Traffic Study Report, the "existing sight distance in both directions at the Tilden intersection are 500'+. The AAHTO Sight stopping distance minimum recommendations for a design speed of 45 MPH on a level grade are 360' so this intersection more than meets those requirements." Traffic Study Report, dated July 1, 2025.

11. Parking. Adequate off-street parking and loading spaces shall be provided in accordance with this chapter to prevent parking in public streets of the vehicles of any persons connected with or visiting the use. Shared parking is encouraged where the peak parking demands of different uses occur at various times of the day. Use of a widely accepted means of projecting demand for shared use, such as the Urban Land Institute's shared parking report, shall be employed to demonstrate shared parking effects.

As noted above, the Applicant has included adequate parking, vehicle ingress and egress, and a loading dock in the Project design. *See* Traffic Study Report, Attachment. The number of parking spaces is informed by residential development design guidelines, including those developed by HCR, and the number of parking spaces for the grocery store was developed by a review of comparable grocery stores in the area. The Zoning Law sets out guidelines for off-street parking, and rather than mandating a standardized number of parking spaces to be applied to all uses, the Zoning Law encourages applicants and the Planning Board to engage in an iterative process to determine the appropriate number of parking spaces required for a specific application. Here, based on the above data as well as a review of comparable retail stores in the area, the Applicant has

designed the Project site with 130 parking spaces. Specifically, the Project is similar in square footage to the Dollar General in Town, and the parking for the Project has a similar ratio of parking spaces to relevant square footage. That project was approved in 2023, allowing for parking to the side and rear of the building.

Further, as noted in the Tilden Commons Residential Tenant Policies, there will be 69 spots reserved for permitted, assigned residential parking. Residents of each one-bedroom apartment shall be assigned a maximum of one parking spot and each two- and three-bedroom apartment shall be assigned a maximum of two parking spots. There will also be 11 parking spots reserved for guest parking and 50 parking spots reserved for grocery parking."). *See* Tilden Commons Residential Tenant Policies. The Applicant has also secured the option to create, maintain, and use a 20-space parking lot on the 1- acre parcel owned by the Rail Trail Association across Tilden Road from the Property.

12. Circulation. The interior circulation system shall be adequate to provide safe accessibility to all required off-street parking and to provide for the convenience and safety of vehicular, pedestrian, and bicycle movement within the site and in relation to adjacent areas or roads.

As noted above, the Applicant has included an entrance from U.S. Route 20 and as well as an entrance and exit from Tilden Road to allow for circular movement of vehicles around the building. These access points are at a right angle to each other, allowing for traffic movements around the rear of the building, rather than across the front of the building. There is also an island included in the rear parking area to allow for circular movement within that specific area as well. *See* Traffic Study Report, July 1, 2025, Attachment. The residential entry is at the rear of the building where the residential parking will be located, whereas the grocery store entry is toward the front of the building, near the entrance from U.S. Route 20 where grocery store customers will park. There are sidewalks around the building as well as a bicycle parking area. Additionally, there is a separate access point from Tilden Road solely for deliveries to the loading dock. *See id.* This will prevent daily delivery trucks from impacting circularity of traffic by residents and patrons.

13. Landscaping and screening. All parking and service areas shall be reasonably screened at all seasons of the year from the view of adjacent residential lots and streets, and the general landscaping of the site shall be in character with that generally prevailing in the neighborhood. Existing trees shall be preserved to the maximum extent practical.

The parking area, which will be located to the side and rear of the building, will be landscaped with shrubs and trees to screen the parking areas from adjacent residential properties to the greatest extent practicable. There is an existing vegetative buffer to the north and most of east of the Property that will remain. The community park will be located to the rear of the parking area, shielding it from properties further north. The loading dock that will be on the west side of the building will be reasonably screened with landscaping. The additional landscaping to be installed around the building and parking area will be consistent with the character of the natural vegetation and landscaping in the area, as various native species will be used, as well as a variety of species– flowering trees, evergreen trees, deciduous trees, ornamental grasses and perennials, etc. *See* Site Plan L100-L200. There will also be little, if any, vegetation removal for construction of the Project.

14. Character. New Lebanon is a culturally, economically, socially, and architecturally diverse community. The Board shall consider this diversity in making conditions on special use permits. The character of the proposed use, buildings, structures, outdoor signs and lighting shall be in general harmony with the character of the surrounding neighborhood and of the Town of New Lebanon.

Noted. As discussed fully herein, the Project has been designed to blend into the rural character of the Town and includes various Shaker elements consistent with the architectural and historic style of the area. *See* Applicant's Planning Board Architecture Memo, July 2, 2025.

15. Historic and natural resources. The proposed use shall be designed and shall be carried out in a manner that protects historic and natural environmental features on the site under review and in adjacent areas.

The Project will not impact any historic features on the Property (as there are none) or in the adjacent area. As indicated in the Full Environmental Assessment (FEAF) Part I, the Project will not impact any archaeological or historic resource. Additionally, the FEAF Part I indicates that the Project will similarly not impact any wetlands or streams in the area, include any stationary source of air emissions once the building is constructed, produce odors, use or dispose of hazardous wastes, create flooding in the area, or impact any protected species or habitats. Further, during construction of the Project, any erosion or stormwater impacts will be fully mitigated through the Project's stormwater control design as well as by following the measures in the NYSDEC Blue Book and the Project's approved SWPPP. The new source of sanitary wastewater generated from the building will not present any adverse impacts on- or offsite, as the Project includes a treatment system with a conventional septic tank, an Orenco Advantex treatment system for secondary treatment, and UV disinfection before discharge. Lastly, the exterior lighting to be installed onsite for safety will be downcast, shielded, and dark sky compliant and will not produce any glare or light exposure onto adjacent properties.

16. Sewage treatment and water supply. The adequacy of available sewage disposal and water supply services supporting the proposed activity or use shall be sufficient to meet the needs of the proposed activity or use.

The demand for water for the new building will be met with the existing well on the Property—it will not require use of public water or another well. The water demand is anticipated to be approximately 11,020 per day and the maximum pump capacity of the onsite well is 13 gallons per minute – meaning, the well onsite can produce up to 18,720 gallons per day. The new source of sanitary wastewater generated from the building will be adequately addressed via a new treatment system with a conventional septic tank, an Orenco Advantex treatment system for secondary treatment, and UV disinfection before discharge.

17. Emergency services. All proposed buildings, structures, equipment and/or material shall be readily accessible for fire, police, and other emergency service protection.

The building is fully accessible to emergency services. The accessways and parking lot are wide enough for fire engines and ambulances to navigate around the building. Fire Chief Steve

Houghtling has confirmed that "the LVPA has no issues with fire protection on this building." Further, the building design includes standpipes in the fire stairs, more egress doors than required by code, and all first-floor apartments have additional direct exterior access.

18. Size and scale. The location and size of such use, the nature and intensity of operations involved in or conducted in connection with the use, the size of the site in relation to the use, its site layout and its relation to existing and future access streets shall be such that both pedestrian and vehicular traffic will not be hazardous or inconvenient to or incongruous with said residence district or conflict with the normal traffic of the neighborhood.

The Project is proposed to be located in the Central Commercial (CC) District, specifically, the commercial center of Town, which has the densest concentration of commercial uses. *See* Zoning Law § 205-4(B)(3) ("Central Commercial (CC). This district represents the "Town center" of New Lebanon, having the most dense concentration of commercial properties. In furtherance of the Town's comprehensive plan, this district is intended to have vibrant, customer intensive commercial activity … Residential and community-oriented uses are consistent with this downtown feel."). *See also* Town of New Lebanon Comprehensive Plan Update 2021 (Comp Plan) at 19 ("the Routes 20/22 corridor, which has been considered the "center of Town" for the last few decades."). The building size is consistent with other commercial buildings in this area, such as the Midtown Mall, Valley Plaza, and Larrabee Heating building (former bowling alley) and will be fully supported by the size of the Property, which is approximately 3.2 acres. This is particularly true given that the proposed lot coverage of the building will be approximately 20 to 25 percent (the Zoning Law allows up to 75 percent). The intensity of the proposed land use is perfectly suited for this area of the Town. A grocery store is the exact type of business typically located in a "Town Center." The addition of apartment units to a mixed-use building with a grocery store is similarly well-suited to a busier, higher density area, like this one, as the higher number of people coming and going from the apartments and the grocery store is what makes a bustling town center, which is not only suitable in this area, but desired by the Town as stated in the Comp Plan.

Lastly, as discussed thoroughly herein, the Project is designed to safely accommodate the expected number of vehicles and traffic, which in any case will be consistent with the CC District as well as U.S. Route 20, where the Project will be located. The Traffic Study Report indicates that existing Annual Average Daily Traffic (AADT) volume for this corridor of U.S. Route 20 is approximately 7,300 vehicles and the existing peak hour traffic on U.S. Route 20 is 365 to 395 vehicles per hour. *See* Traffic Study Report, dated July 1, 2025. Based on Lamont Engineers' analysis, the Project is expected to generate approximately 73 new vehicle trips during the AM peak hour and 128 new vehicle trips during the PM peak hour, which would result in a volume to capacity ratio of 0.62, which is under the capacity of the existing roads. Lamont Engineers concludes that "[e]xisting traffic conditions on US Route 20 can support the expected increase without significant degradation to traffic operations." *Id.* Lamont Engineers also reviewed the sight distances, findings that the "existing sight distance in both directions at the Tilden intersection are 500'+. The AAHTO Sight stopping distance minimum recommendations for a design speed of 45 MPH on a level grade are 360' so this intersection more than meets those requirements." *Id.*

19. Additional safeguards and conditions. The Board shall impose additional conditions and safeguards upon the special use permit as may be reasonably necessary to assure continual conformance to all applicable standards and requirements, including reasonable assurance that these conditions and safeguards can be responsibly monitored and enforced.

Noted.

c. The Project meets the special use permit standards for multifamily dwellings provided in Section 205-13(E)(10) of the Zoning Law, except for minimum lot size requirement in Section 205-13(E)(10)(A) for which the Applicant is seeking an area variance.

(a) In addition to meeting the minimum lot size requirements for the establishing of the principal use, there shall be a minimum of 5,000 square feet on the lot per dwelling unit.

The Applicant has requested an area variance from the Town of New Lebanon Zoning Board of Appeals (ZBA) for relief from this requirement. *See* Application to the ZBA for an area variance, dated May 19, 2025.

(b) The Board, as part of the sketch phase of site plan review, shall evaluate the building design. Multifamily structures that have an appearance of a single-family dwelling are preferred. The Board shall ensure that the design is compatible with the existing character of neighborhood and Town.

Noted. Given the size of the building, it cannot be designed to have the appearance of a single-family dwelling. However, as discussed above, the building has been designed to complement the Town's rural character and includes architectural and design elements consistent with the area's Shaker history. *See* Applicant's Planning Board Architecture Memo, July 2, 2025.

d. The Project meets the special use permit standards for mixed uses provided in Section 205-13(E)(18) of the Zoning Law.

(a) Each constituent use comprising a mixed use must meet all requirements applicable to such constituent use set forth in this chapter.

As discussed fully herein, the Project meets all the requirements for a Retail Use and Multifamily Dwelling. The only requirement that the Project does not meet is the requirement in Zoning Law § 205-13(E)(10)(A) that there be a minimum lot size of 5,000 square feet per dwelling unit, for which the Applicant is seeking an area variance from the ZBA.

(b) In reviewing an application for special use permit for a mixed use, the Planning Board shall consider each constituent use comprising a proposed mixed use individually, as well as all such constituent uses comprising a proposed mixed use cumulatively.

Noted.

(c) A special use permit for a mixed use shall only permit the constituent uses for which the special use permit was issued. Any additional or different constituent uses, whether considered principal uses or accessory uses under this chapter, shall not be permitted unless special use permit approval is granted therefor by the Planning Board.

Noted.

II. SITE PLAN APPLICATION

As stated, the Project is a specially permitted use in the CC District as Mixed Uses and Multifamily Dwellings are specially permitted, and Retail Uses, including grocery stores, are permitted with site plan approval. *See* Zoning Law, Use Table; *see also* Zoning Law § 205-14(D). As discussed thoroughly herein, the Project meets all applicable requirements in the Zoning Law for site plan approval for the Project as provided in Zoning Law § 205-14. As such, the Applicant respectfully requests the Planning Board grant the requested site plan approval.

a. The Project meets the general site plan review standards and considerations provided in Section 205-14(F) of the Zoning Law.

(1) Location, arrangement, size, design and general site compatibility of buildings, lighting and signs. Structures that are visible from public roads shall be compatible with each other and with traditional structures in the surrounding area in architecture (including but not limited to roof style and facades), massing, and placement, shall harmonize with traditional elements of the area, and shall avoid features such as flat roofs, large expanses of undifferentiated facades and long, plain wall sections. Architectural design shall be in keeping with the small-town architectural character of the area. Exterior lighting fixtures shall minimize glare and use design features such as, but not limited to, fully shielded fixtures to prevent light from shining onto neighboring properties or public ways and unnecessarily illuminating the night sky. Structures should be optimally placed to protect important viewsheds. Structures and activities shall be placed or buffered in a manner that protects adjacent agricultural operations.

As discussed above, the building has been designed to complement the Town's rural character and includes architectural and design elements consistent with the area's Shaker history. The building has been designed to avoid flat roofs, large expanses of undifferentiated facades, and long, plain wall sections. Following feedback from the Planning Board during the sketch plan meeting, the Applicant modified the longer building facades to break up the expanses and add additional detailed elements. *See* Applicant's Planning Board Architecture Memo, July 2, 2025 ("The proposed building is a traditional New England–style barn with a metal roof and cupola. A secondary porch faces most of the south face of the building. The proposed building's street-facing façade references the classic barn form with large openings and a full porch. The proposed building retains the cupola but reimagines it as a warm beacon on Main Street. The roof is set back to reduce the bulk at the edges … The monochrome Evergreen wall color, stone base, and light metal roof come from the local classic vernacular agricultural architecture, whose buildings are often much larger than the proposed project."). The building has also been designed to and includes architectural and design elements consistent with the area's Shaker history. *See id.* ("The proposed

design pays homage to the local Shaker Heritage in New Lebanon, NY, and other nearby Shaker communities. The yellow ochre as accent in the color palette comes from the 6 Shaker colors referenced in the Shaker Millennial Laws … The design incorporates several architectural details that reflect the Shaker building tradition: 1. Pentice roofs over the entry doors[;] 2. Clapboard siding[;] 3. Single double hung windows with flat trim and trim extensions on top frame[;] 4. Water table at 18"[;] 5. Cove soffit at street facing façades of commercial building[;] 6. Sliding Barn doors at storefront openings").

The size of the building is also consistent with other commercial buildings in this area, such as the Midtown Mall, Valley Plaza, and Larrabee Heating building (former bowling alley). The exterior lighting and sign for the grocery store will be in a style that matches the rural character of the Town as well. And, as noted, the exterior lighting has been specifically designed and will be installed so as not to cause any glare or light pollution onto adjoining properties and will be dark sky compliant. There are no viewsheds that the Project will impede nor are there any adjacent agricultural operations that will be impacted by the Project.

(2) Adequacy, arrangement, and compliance with the applicable municipal regulations regarding vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, dividers and traffic controls, and adequacy of snow storage and ease of snow removal. The Town Planning Board shall forward the site plan to the Highway Department for review.

As discussed above, the Project has been designed with adequate ingress and egress for vehicles and pedestrians, as well as bicyclists. *See* Traffic Study Report, July 1, 2025, Attachment. The Applicant has included three accessways, including an entrance from U.S. Route 20 and as well as an entrance and exit from Tilden Road to allow for circular movement of vehicles around the building. These access points are at a right angle to each other, allowing for traffic movement around the rear of the building, rather than across the front of the building. There is also an island included in the rear parking area to allow for circular movement within that specific area as well.

Together with the design of the parking lot, movement of such traffic will be efficient. In addition, there will be a second point of ingress and egress along Tilden Road exclusively for deliveries. The Applicant has also designated an area of the Property where snow will be piled in order to keep the parking lot clear during the winter months. *See* Site Plan.

(3) Location, arrangement, appearance and sufficiency of off-street parking and loading. Use of pervious surfaces such as gravel or pavers are encouraged to reduce stormwater runoff.

As discussed herein, the Project design includes adequate parking, and the number of parking spaces was informed by residential development design guidelines, including those developed by HCR and by a review of comparable grocery stores in the area. See Tilden Commons Residential Tenant Policies. The parking lot will be constructed with asphalt; however, there will be gravel and pavers in certain areas of the Property (*e.g.*, the plaza at the front of the grocery store, the courtyard, walkways, the footpath through the community park, etc.). And in any case, any stormwater impacts from installation of the pervious surfaces will be fully mitigated through the Project's stormwater control design as well as by following the measures in the NYSDEC Blue Book and the Project's approved SWPPP.

(4) Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience.

As discussed above, the Project has been designed for adequate pedestrian access, circulation, and convenience. There are sidewalks around the grocery store and there is a path from the rear parking area through to the residents' entrance. There is also a footpath that starts at U.S. Route 20, runs along Tilden Road for the length of the building, and then connects to the community park. Accordingly, anyone walking along the Town's forthcoming sidewalk along U.S. Route 20 could enter the footpath and find their way to the park. Further, as provided in the Traffic Study Report, the intersection of Tilden Road and U.S. Route 20 is a one-way stopped controlled (minor road stop). *See* Traffic Study Report, July 1, 2025.

(5) Adequacy of stormwater and drainage facilities and compliance with all applicable New York State DEC stormwater regulations.

As noted, any stormwater impacts from installation of the building and other impervious surfaces will be fully mitigated through the Project's stormwater control design as well as by following the measures in the NYSDEC Blue Book and the Project's approved SWPPP.

(6) Adequacy of water supply and sewage disposal facilities as per Columbia County Health Department.

As discussed above, the demand for water for the new building will be met with the existing well on the Property. The water demand is anticipated to be approximately 11,020 per day and the maximum pump capacity of the onsite well is 13 gallons per minute, or 18,720 gallons per day. The new source of sanitary wastewater generated from the building will be adequately addressed via a new treatment system with a conventional septic tank, an Orenco Advantex treatment system for secondary treatment, and UV disinfection before discharge. Additionally, the Applicant has begun coordination with the Columbia County Health Department, which will be ongoing and results of any test or approvals received will be provided to the Planning Board.

(7) Adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or noise buffer between the applicant's and adjoining lands, including the maximum retention of existing vegetation. Landscaping shall be an integral part of the project area. To the extent practical, existing trees and other vegetation shall be conserved and integrated into the landscape design plan. Landscaping shall buffer incompatible uses such as large-scale commercial uses and residences.

Landscaping will generally be an integral part of the Project. There is an existing vegetative buffer to the north, and the community park will add to that buffer. There are residences to the east. Landscaping along the property line will exist as a buffer. *See* Site Plan L100-L200.

(8) Adequacy of fire lanes and other emergency zones to provide emergency access to structure(s) and the provision of fire hydrants if necessary.

The building is fully accessible to emergency services. The accessways and parking lot are wide enough for fire engines and ambulances to navigate around the building.

(9) Protection of adjacent or neighboring properties against noise, glare, unsightliness or nuisances.

The Project will not generate any unsightliness or nuisances. Quite the opposite, the Project is designed to redevelop the currently abandoned property and building thereon by constructing a new grocery store—which is sorely needed in the Town—as well as affordable apartment units, which also meets a significant need in the community. Further, as noted, other than during construction, which will produce typical civil construction noise for a temporary period, the Project itself (*i.e.*, residents in apartments, patrons of the grocery, and operation of the grocery store) will not produce noise perceptible above ambient levels of this commercial center of the Town—which is already at a higher level than the surrounding residential and rural areas given U.S. Route 20 traffic noise and the noise from other commercial uses nearby. Further, included in the Residential Policies for tenants will be quiet hours from 11 pm to 7 am, during which tenants shall not make noise disturbing other residents, whether inside apartment units or anywhere on the Property. *See* Tilden Commons Residential Tenant Policies. Finally, the proposed exterior lighting, which is included in the Project for safety of residents and grocery store patrons, will be downcast, shielded, and dark sky compliant and will not cause any glare onto adjoining properties.

(10) Adequacy and impact of structures, roadways, and landscaping in areas with susceptibility to ponding, flooding and/or erosion.

As noted in the FEAF Part I, the Property is not located in a floodway or floodplain and will not present an impact related to flooding concerns. *See* FEAF Part I at § E.2.i. Additionally, as noted, impacts from installation of the building and other impervious surfaces will be fully mitigated through the Project's stormwater control design as well as by following the measures in the NYSDEC Blue Book and the Project's approved SWPPP.

(11) Overall impact on the neighborhood, including compatibility of design consideration.

The overall impact of the Project on the neighborhood will be overwhelmingly positive. One of the Town's weaknesses, as stated by the Town in the Town of New Lebanon Comprehensive Plan Update 2021 (Comp Plan), is the lack of a grocery store and limited affordable rental housing, and one of the stated opportunities is to repurpose vacant commercial spaces to meet residential needs. *See* Comp Plan at 13-14, 19. The Project consists of renovating an abandoned property and building in the center of Town with a newly constructed mixed-use building with a new business—a highly desired grocery store—and much needed affordable housing and a community park. These are beneficial resources and opportunities that would be provided to the community because of the Project that otherwise do not exist. The Project will enhance the Town center, providing much needed resources to all residents. Further, as noted, the Project has been designed to complement the Town's rural character and includes architectural and design elements consistent with the area's Shaker history. *See* Applicant's Planning Board Architecture Memo, July 2, 2025.

(12) Adequacy and impact of structures, roadways and landscaping in areas of steep slopes and along ridgelines.

No portion of the Property contains steep slopes or ridgelines. The entirety of the Property has slopes between zero and ten percent. *See* FEAF Part I at § E.2.f.

(13) Overall impact on wetlands and surface water resources, especially related to impacts of erosion and other forms of pollution.

There are no wetlands or surface water resources on the Property. *See* FEAF Part I at § E.2.h.

b. The Project meets the specific site plan review standards provided in Section 205-14(G) of the Zoning Law.

(1) General lighting.

(a) Where used for security purposes or to illuminate walkways, roadways, and parking lots, only shielded light fixtures shall be used. On-site lighting should be located to avoid harsh glares which distract the motorist's line of sight. The luminaire shall emit no direct light above a horizontal plane through the lowest direct light-emitting part of the luminaire. Fully shielded fixtures are required. The maximum height of the luminaire may not exceed 18 feet.

Shielded light fixtures will be used for all exterior lighting, which will not exceed 18 feet. This exterior lighting will be downcast and dark sky compliant and not cause any glare onto adjoining properties.

(b) Light fixtures used to illuminate flags, statues, or any other objects mounted on a pole, pedestal or platform shall use a narrow cone beam of light that will not extend beyond the illuminated object.

Any such lighting, if included in the Project, will comply with this requirement.

(c) Direct light emissions shall not be visible above the building roofline for other upward-directed architectural, landscape, and decorative lighting.

Any such lighting, if included in the Project, will comply with this requirement.

(d) Externally illuminated signs, including building identification signs, shall only use shielded light fixtures.

The only sign that will be included in the Project is the sign for the grocery store. Such sign, if illuminated, will only use shielded light fixtures.

(2) Light trespass and glare. All light fixtures shall be designed, installed, and maintained to prevent light trespass, as specified below.

(a) Outdoor lighting shall be designed, installed, and maintained in a manner which does not present a disabling glare hazard to drivers or pedestrians. All reasonable measures, such as altering pole height, changing bulb type or using shielded fixtures, shall be taken to prevent the projection of a nuisance glare onto neighboring properties. Outdoor light fixtures properly installed and thereafter maintained shall be directed so that there will be no objectionable direct light emissions.

Exterior lighting at the building and in the parking lot, which is included in the Project for safety of residents and grocery store patrons, will be downcast, shielded, and dark sky compliant. The exterior lighting has been specifically designed and will be installed so as not to cause any glare or light pollution onto adjoining properties or roads.

(b) At the property line of the subject property, illumination from light fixtures shall not exceed 0.1 footcandle on adjacent residential property or 0.5 footcandle on adjacent business property, measured in a vertical plane.

The Project's exterior lighting will meet this requirement.

(c) The Planning Board may, as it deems appropriate, require that lighting be controlled by automatic timing devices to extinguish offending sources during specified periods to mitigate impacts. The Planning Board may also require that lighting, except for security lighting, be extinguished between the hours of 12:00 midnight and 6:00 a.m. for businesses that are not in operation during that time.

Noted.

(d) Glare control shall be accomplished primarily through the proper selection and application of lighting equipment. Only after those means have been exhausted shall vegetation, fences, and similar screening methods be considered acceptable for reducing glare.

As noted above, exterior lighting at the building and in the parking lot, which is included in the Project for safety of residents and grocery store patrons, will be downcast, shielded, and dark sky compliant. The exterior lighting has been specifically designed and will be installed so as not to cause any glare or light pollution onto adjoining properties or roads. Further, there will be landscaping around the building and parking lot that will limit perception of light from the Property beyond property lines.

(3) Light fixture design. Fixtures must be properly designed for the intended purpose. Lamps shall not be directly seen from normal viewing angles. Lamps shall be directed so that light output is directed toward the surface to be lighted.

Noted. The Project's exterior lighting will meet this requirement.

(a) Mercury vapor greater than 40 watts and quartz halogen lamps are prohibited light sources.

Noted. The Project will not include such light sources.

(b) Poles and fixtures shall harmonize with the architectural character of the development and surrounding area.

Noted. The Project's exterior lighting will be consistent with the architectural character of the Project and Central Commercial District.

(4) Fixture installation.
(a) Lighting fixtures shall not be mounted in excess of the maximum permitted building height or as permitted in § 205-14G(1) and (2).

Noted. The Project's exterior lighting will meet this requirement.

(b) Electrical feeds to lighting standards shall be run underground.

Noted. The electrical for the Project's exterior lighting will be run underground.

(5) Lighting plans shall be included in site plan review. Lighting plans submitted for review and approval for subdivision and land development and site plan review shall include a layout of proposed fixture locations, footcandle data that demonstrate conforming intensities and uniformities, and a description of the equipment, glare-control devices, lamps, mounting heights and means, hours of operations, and maintenance methods proposed.

Noted. *See* exterior lighting details.

(6) Landscaping standards.
(a) Buffers. Landscape buffers shall be provided between all residential and new commercial use. Buffers may include planted trees and shrubs, hedgerows, berms, or existing forestland. The width of such buffer areas will depend upon the topography, scale of the use and their location on the property but shall normally be between 50 feet and 200 feet. Landscaping shall be an integral part of the entire project area and shall either buffer the site from or integrate the site with the surrounding area or both.

Although the Project is a residential use as well, there is an existing wooded area providing a vegetative buffer between the Project and residential properties to the east/northeast.

(b) Existing vegetation. Building placement and lot layout shall be designed to relate to and incorporate existing vegetation. Insofar as practical, existing trees and other vegetation shall be conserved and integrated into the landscape design plan.

Very few trees will be removed during construction of the Project. The Property was previously cleared and developed with a (now abandoned) commercial building. It is not a wooded parcel that requires any clearing.

(c) Landscape components. Primary landscape treatment shall consist of shrubs, ground cover and shade trees and shall combine with appropriate walks and street surfaces to provide an attractive development pattern. Selected landscape plants should be native to the area to the extent practicable. The Planning Board may require that shade trees three inches in caliper or 12 feet in height be planted and maintained at twenty-foot to thirty-foot intervals along roads, preferably in the parkway between the road edge and sidewalk, if present, or within a ten-foot setback from the road edge.

Noted. The landscaping plan includes various species of mostly native shrubs and trees placed along the rear of the Property bordering and throughout the community park, surrounding the parking lot, and along certain portions of the walkways throughout the Property.

(d) Screening. Open storage areas, exposed machinery, and areas used for storing and collecting rubbish shall be screened from roads and surrounding land uses. Suitable types of screening include wood fences and dense evergreen hedges of five feet or more in height. Where evergreen hedges are proposed, a temporary fence shall be built to provide screening until the evergreens are of sufficient height.

Noted. The garbage receptacle area and generator will be screened with a wood fence. Other than during construction, there will be no open storage areas or exposed machinery as part of the Project.

(7) Roads and road access standards.

(a) Access from major streets. Lots in subdivisions should be arranged to minimize driveway access from major streets. Where driveway access from a major street may be necessary for several adjoining lots, the Planning Board may require that such lots be served by a combined access driveway in order to limit possible traffic hazard on such street. See also § 205-8D, Driveways, Subsection D(6), above, for standards related to shared driveways.

This requirement is not applicable to the Project.

(b) Frontage required. No building permit or certificate of occupancy shall be issued for any structure or use unless the lot on which that structure is located has frontage of at least 60 feet on a street.

The Property is a corner lot and there is at least 60 feet of frontage on both U.S. Route 20 and Tilden Road.

(c) Vehicle access and circulation. Multiple curb cuts shall be consolidated to the maximum extent practicable in order to provide clearly defined entrances and reduce conflicting vehicular movement.

As noted above, There will be three total entrances/exits to the Property—an entrance on U.S. Route 20 and an entrance and exit on Tilden Road, all of which will be clearly defined. Given that

the Property is a corner lot, having this access on both sides of the corner, with the parking area at a right angle opposite the corner, will allow for circulation throughout the site and around the rear of the building. Additionally, there is a separate access point from Tilden Road solely for deliveries to the loading dock. *See* Traffic Study Report, July 1, 2025, Attachment.

(d) Any new street shall be constructed in full compliance with the requirements of road specifications of the Town of New Lebanon (Chapter 179). New roads should be interconnected except in areas where extreme topographic or wetland conditions preclude connections.

There will not be any new roads constructed as part of the Project.

(8) Specific standards and considerations for agricultural district. The following specific standards shall apply to site plans located within an agricultural district. The Planning Board's review of the site plan for these locations shall include, as appropriate, but not limited to, the following general considerations and shall ensure compatibility between the proposal and the Town of New Lebanon Comprehensive Plan:

(9) Overall impact on existing agricultural operations within the district.

(10) The landscape plan will show a landscaped buffer a minimum of 50 feet or more where practicable between the proposed residential use and an adjoining agricultural use.

The Project is not located in an agricultural district, and as such, these requirements are not applicable to the Project.

c. The Project meets the criteria provided in Section 205-14(H)(3)(a) of the Zoning Law.

Approval. The Town Planning Board will approve the site plan, provided that it finds the facts submitted with the site plan establish that:

(1) The location, nature and intensity of the use involved shall be such that it will be in harmony with the orderly development of the Town as proposed in the Comprehensive Plan and will not discourage the appropriate development and use of adjacent land and buildings.

As discussed fully herein, the Project—a mixed use residential and commercial building with 41 affordable apartment units, a grocery store, and community park—is in a location and is of a nature and intensity that is in harmony with the proposed development plan of the Town, as indicated in the Comp Plan. One of the Town's weaknesses, as stated by the Town stated in the Comp Plan, is the lack of a grocery store and limited affordable rental housing and one of the stated opportunities is that "[v]acant commercial spaces can be repurposed to meet resident needs. *See* Comp Plan at 13-14; *see also* Comp Plan at 19 ("Survey respondents and focus group members identified a grocery store as the single most important need for the Town. Despite considerable efforts over several years, it has not been possible to attract a store ... Focus group members envisioned a smaller, independent grocery as a more likely possibility."). Some of the housing

concerns noted in the Comp Plan include a desire to attract younger residents as well as the need to support an aging population and low-income families. *See id.* at 16-17; *see also id.* at 55 ("Sub-goals ... Expand housing options for seniors ... Expand housing options in order to retain and attract younger and low income individuals and families"). Another major goal in the Comp Plan is to increase economic development "through constructive growth of existing businesses and attracting appropriate new businesses[.]" *Id.* at 52. This includes using "un- and under-utilized properties, in commercial zones[.]" *Id.* at 53. The Project consists of renovating an abandoned property in the center of Town with a newly constructed mixed-use building with a new business—a highly desired grocery store—and much needed affordable housing and a community park. *See id.* at 65. (the park fulfills the Town's goal to "[e]xpand recreation opportunities[.]").

Moreover, the Project is a specially permitted use in the CC District as Mixed Uses and Multifamily Dwellings are specially permitted, and Retail Uses, including grocery stores, are permitted with site plan approval. *See* Zoning Law Use Table. The Town Board made a very specific legislative determination when it enacted the Zoning Law that these land uses are appropriate in this district and in harmony with the character of this area of the Town. *See North Shore Steak House, Inc.*, 30 N.Y.2d at 243 ("[i]nclusion of the permitted use in the ordinance is tantamount to a legislative finding that the permitted use is in harmony with the general zoning plan and will not adversely affect the neighborhood."). The Project will blend seamlessly into this mixed-use neighborhood, consisting of strip malls, restaurants, stores, a barbershop, a brewery, a self-storage facility, an auto parts store, and other residences. The Project is also fully consistent with the stated goals for the CC District, *i.e.*, the "Town Center," including creation of "vibrant, customer intensive commercial activity in order to attract residents and visitors" and "[r]esidential and community-oriented uses." Zoning Law § 205-4(B)(3). The Project has also been specifically designed to complement the Town's rural character and includes architectural and design elements consistent with the area's Shaker history. *See* Applicant's Planning Board Architecture Memo, July 2, 2025. Because of this, the Project will enhance the Town center, providing customers (*i.e.*, the residents) to the other local businesses, leading to continued growth in the Town's center. This will only *encourage*, not discourage, appropriate development and use of adjacent land and buildings.

(1) Existing streets are suitable and adequate to carry anticipated traffic generated by the proposed use and in the vicinity of the proposed use;

The Property is located on U.S. Route 20, an existing highway and the main thoroughfare of the Town. This road is more than suitable to accommodate the anticipated traffic generated by the Project. The Applicant's engineer, Lamont Engineers, conducted a Traffic Study and prepared a Traffic Study Report to review the potential impacts traffic from the Project. The Traffic Study Report indicates that existing Annual Average Daily Traffic (AADT) volume for this corridor of U.S. Route 20 is approximately 7,300 vehicles and the existing peak hour traffic on U.S. Route 20 is 365 to 395 vehicles per hour. *See* Traffic Study Report, dated July 1, 2025. Based on Lamont Engineers' analysis, the Project is expected to generate approximately 73 new vehicle trips during the AM peak hour and 128 new vehicle trips during the PM peak hour, which would result in a volume to capacity ratio of 0.62, which is under the capacity of the existing roads. Lamont Engineers concludes that "[e]xisting traffic conditions on US Route 20 can support the expected increase without significant degradation to traffic operations." *Id.*

Accordingly, although the Project will result in increased vehicle trips to and from the Property compared to current conditions, the Project will be sited in the Town's commercial center, on U.S. Route 20, which has sufficient capacity for this type of higher density traffic. *See id.* The Project will not be sited in a rural, residential area that is difficult to access or accessible only via local, residential roads. And, the Project features bicycle storage and connections to the Property's walking path from U.S. Route 20. This offers a wider variety of transportation options that will facilitate transportation of bicyclists and pedestrians and can serve to reduce overall traffic demand in the area around the Project. As such, the existing roads are suitable and adequate to carry anticipated traffic generated by the Project in this area.

(2) The proposed use will not be detrimental to personal safety within the area, the natural characteristics of the site or area, and surrounding uses; and

The Project is a mixed use residential and commercial building with 41 affordable apartment units, a grocery store, and community park. It does not pose any personal safety concerns. Further, as indicated in the FEAF Part I, the Project will not impact any wetlands or streams in the area, include any stationary source of air emissions once the building is constructed, produce odors, use or dispose of hazardous wastes, create flooding in the area, impact any protected species or habitats, nor impact any archaeological or historic resource. Any erosion or stormwater impacts will be fully mitigated through the Project's stormwater controls as well as by following the Blue Book and the Project's approved SWPPP. Construction noise will be temporary and will not be different than any other type of construction noise generated by civil construction projects in the Town. Notably, construction will likely not include blasting or hammering as there is no bedrock on the Property. Following construction, the increased traffic for residents and patrons of the grocery will be managed by having multiple entrances and exits as well as a parking lot design that allows for circulation of vehicles throughout the site, and U.S. Route 20 has the capacity to handle the anticipated increase in vehicle trips as a result of the Project. *See* Traffic Study Report, dated July 1, 2025. And the site has been designed thoughtfully to ensure there is adequate parking. *See id.; see also* Tilden Commons Residential Tenant Policies. The demand for water will be met with the existing well on the Property—it will not require use of public water or another well. There will not be any noise generated beyond ambient levels, as the Property is located in a commercial district, on a highway. The noise of residents in apartments or customers shopping in the grocery store will largely blend into the current level of ambient noise in this area. Included in the Residential Policies for tenants will be quiet hours from 11 pm to 7 am, during which tenants shall not make noise disturbing other residents, whether inside apartment units or anywhere on the Property. *See* Tilden Commons Residential Tenant Policies. Further, the new source of sanitary wastewater generated from the building will be adequately managed via a treatment system with a conventional septic tank, an Orenco Advantex treatment system for secondary treatment, and UV disinfection before discharge. Lastly, the exterior lighting to be installed onsite will be downcast, shielded, and dark sky compliant and will not produce any glare or light exposure onto neighboring properties.

(3) The use meets the standards listed in Subsections F through H of this § 205-14.

See above.

PZ clerk rec'd
07.02.25

Given the facts presented herein, the Applicant respectfully requests the Planning Board grant the requested special use permit and site plan approval as the Project meets all the applicable standards in the Zoning Law. We thank you for your consideration of this letter and request.

Very truly yours,

Alicia R. Legland

ARL

cc: Courtney Potter, *Planning Board Clerk*, Town of New Lebanon
Stephanie Ferradino, Esq., *Attorney*, Town of New Lebanon
Joshua Young, Tilden Project LLC

Tilden Commons Residential Tenant Policies

July 2, 2025

The Town of New Lebanon Planning Board at a Sketch Plan Conference on June 18, 2025, posed several questions that touch on policies for potential residents of Tilden Commons.

We expect to implement several operating policies that we believe to be appropriate and beneficial for all residents of Tilden Commons, and the surrounding community. These policies fall into three categories.

(1) **Parking**

There shall be 69 spots reserved for assigned residential parking in the main parking lot. No vehicles shall be parked in such spots without a permit. The residents of each one-bedroom apartment shall be assigned a maximum of one parking spot and granted a permit for a specific spot. Each two-bedroom and each three-bedroom apartment shall be assigned a maximum of two parking spots and likewise shall be granted up to two permits for such specific spots. When a vehicle is parked in an assigned spot, it shall display the permit for that spot.

There shall be 11 spots reserved for guest parking. Residents shall not use these spaces.

There shall be 50 spots reserved for grocery parking. Residents shall not use these spaces except when patronizing the grocery.

(2) **Noise**

Quiet hours shall last from 11:00pm to 7:00am. During quiet hours, residents shall not disturb the quiet of other residents. This includes all activities on the premises, whether inside an apartment or otherwise on the property.

(3) **Park**

The park shall be open from 7am till 10pm and shall be freely available for anyone to use during this period. The park shall be closed from 10pm till 7am, and no one shall use the park during this time (with the exception of maintenance staff).

PZ clerk rec'd 07.02.25

Gmail

Josh Young <joshuanyoung@gmail.com>

Tilden commons

Car 1 Car 1 <lebanonvalleycar1@gmail.com>
To: Josh Young <joshuanyoung@gmail.com>

Mon, Jun 30, 2025 at 8:21 PM

Josh, After looking at the design you and your team showed me, the LVPA has no issues with fire protection on this building providing you and your engineer follow the NFPA standard code for residential buildings, sprinklers. Fire walls, and so fourth. Im sure when you get to the full plan stage your fire protection engineer will design an appropriate system to cover the building in a emergency situation. Feel free to reach out with any other concerns.

Thank you
Stephen Houghtling
LVPA Chief

Tilden Road

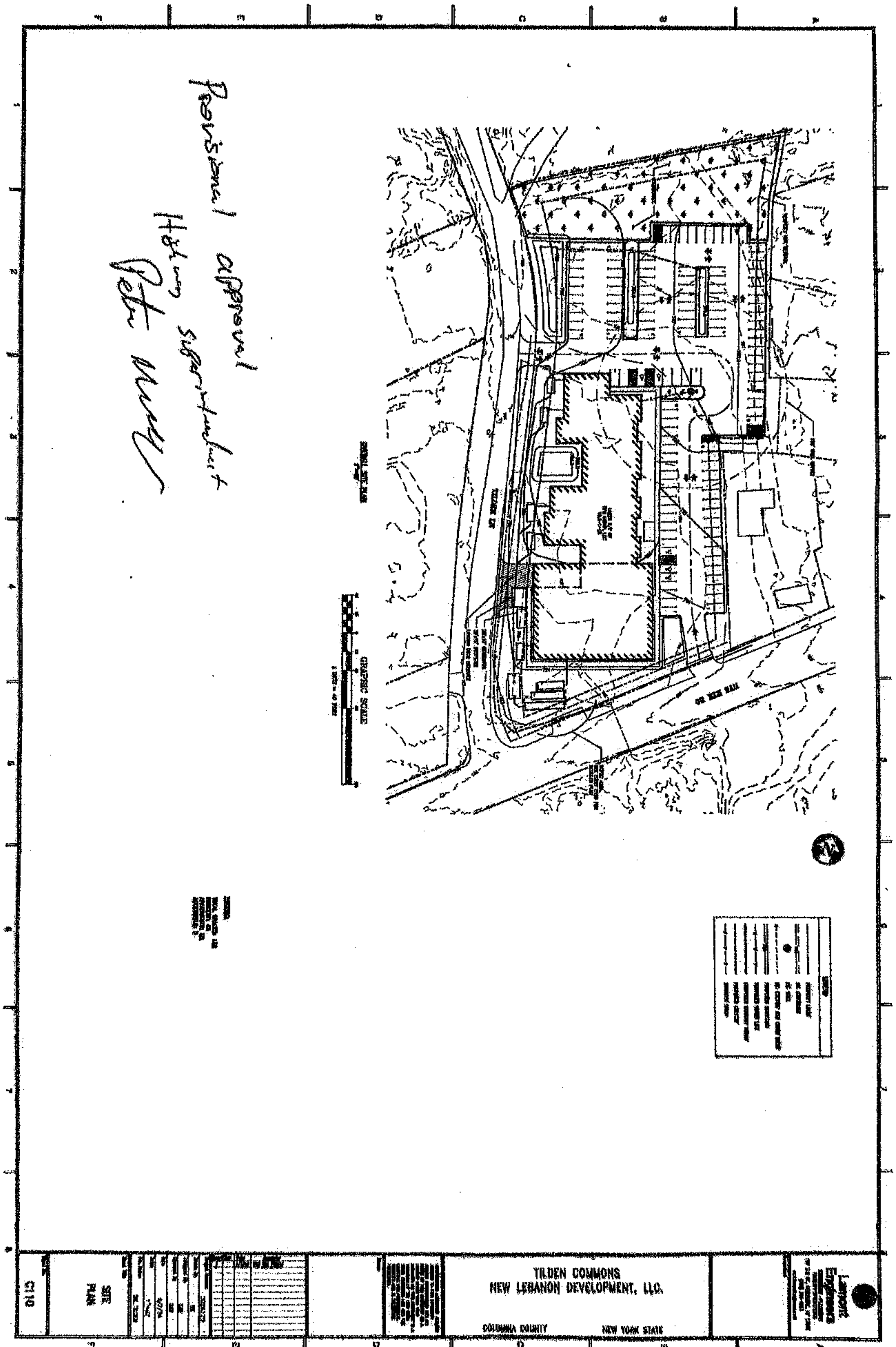
Provisional approval of conceptual drawings
Granted conditioned upon

*- Submission of final plans

*- Money in escrow to resurface tilden road upon completion of construction
dollar amount will be contingent on estimate's

Highway superintendant
Peter McCabe
Peter Madigan

PZ clerk rec'd 07.02.25



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2024125

July 1, 2025

Javier Gomez
Tilden Development LLC
313 Mill Street
Poughkeepsie, NY 12601

RE: Tilden Development – 538 US Route 20, Town of New Lebanon
Traffic Study Letter Report

Dear Mr. Gomez:

Dear Mr. Gomez:
Below is a summary of the traffic conditions as they have currently been evaluated for the Tilden Development site at 538 US Route 20 in the Town of New Lebanon, Columbia County, NY. This report describes the initial findings of the existing site traffic at the project site and the proposed impacts the new development could potentially have on the existing traffic patterns:

INTRODUCTION:

Location: 538 US Route 20, Town of New Lebanon, NY
Intersection of Tilden Road and US Route 20

The proposed Tilden Commons Project involves the construction of 41 housing units and a 10,000 square-foot commercial space designated for a grocery store. The development is located at 538 US Route 20 at the intersection with Tilden Road in the Town of New Lebanon, Columbia County, New York. This traffic assessment evaluates the trip generation and sight distances associated with the project based on ITE Trip Generation Manual (10th Edition) and available NYSDOT traffic data.

Existing Conditions

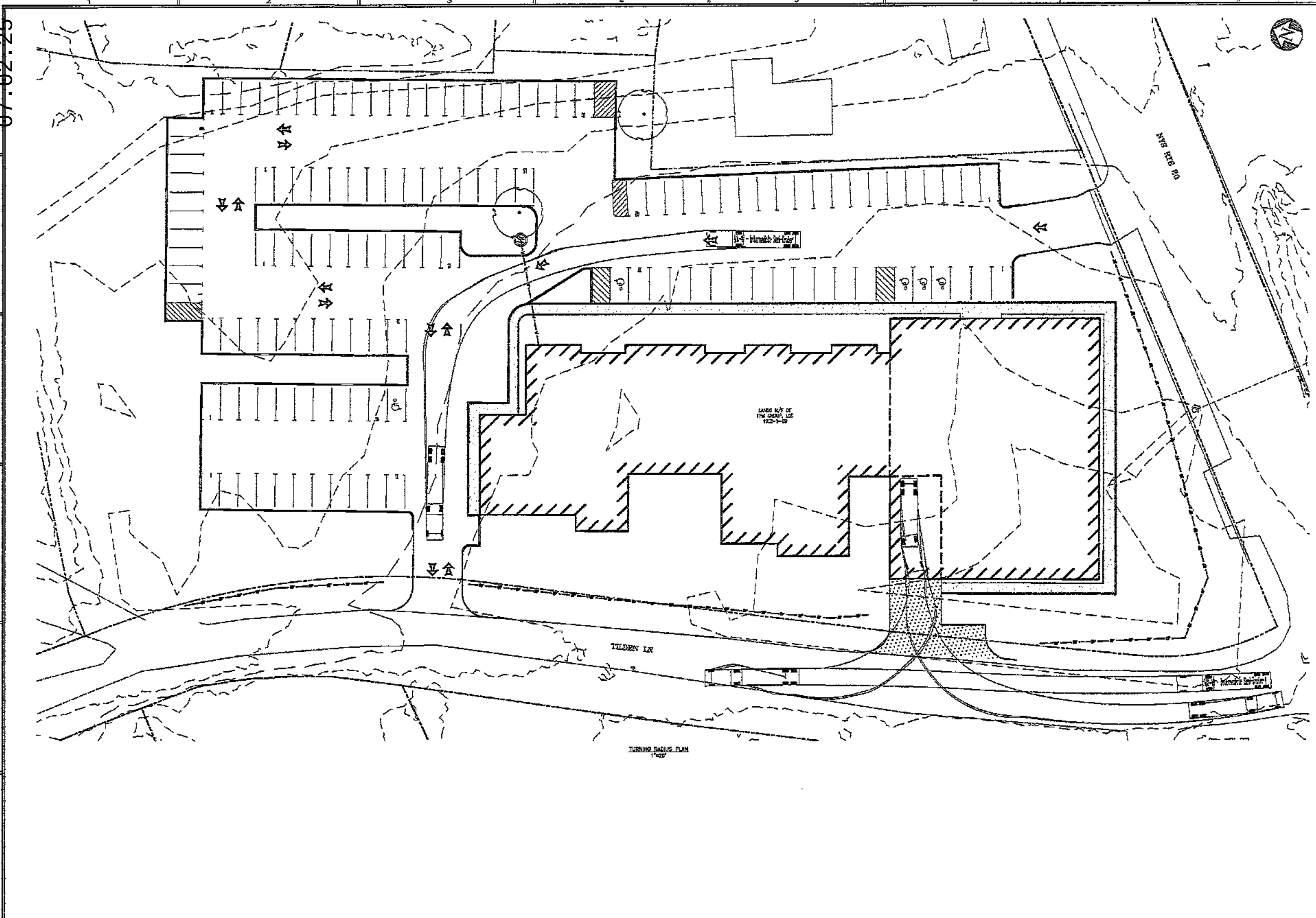
US Route 20 is a state highway that serves as a principal arterial road in the Town of New Lebanon. The road runs east-west and is characterized by a mix of residential and commercial land uses. NYSDOT reports an Annual Average Daily Traffic (AADT) volume of approximately 7,300 vehicles along this corridor based on an average of 2021 and 2022 data for US Route 20 at this location.

Tilden Road is a small local road that serves a few parcels, three residential and some commercial properties. The commercial property is a currently vacant repair shop and there is also a small construction company staging property near the residential property at the end of the road. Based on observations at the site the current traffic on Tilden Road is likely 20-30 trips per day.

The Tilden Road site currently already has two curb cuts on the NYSDOT regulated US Route 20. These are designated as ingress only on the eastern side and exit only on the western side.

At the intersection of Tilden Road and US Route 20 the intersection is a one-way stopped controlled (minor road stop). Tilden Road is a two-way, non-through road and US Route 20 is a two-way with center median turning lane. The grade of the site is flat. Heavy traffic existing is minor.

PZ clerk rec'd
07.02.25



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FACILITY OPERATIONS

TILDEN COMMONS
NEW LEBANON DEVELOPMENT, LLC.

COLUMBIA COUNTY
NEW YORK STATE

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Stamp

Project Number	2024125
Drawn By	SK
Designed By	EJS
Checked By	BJB
Date	6/30/25
Scale	AS SHOWN
File Name	BM_TILDEN

Sheet Title

TURNING RADIUS PLAN

Sheet No.

C120

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2024125

July 2, 2025

Michael DeRuzzio, P.E.
County Engineer
Columbia County Department of Health
325 Columbia Street
Hudson, New York 12534
michael.deruzzio@columbiacountyny.com

RE: Tilden Commons LLC
538 US route 20, New Lebanon
Water and Sanitary System Engineer's Report

Dear Mr. DeRuzzio:

Lamont Engineers, P.C. is pleased to submit this letter report summarizing the design/installation of the water system and wastewater system for the proposed Tilden Commons development at 538 US Route 20 in the Town of New Lebanon, Columbia County, New York. This initial report is being completed as an initial concept for the proposed development and supporting system in conjunction with the site plan review process of the project. Further information and data will be supplied following this report once further investigations have been completed.

I. Introduction

It is our understanding that the proposed construction will include a three-story building located approximately as indicated on the site drawing in Attachment A. The building is proposed as a mixed-use building with approximately 10,000 SF commercial space on the 1st floor of the south side of the building and 41 residential apartments and community space in the remainder of the building, for a total square footage of 60,000 SF. The building will be required to have a sprinkler system to comply with current NYS adopted IBC codes. The building sprinkler system will be supplied with a below grade waters storage tank. Because the project involves the construction of 41 residential units, the water system for this building will be considered a community water system regulated by the Department of Health and to comply with the NYS DOH Part 5 regulations.

The site currently has an existing well that served the commercial building currently on the site, to be demolished. This well will be evaluated for use at the supply source for the proposed water system.

II. Projected Water System Demand

The projected water demand of the site is summarized in Table I below. The average daily flow amounts were developed using the NYSDEC intermediate wastewater system design standards. Detailed water demand calculations are provided in Attachment B.

Table I – Water System Demand

	Average Daily Demand (gpd)	Maximum Daily Demand (gpd) 1.5x
Residential Space	9,020	13,530
Commercial Space	2,000	3,000
Total =	11,020	16,530

Based on these figures, the following can be deduced:

1. In accordance with NYSDOH requirements, a water source must have a capacity equal to or greater than the estimated Maximum Daily Demand. The average daily demand is 11,020 GPD, which equated to about 8 gpm. The maximum daily demand of 16,530 gpd equates to 11 gpm. The existing well is currently being evaluated to determine if sufficient to meet this capacity requirement. Utilizing the fixture count as show in Attachemetn C, we should design the system to supply a maximum water supply demand of 40 gpm.

III. Water Sources

The existing Groundwater Well #1 has been on the site for several years, long enough that the DOH office does not have any records on file regarding the construction. Pertinent well information, including drawdown test information for the well based on the investigations to date is presented in the well detail drawing the Attachment C and in Table II below. If the well proves to be a viable well for quantity and quality following completion of all testing, it is the intent to scope (camera) the existing well to verify these conditions:

Table II – Summary of Groundwater Supply

	Production Well
Well Depth	100 ft.
Pump Setting Depth	90 ft.
Rated Yield	13 gpm

Drawdown (feet) @ Rated Yield	80 ft. @ 13 gpm

A 72-hour pump test performed on June 29 – July 2 of the existing well indicated that this well has a yield of 13 gallons per minute (gpm) with 80 ft. of drawdown.

The initial basic water quality results were pulled from the well prior to the pump test. The results of these tests showed the water to be very turbid and high in iron. This is most likely a result of the well sitting for such a long period (At least 1 year) being out of service with no flow. Upon initial start of the pump test, the water turbidity exceeded 200 NTU, toward the end of the pump test the turbidity was approaching 20 NTU so we are confident that once the well has been flowed for an extended period of time the turbidity and likely the iron levels will improve. Following the completion of the well recovery after the July 2 completion of the pump test, a full Part-5 water quality sample will be pulled for laboratory testing. This information will be provided to amend this report once able. If water quality still shows concerns with the existing well, treatment will need to be considered.

The well location on the site has been considered for the majority of the other components on the site. The well is located on the opposite side of the proposed wastewater treatment system and it is currently close to the middle of the site. The development parcel is only about 200' in width. The property contains most of the area to be within the required 100' well projection area but there would be no location on this property able to meet the 200' well control area as suggested by the DOH requirements. The 72-hour pump test included monitoring of several other wells within a 500' radius of the site to ensure the draw down of this well does not affect nearby property owners. That data will also be used to evaluate the suspected cone of influence for this well to determine if that 200' protection area for this well is a major concern or if some consideration can be given for a narrow cone of influence on a lower flow production well of this size regarding well setback restrictions.

IV. Well Pump

Well #1 will be equipped with a Goulds 10GS10422C submersible well pump with 1.5 HP motor that will convey water from the well to the proposed facility. The pump will be equipped with a constant pressure controller that will maintain distribution system pressures. Three (3) 120-gallon hydro-pneumatic pressure tank will be installed to serve as a buffer during low demand periods. A pressure transducer will relay system pressure information to the pump's controller which will adjust the operating capacities of the pump to maintain system flows and pressures. A pressure of 55 psi will be maintained in the water treatment facility. Distribution pressures will vary throughout the system from 70 psi to 30 psi.

V. Iron and Turbidity Treatment

This will only be required if final water quality analysis reveals the well iron levels are over the DOH Maximum Contaminant Limit (MCL).

VI. Chemical Treatment & Water Storage

In accordance with current groundwater treatment standards as set forth by the NYSDOH, adequate disinfection must be provided to achieve 4-log (99.99%) inactivation of viruses.

Disinfection will be achieved by injecting Sodium Hypochlorite (NaOCl) prior to a 2,500 gallon clearwell/contact tank before the first service site. CT calculations were completed to determine the contact volume required to achieve 4.0-log virus inactivation at the anticipated peak flow rate of 11 gpm with a minimum free chlorine residual of 0.5 ppm based on a tank configuration, inlet/outlet baffling, and intra-basin baffling, corresponding to a baffling factor of 0.9. Based on this baffling factor, a flow rate of 11 gpm, and an average pH of 7 at a temperature of 10°C, the volume of water required to achieve 4-log inactivation is approximately 150 gallons. Due to the need to be able to meet the maximum fixture demand flow in the building of 40 GPM during peak demand, a more than sufficient clearwell of 2,500 gallons will be provided for storage and contact time. The section piping for the outlet of the clearwell tank will be positioned in a way so the tank will always have a minimum of 150 gallons to ensure the booster pump cannot short circuit the contact time of the tank. Refer to Attachment C for CT storage volume calculations.

Chemical Feed Rate & Equipment

12.5% Sodium Hypochlorite (NaOCl) solution will be injected prior to the contact tanks. The chemical feed pump will operate simultaneously with the well pump by means of a dry contact in the simplex well pump control panel and will be capable of providing a free residual of 0.5 ppm to 2 ppm. Assuming a free chlorine residual of 0.5 ppm, a flow of 11 gpm and a dilution ratio of 9 parts H_2O to 1 part chlorine, the required chemical feed rate is 0.53 gpd or 0.02 gph. Assuming a free chlorine residual of 2.0 ppm, and the same flow and dilution ratio, the required chemical feed rate is 2.13 gpd or 0.09 gph. A Stenner Peristaltic Adjustable-Rate Feed Pump, Model 45MHP2, with a max. capacity of 10 gpd at a maximum working pressure of 100 psi and a turndown ratio of 20:1 is provided. Refer to Attachment C for chemical feed calculations and chemical feed pump information.

The treated water will be supplied to a 2,500 gallon clearwell tank capable of providing a flow of 40 GPM for 60 minutes during peak demand. A booster pump will draw water from the clearwell and supply the domestic water system with pressurized water throughout the building. A variable speed booster pump in conjunction with a 120 gallon hydropneumatics tank and pressure switch will ensure 40 – 60 psi of pressure is supplied to the building at all times. A AY Mcdonald 1 HP 17062C035PC booster pump system with variable speed controller or similar will be provided.

VII. Sprinkler System

A 30,000 Gallon water storage tank will be provided below grade to serve as the storage supply for the sprinkler system. This would be capable of providing 500 GPM for 60 minutes through the use of a fire pump to be designed with the sprinkler system. This tank and piping for the fire system will be separated from the domestic water system using a double check backflow preventer as it will likely sit unused for long periods of time.

VIII. Wastewater System

The proposed wastewater treatment system for the facility will be as follows:

- Primary Treatment: Standard septic tank settling – PER NYSDEC standards
- Secondary Treatment – Orenco AX MAX treatment system with pre-anoxic tank.
- UV Treatment system
- Surface Water Discharge

As mentioned above, primary treatment will be provided by conventional septic tanks. Residential waste has been separated from the commercial waste portion of the building. The total residential flow is estimated at 9,020 gallons. Using the NYSDEC design standards, the required tank sizing for this treatment would be 1.5 x 9,020 = 13,530 gallons. Rather than provide this in one tank, and for the ease of connecting plumbing in the building, we have proposed separating the building sewers to collect in 4 separate 3,500 gallon septic tanks with effluent lines connected together. A separate 3,000 gallon tank will be provided for the commercial flow requirements of 2,000 gal x 1.5 = 3,000.

From the septic tanks the effluent will flow by gravity to the pre-anoxic tank of the Orenco treatment system. This tank will aid the removal of nitrogen from the wastewater. From there, wastewater flows by gravity to the Orenco AX-MAX treatment units. This is separated into 3 units, the first two being part of the 1-stage of treatment and the 3rd the 2nd stage. Wastewater sits within these tanks and the hanging biomedia within them. Pumps will recirculate the wastewater within the tanks to header pipes and spray nozzles to coat the media, and aerate. Blowers will feed air to these treatment units to support the aeration process. In the final stage, a portion of the flow will be sent back to the pre-anoxic tank and a portion will be pumped to the UV Treatment system. The UV treatment system will provide disinfection prior to the discharge of the wastewater to an existing storm structure. The entire treatment system is intended to meet the anticipated intermittent stream discharge limits as shown below:

Table B-4B Typical Effluent Limits for Intermittent Streams[32]

Parameter	Type	Limitation	Units
BOD_5	Daily Maximum	5	mg/L
TSS	Daily Maximum	10	mg/L
Settleable Solids	Daily Maximum	0.1	ml/L
Total Residual Chlorine	Daily Maximum	0.02	mg/L
Ammonia[33]	Daily Maximum or Average	2.2 in winter 1.5 in summer	mg/L as NH_3
Dissolved Oxygen	Daily Minimum	≥ 7.0	mg/L
pH	Range	6.0 – 9.0	SU
Total Phosphorus	Site-specific	Site-specific	mg/L as P
Coliform, fecal, when disinfecting	30-day geometric mean	200	Number of colonies per 100 ml
Coliform, fecal, when disinfecting	7 consecutive-day geometric mean	400	Number of colonies per 100 ml

These treatment limits will need to be confirmed following the processing of the attached SPDES permit application.

If you have any questions or comments, please feel free to contact me at your convenience.

Sincerely,

Brendon Becker

Brendon Becker, P.E.
Project Engineer
Lamont Engineers, P.C.

Attachments:
A. Site Plans and Details
B. Demand Calculations
C. Chemical Disinfection Calcs & Information
D. SPDES Permit

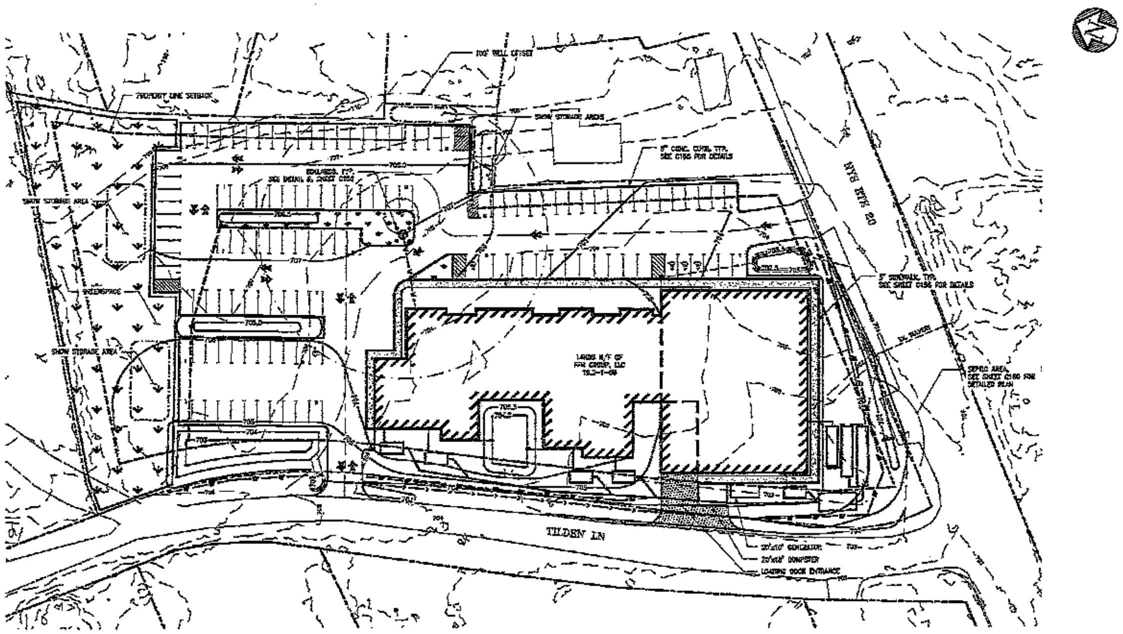
Cc: Michael DeRuzzio, DOH
Tilden Commons LLC.

R:\2024125\eng\water\Herkimer Reference\Water System Eng. Report - BJB 6-2-23.docx

ATTACHMENT A

SITE PLANS & DETAILS

(HARD COPIES AND PDF PREVIOUSLY PROVIDED)



OVERALL SITE PLAN
1"=40'

GRAPHIC SCALE

1 INCH = 40 FEET

LEGEND

- PROPERTY LINE
- EX. CONTOURS
- EX. WELL
- EX. CULVERT AND CATCH BASIN
- PROPOSED CONTOURS
- PROPOSED WATER LINE
- PROPOSED SEWER LINE
- PROPOSED CULVERT
- PROPOSED DRAINAGE DITCH

SITE PLAN NOTES:

1. SEE SHEET C100 AND SECTION 02100 FOR CLEARING AND GRUBBING REQUIREMENTS AND LIMITATIONS.
2. ALL EARTHWORK SHALL BE SMOOTHLY AND EVENLY BLENDED INTO EXISTING CONDITIONS.
3. PERFORM EXCAVATION AND GRADING WORK IN ACCORDANCE WITH SECTIONS 02210, 02222, 02223 & 02228.
4. ALL DISTURBED AREAS NOT RECEIVING ASPHALT OR CRUSHED STONE WEARING SURFACES SHALL BE TOPSOILED AND SEEDED. ADDITIONALLY, SOME AREAS REQUIRE PREPARATORY SOIL RESTORATION.
5. IT IS THE CONTRACTOR'S RESPONSIBILITY TO EXAMINE ALL PLAN SHEETS AND SPECIFICATIONS. PRIOR TO COMMENCING CONSTRUCTION ACTIVITIES, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING, OF ANY ERRORS OR DISCREPANCIES.
6. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING, OF ANY CONDITIONS THAT VARY FROM THOSE SHOWN ON THE PLANS. THE CONTRACTOR'S WORK SHALL NOT VARY FROM THE PLANS WITHOUT THE EXPRESSED WRITTEN APPROVAL OF THE OWNER.
7. CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EX. SUBSURFACE UTILITIES AT THE SITE PRIOR TO SETTING HEAVY EQUIPMENT (E.G. CRANES) AND MATERIALS ON THE SITE.
8. PRIOR TO CONSTRUCTION THE CONTRACTOR IS RESPONSIBLE FOR NOTIFYING DIG SAFE NEW YORK AND ANY REGIONAL UTILITIES TO LOCATE ALL RELATED UTILITIES.
9. THE CONTRACTOR SHALL PROTECT EXISTING PROPERTY LINE MONUMENTATION. ANY MONUMENTATION DISTURBED OR DESTROYED, AS JUDGED BY THE ENGINEER, SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE UNDER THE SUPERVISION OF A NEW YORK STATE LICENSED LAND SURVEYOR.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AND INCURRING THE COST OF ALL REQUIRED PERMITS, INSPECTIONS, CERTIFICATIONS, ETC.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ALL FIELD LAYOUT. THE CONTRACTOR SHALL TAKE TIES TO ALL UTILITY CONNECTIONS AND PROVIDE MARKED-UP AS-BUILT PLANS FOR ALL UTILITIES SHOWING TIES TO CONNECTIONS, BENDS, VALVES, LENGTHS OF LINE AND INVERTS. AS-BUILT PLANS SHALL BE REVIEWED BY THE OWNER AND HIS REPRESENTATIVES, AND THE CONTRACTOR SHALL PROVIDE ANY CORRECTIONS TO THE SATISFACTION OF THE OWNER AND HIS REPRESENTATIVES BEFORE AS-BUILT PLANS WILL BE ACCEPTED.
12. CONTRACTOR SHALL FIELD VERIFY ALL LAYOUT DIMENSIONS AND ELEVATIONS WITH ENGINEER PRIOR TO CONSTRUCTION. CONTRACTOR SHALL COORDINATE A FIELD VISIT WITH ENGINEER TO REVIEW LAYOUT AND DIMENSIONS. CONTRACTOR SHALL SCHEDULE FIELD VISIT WITH ENGINEER TO CONFIRM FINISHED FLOOR ELEVATION.
13. ALL SUITABLE TOPSOIL TO BE TEMPORARILY STOCKPILED (AS APPLICABLE) FOR REUSE.
14. ALL MATERIALS TRANSPORTED OFF-SITE SHALL BE HANDLED IN SUCH A MANNER AS TO PREVENT SPILLAGE ON ADJACENT SURFACES AND AREAS.
15. CONTRACTOR SHALL BE RESPONSIBLE FOR DE-WATERING AND THE MAINTENANCE OF SURFACE DRAINAGE DURING THE COURSE OF THE WORK, IN ACCORDANCE WITH THE STORMWATER POLLUTION PREVENTION PLAN.
16. BUILDING DIMENSIONS TO BE TAKEN FROM BUILDING CONSTRUCTION PLANS.
17. ALL AREAS WITHIN THE LIMIT OF DISTURBANCE (SEE SHEET C100) MAY BE USED FOR STOCKPILING, EQUIPMENT STORAGE, AND FIELD OFFICES. ADDITIONAL SEDIMENT AND EROSION CONTROL PRACTICES MAY BE NEEDED TO PROTECT SENSITIVE AREAS. COORDINATE WITH ENGINEER.
18. SEE ELECTRICAL DRAWINGS FOR ON-SITE ELECTRICAL, CONTROLS, AND INTERNET WIRING.

PARKING:

TOTAL SPACES: 130
GROCERY: 40
APARTMENTS: 90
ACCESSIBLE: 5

Lamont Engineers
ENGINEERS • PLANNERS
FACILITY OPERATIONS

TILDEN COMMONS
NEW LEBANON DEVELOPMENT, LLC.
COLUMBIA COUNTY — NEW YORK STATE

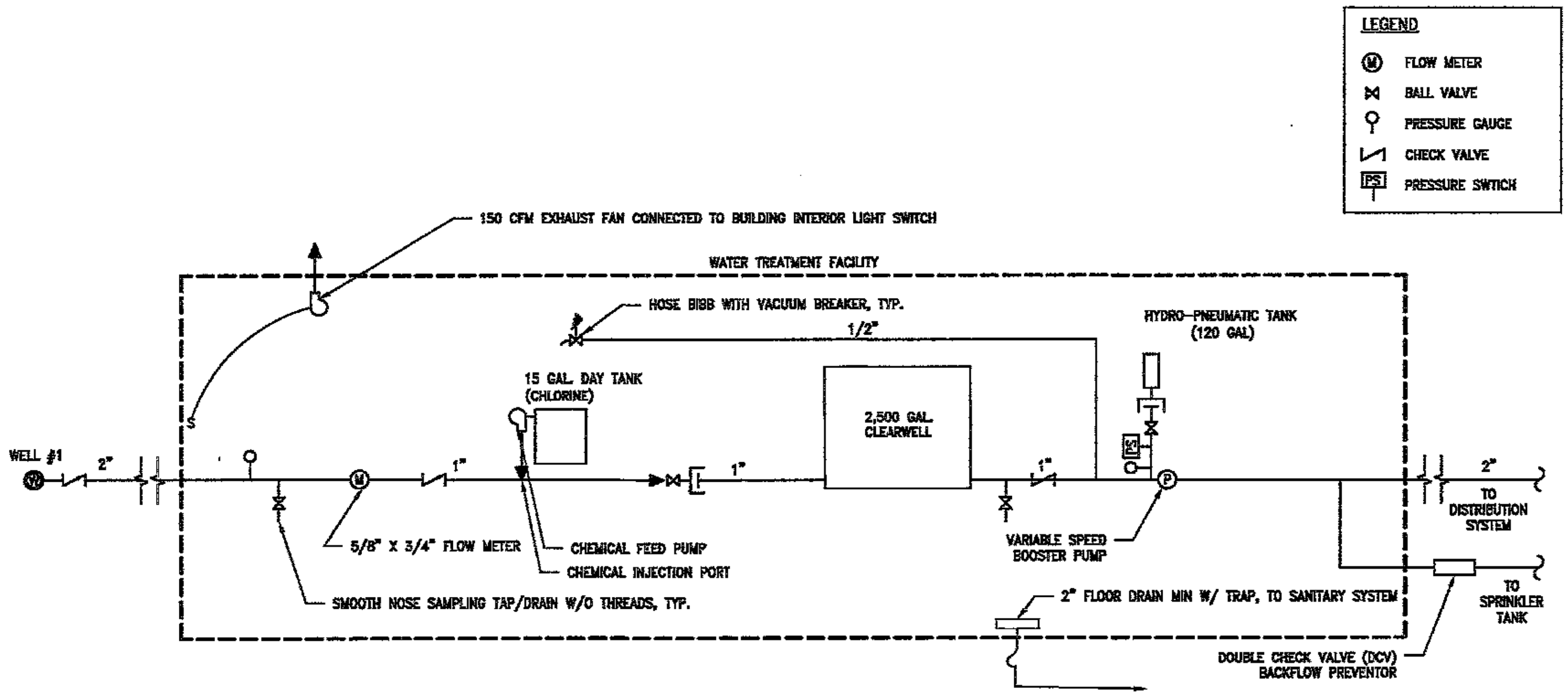
Project Number	2024125
Drawn By	SK
Designed By	BJB
Checked By	BJB
Date	6/7/24
Scale	1"=40'
File Name	SM_TILDEN

Sheet Title: SITE PLAN

Sheet No. C110

PZ clerk rec'd 07.02.25

PZ clerk rec'd 07.02.25



EQUIPMENT LIST:

1. CONTACT TANK – FLEXCON MODEL FLU120
2. HYDRO-PNEUMATIC TANK – FLEXCON, FLEXLITE FL28
3. CHEMICAL FEED PUMP – STENNER 45MHP2
4. DAY TANK – CLACK CST35 WITH H-4036 SPILL CONTAINMENT PALLET
5. PRESSURE SWITCH – SQUARE D FSG – 50/70

Lamont Engineers
COBLESKILL NEW YORK
(518) 234-4028

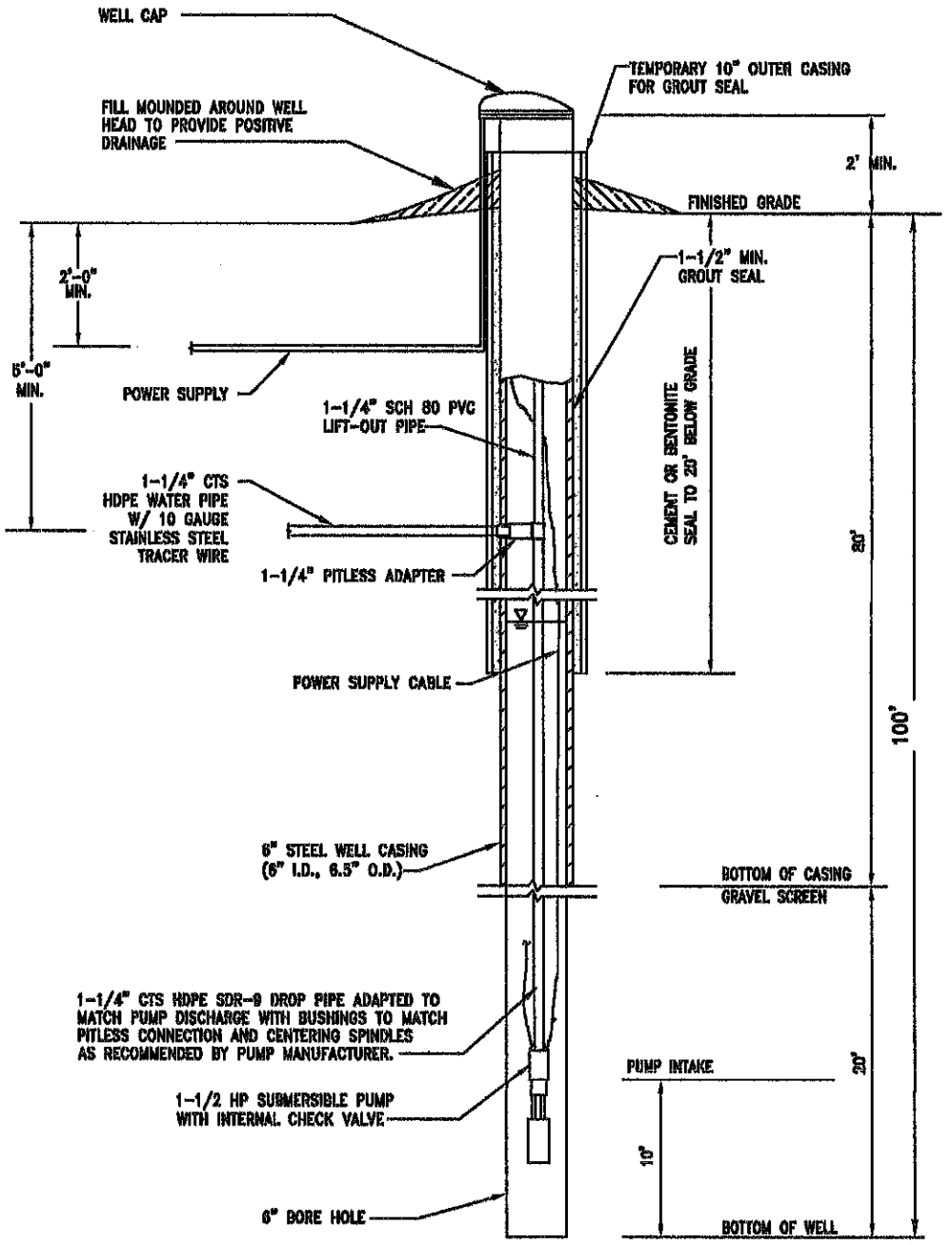
TILDEN COMMONS
NEW LEBANON
DEVELOPMENT, LLC.

COLUMBIA COUNTY NEW YORK STATE

Project Number	2024125
Drawn By	LM
Designed By	BJB
Checked By	BJB
Date	7/2/2025
Scale	NTS
File Name	WSS

Sheet Title
PROPOSED WATER SYSTEM SCHEMATIC

Sheet No.
ATT-A



NOTE:

1. PLACE A 6" WIDE STRIP OF METALLIC BLUE BURIED PIPELINE TAPE 2'-0' BELOW FINAL GRADE FOR THE WELL WATER PIPE.

1 / C155 WELL DETAIL

SCALE: N.T.S.

DATE 7-2-2025	PROJECT NO. 2024125	TILDEN COMMONS NEW LEBANON DEVELOPEMENT, LLC WELL DETAILS	Lamont Engineers ENGINEERS · PLANNERS · FACILITY OPERATIONS
SCALE NTS	DRAWN MVC		

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ATTACHMENT B

WATER SYSTEM DEMAND CALCULATIONS

ATTACHMENT B
Tilden Commons Water System Water
System Demand Calculations

AVERAGE & MAX. DAILY DEMAND

Area	Item [1]	Unit	Flow (Gal./Day)	Total Average Daily Flow (Gal./Day)	Maximum Day Demand Factor (1.5)	Maximum Day Demand (Gal./Day)		
Residential	1 Bedroom Apartment	13	110	1430	1.5	2145		
Residential	2 Bedroom Apartment	15	220	3300	1.5	4950		
Residential	3 Bedroom Apartment	13	330	4290	1.5	6435		
							9020	13530
commercial	Grocery (0.1 gpd/SF)	10000	0.1	1000	1.5	1500		
commercial	Food Service (2 Seats Per table)	10	70	700	1.5	1050		
commercial	Employees	20	15	300	1.5	450		
			TOTALS =	11020		16530		
				8	gpm	11	2000	3000
							11020	16530

1) Design Wastewater Flows taken from NYSDEC Design Standards for Intermediate Wastewater System

ESTIMATED PEAK DEMAND

Area	Item	Qty.	Fixture Unit	Fixture Value
Residential				
	Lavatory	41	2	82
	Water Closet	41	3	123
	Combo Shower/Bathtub	41	8	328
	Kitchen Sink	41	3	123
	Washing Machine	8	5	40
	Mop/Service Sink	3	3	9
	Hose Bibbs	6	10	60
	Dishwasher	41	7	287
		Total Fixture Value, Residential =		1052
		Estimated Peak Demand, GPM =		65
Commercial				
	Lavatory	8	2	16
	Water Closet	8	3	24
	Service Sink	3	4	12
	Kitchen Sink	2	3	6
		Total Fixture Value, Commercial =		58
		Estimated Peak Demand, GPM =		40

1) Based on AWWA Figure 4.4, Water Flow Demand per Fixture Unit Value
2) Fixture Unit Values taken from AWWA Table 4.3, Plumbing Fixture Unit Values

Total Peak Demand of 105 GPM.

ATTACHMENT C

CHEMICAL DISINFECTION CALCS & INFORMATION

Tilden Development

CHEMICAL FEED RATE - SODIUM HYPOCHLORITE (NaOCl)

Anticipated Average Daily Consumption:

Q_{avg} = 11,020 gpd = 0.01102 mgd

Net In/Out Flow Rate:

Q_{pump} = 11 gpm = 0.01584 mgd

NaOCl Solution Specific Gravity:

S = 1.19

NaOCl Solution Specific Weight:

γ = 1.19 x 8.35 lbs H_2O / gal

γ = 9.94 lbs/gal

Desired Pure Chlorine Dosage: NaClO Residual Goal = 0.50 mg/l (ppm) NaOCl Dosage of 12.5% NaOCl Solution to Achieve 0.50 ppm Chlorine Dosage: 0.50 mg/l ÷ 12.5% = 4.00 mg/l (ppm) NaClO Feed Rate for NaOCl Diluted 9 to 1 (H_2O to NaOCl): Q_{feed} = [(0.0432 mgd x 4.00 ppm x 8.34 lbs H_2O/gal) ÷ 9.94 lbs NaOCl/gal] x 10 Q_{feed} = 0.53 gpd 0.02 gph	MIN. DOSAGE

Desired Pure Chlorine Dosage: NaClO Residual Goal = 2.00 mg/l (ppm) NaOCl Dosage of 12.5% NaOCl Solution to Achieve 2.0 ppm Chlorine Dosage: 2.0 mg/l ÷ 12.5% = 16.00 mg/l (ppm) NaClO Feed Rate for NaOCl Diluted 9 to 1 (H_2O to NaOCl): Q_{feed} = [(0.0432 mgd x 16.00 ppm x 8.34 lbs H_2O/gal) ÷ 9.94 lbs NaOCl/gal] x 10 Q_{feed} = 2.13 gpd 0.09 gph	MAX. DOSAGE

Tilden Development LLC

CT provided by 2 - 120 gal. tanks installed in series.

Baffling Factor (BF) 0.9 **(3+ Tanks in Series per NYSDOH Guidance)**

1	2	3	4	5	6	7	8	9	10	11
Cl Conc	**pH**	**Temp**	**Peak Flow**	**Storage**	**Total Detention**	**Contact Time**	**CT calc**	**CT req**	**Inactivation Ratio**	**Log Removal**
mg/L		°C	GPM	**Volume**	**Time (TDT)**	min	Cl Conc x	table B-2	CT calc/CT req	4 X Inact. Ratio
				Gallons	Vol/Peak Flow	TDT x BF	Contact Time			
0.5	7	10	11	240	21.82	19.64	9.82	6	1.64	6.55

Table 4-2
Baffling Factors

Factor	Description
0.1	None, agitated basin, very low length to width ratio, high inlet/outlet velocities
0.3	Single or multiple unbaffled inlets or outlets, no intra-basin baffles
0.5	Baffled inlet/outlet with some intra-basin baffling
0.7	Perforated inlet baffle, serpentine or perforated intra-basin baffles, outlet weir or perforated launders
1	Very high length to width ratio (pipeline flow) perforated inlet, outlet and intra-basin baffles

TABLE B-2
CT VALUES* FOR
4- LOG INACTIVATION OF VIRUSES BY FREE CHLORINE

T (°C)	pH	
	6-9	10
0.5	12	90
5	8	60
10	6	45
15	4	30
20	3	22
25	2	15

ATTACHMENT D

SPDES Permit Application

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

State Pollutant Discharge Elimination System (SPDES) Application Form: Private, Commercial & Institutional (P/C/I) Discharge of Treated Sanitary Sewage

(•) New Application ( ) Renewal Application ( ) Modification Application

SPDES Number [ ] NY######### **DEC Authorization** [ ] #-#####-######

Applicant/Owner Information

Type of Ownership: ( ) Corporate ( ) Individual ( ) Partnership ( ) Public

Name | Taxpayer ID

Mailing Address

City | State | Zip

Phone | Email

Contact/Agent Information

Name

Title

Mailing Address

City | State | Zip

Phone | Email

Facility Information

Facility Name	Nature of Business or Facility	Population Served
Tilden Commons	Mixed Use	100

Street Address	City	State	Zip
538 US Route 20	New Lebanon	NY	12125

Municipality (•) Town ( ) Village ( ) City | Municipality Name: New Lebanon | County: COLUMBIA

Additional Facility Location Information (if needed): Intersection of US Route 20 and Tilden Road

Tax Map Information	Section	Block	Lot
	19.2	1	69

Certification: I hereby affirm under penalty of perjury that the information provided on this form and any attached supplemental forms is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Signature of Applicant/Owner | Printed Name | Title | Date

Applicable discharge data on the following pages must be completed. Discharges from this facility are not authorized until this application form is attached to the permit signed and authorized by the New York State Department of Environmental Conservation or its designated agency.

Please Indicate Whether Your Facility 'Discharges To Groundwater', 'Discharges To Surface Water', or both.

☐ Discharges To Groundwater

☒ Discharges To Surface Water

SPDES Application for P/C/I Discharge of Treated Sanitary Sewage

Discharges To Groundwater - 1 of 1

Facility Name Tilden Commons

SPDES Number _____ **DEC Authorization** _____

To Add or Remove outfalls, click on the Green + or the Red X respectively.

Complete this page of the application if your facility has any discharges to groundwater. Use additional copies of this page to list additional groundwater outfalls. Sampling information is only required if the disposal system is designed to discharge, or discharges 30,000 GPD or more.

Outfall Information:

Outfall No.	Outfall Status	Design Flow
	○ Proposed ○ Replacement ○ Existing ○ Expansion	Gal/Day

Outfall Location (if subsurface system, indicate center of disposal system area)

Latitude ____ ° ____ ' ____ "

Longitude ____ ° ____ ' ____ "

Treatment:

Standard On Site Treatment: Septic Tanks with:		Alternative On Site Treatment: Septic Tanks with:	
☐ Absorption Trenches	☐ Cut and Fill Systems	☐ Absorption Trenches Using An Alternative Aggregate	☐ Single-Pass Sand Filters & Pressurized Shallow Narrow Drainfields
☐ Shallow Absorption Trenches	☐ Raised Systems	☐ Shallow Absorption Trenches Using An Alternate Aggregate	☐ Mound Systems
☐ Absorption Beds	☐ Seepage Pits	☐ Absorption Beds Using An Alternate Aggregate	☐ Drip Dispersal or Other Low Profile Dispersal System

☐ Other (describe) _____

Frequency of Discharge Months/Year _____ Days/Week _____

Name of Nearest Surface Waters	Distance	Soil Type	Depth To Water Table
	Ft.		Ft.

SPDES Application for P/C/I Discharge of Treated Sanitary Sewage

Discharges to Groundwater

Facility Name Tilden Commons

SPDES Number _____ **DEC Authorization** _____

Outfall No. _____

Sampling Information

Include the following sampling information if the disposal system is designed to discharge, or discharges, 30,000 GPD or more. Please indicate whether the values listed are from sampling results (include the date), estimated from the treatment system design as installed, or estimated from the proposed treatment system design.

Plant Design Pollutant Information	Influent		Effluent		Number of Samples or Source of Estimate
	mg/l	lbs/day	mg/l	lbs/day	
BOD5					
Percent removal, BOD5					
pH, Range					
Nitrate, as N					
Nitrite, as N					
Ammonia, as N					
Nitrogen, Total, as N					
Phosphorus, Total, as P					
Total Residual Chlorine, if used					
Solids, Total Dissolved (Nassau/Suffolk only)					

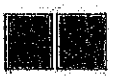
SPDES Application for P/C/I Discharge of Treated Sanitary Sewage

Discharges To Surfacewater - 1 of 1

Facility Name Tilden Commons

SPDES Number | **DEC Authorization**

To Add or Remove outfalls, click on the Green + or the Red X respectively.



Complete this page of the application if your facility has any discharges to surface water. Complete this form for each surface water outfall.

Discharge Data

Outfall No.	Outfall Status	Design Flow
1	(•) Proposed ( ) Replacement ( ) Existing ( ) Expansion	11020 Gal/Day

Outfall Location (end of pipe or conveyance)

Latitude 42 ° 27 ' 57.8 "

Longitude 73 ° 23 ' 37.6 "

Type of Treatment

Primary treatment provided by conventional septic tank settling, secondary provided by an Orenco filter and UV disinfection

Frequency of Discharge Months/Year 12 Days/Week 7

Name of Receiving Water	Classification	Water Index Number
Wyomanock Creek	C(TS)	H-204- 2-25

SPDES Application for P/C/I Discharge of Treated Sanitary Sewage

Discharges to Surface Water

Facility Name Tilden Commons

SPDES Number _____ **DEC Authorization** _____

Outfall No. 1

Sampling Information

Include the following sampling information. Please indicate whether the values listed are from sampling results (include the date), estimated from the treatment system design as installed, or estimated from the proposed treatment system design.

Plant Design Pollutant Information	Influent		Effluent		Number of Samples or Source of Estimate
	mg/l	lbs/day	mg/l	lbs/day	
BOD5	250		5		Estimate on similar resi system
Suspended solids	250		10		Estimate on similar resi system
Percent removal, BOD/TSS	-		98%		Estimate on similar resi system
pH, Range	7-8		6-9		Estimate on similar resi system
Settleable solids, ml/l	10		0.1		Estimate on similar resi system
Solids, total dissolved	500		500		Metcalf & Eddy
Dissolved oxygen	1		7		Estimate on similar resi system
Ammonia, as N	45		1.5/2.2		Estimate on similar resi system
Nitrogen, Total, as N	90		10		Estimate on similar resi system
Phosphorus, Total, as P	8				Assuming not in permit
Fecal Coliform, MPN	10,000		200/400		
Total Residual Chlorine (if used)	-	-	-	-	Not Used
Temperature, Degrees F, Summer	50		50		Degree F, similar system
Temperature, Degrees F, Winter	50		50		Degree F, similar system

Alicia R. Legland
Associate
Direct Dial: 518.433.2416
alegland@hodgsonruss.com

Hodgson Russ LLP
ATTORNEYS

July 2, 2025

Town of New Lebanon Planning Board
14755 Route 22
New Lebanon, NY 12125

Re: Tilden Commons – Geotechnical Report and Completeness Determination

To: Members of the Planning Board

Our firm represents Tilden Project LLC (Applicant) in connection with its efforts to develop the Tilden Commons (the Project) at 538 Route 20 New Lebanon, New York 12125 (Tax Map ID 19.2-1-69) (Property) in the Town of New Lebanon, New York (Town). The Applicant applied to the Town of New Lebanon Planning Board (Planning Board) for special use permit and site plan approval for the Project (Application) and the Planning Board has indicated its intent to act as Lead Agency for purposes of the environmental review under the State Environmental Quality Review Act (SEQRA).

During its meeting on June 18, 2025, the Planning Board inquired about soil borings being done on the Property. As the Applicant's attorney, I followed up with the Planning Board Chair and the Planning Board's attorney via email to clarify the specific deliverable that was being requested so the Applicant could provide a timely response. In this correspondence, it was indicated that the Applicant should provide a geotechnical report. As is typical of developments such as the Project, the Applicant will conduct full geotechnical work once the Project is closer to the foundation stage. At this stage, it is more typical to have initial soil investigations, which the Applicant's engineering consultants have done, than full geotechnical reports. The Applicant has provided a Site Geotechnical Review Report, attached hereto, as an initial demonstration of the soil investigations that have already been conducted onsite (including onsite testing of existing soils with percolation testing and deep test pits) as well as recommendations for the site work and building construction. This initial geotechnical report provides the Planning Board with information regarding the findings from the initial soil investigation work, proposed building foundation type, floor slab type, seismic conditions, and site infiltration (drainage). The Applicant's engineering consultants also conducted a Phase I Environmental Site Assessment, also attached hereto, further analyzing the quality of the soils on the Property.

Full-scale geotechnical work is exceptionally costly and invasive. It is typically not conducted until a special use permit or site plan approval (or both) are granted, and before a building permit is applied for. The reason for this is that an applicant must have relative assurance that the Project will be approved to be constructed before the time and resources are expended on full-scale geotechnical work. Another reason for this is that the results of this work are used for foundation installation, the sufficiency of which is a matter for code enforcement and building code compliance, rather than special use permit/site plan consideration. The Applicant will conduct full geotechnical work, including soil borings and standard samplings. However, this will

not occur until the Project is closer to foundation installation, and in any case, is more suitably a matter for building code compliance. Nevertheless, this should not delay the Planning Board in continuing its review of the appropriate special use permit and site plan considerations as well as the relevant considerations under SEQRA. None of the Planning Board's requisite determinations to be made for this Project require a geotechnical report, nor is such report required pursuant to the Zoning Law of the Town of New Lebanon, New York (Zoning Law).

Further, it was also indicated in the above correspondence that the Project should be through Design Development in order for the Planning Board to deem the Application complete. This is not the standard for deeming an application complete, nor is it typical for a project like this to be through Design Development at this point. Sections 205-13 and 205-14 of the Zoning Law governing special use permits and site plan review, respectively, discuss application completeness in varying levels of detail, but neither section requires a proposed project be through Design Development in order for the Planning Board to deem the application complete. *See generally* Zoning Law §§ 205-13, 205-14. Nor do these sections require any geotechnical work. These sections of the Zoning Law list the required materials to be submitted with applications for special use permits and site plan review, all of which the Applicant has provided to the Planning Board. As such, the Applicant respectfully requests the Planning Board deem the Application complete.

Thank you for your consideration of this letter. Please do not hesitate to reach out with any questions or concerns.

Very truly yours,

Alicia R. Legland

ARL

cc: Courtney Potter, *Zoning Board of Appeals Clerk*, Town of New Lebanon
Stephanie Ferradino, Esq., *Attorney*, Town of New Lebanon
Joshua Young, Tilden Project LLC

Lamont Engineers
ENGINEERS • PLANNERS • FACILITY OPERATIONS
Dedicated to Service...Committed to Excellence

2024125

June 30, 2025

Javier Gomez
Tilden Development LLC
313 Mill Street
Poughkeepsie, NY 12601

RE: Tilden Development – 538 US Route 20, Town of New Lebanon
Geotechnical Review Report

Dear Mr. Gomez:

Below is a summary of the soil conditions as they have currently been evaluated for the Tilden Development site at 538 US Route 20 in the Town of New Lebanon, Columbia County, NY. This report describes the initial findings of the existing site soils regarding percolation and groundwater for sanitary and stormwater construction and some initial assumptions for the proposed building foundation but further soil investigation for the building foundation design will be verified at a later date upon the completion of the proposed soil borings.

INTRODUCTION:

It is our understanding that the proposed construction will include a three-story building located approximately as indicated on the site drawing in Attachment A. The building is proposed as a mixed-use building with approximately 10,000 SF commercial space on the 1st floor of the south side of the building and 41 residential apartments and community space in the remainder of the building, for a total square footage of 60,000 SF. The building is anticipated to be mostly wood/metal stud construction exterior bearing walls with a possible steel frame construction for the commercial space. The building foundation will be a concrete slab on grade design with the possibility of an under-slab tank constructed as part of the frost wall in some portions of the building to serve as the water storage tank needed for the water system clearwell and sprinkler storage tank.

The maximum column loadings anticipated is 100 kips. The settlement tolerances are normal. Settlement tolerances are considered to include up to 1 inch of total settlement and 3/4 inch of differential settlement between column locations.

The first-floor slab will be established within 1-3 feet of the existing grade at the site.

PO Box 610
Cobleskill, NY 12043
www.lamontengineers.com
Tel: 518-234-4028
Fax: 518-234-4613

FIELD INVESTIGATION:

At a later date, we anticipate the completion of two soil borings by means of 3.25 inch ID, hollow-stem augers and standard sampling with a split-spoon sampler to a depth of 50' to verify the soil conditions assumptions in this report. Soil samples obtained from these procedures will be examined in the field, sealed in containers, and shipped to the laboratory for further examination, classification and testing, as applicable.

Lamont has conducted several onsite testing of the existing soils with percolation testing and deep test pits as seen in Attachment A. The USDA soils maps indicates the site soils to be an Occum Loam soil which is well draining. Lamont conducted site soils testing in April/May 2025 in an abnormally wet Spring season. The results confirmed the site soils to be mostly a sandy gravelly loam which was well draining. The site percolation testing that was conducted stabilized at 5-7 minutes. Deep test pits indicated there is no bedrock present to a depth of 6'. At a depth of 4' groundwater was noted to weep into the deep test pit holes. Some of the deep test pits conducted in the central part of the site indicated the presence of unconsolidated fill in some areas to a depth of 48".

SITE CONDITIONS:

The existing ground surface at the proposed building site is fairly level. There is an existing building on the site which is proposed to be demolished and may require over-excavation of the site and removal of existing foundation materials. The owners of the site have already conducted a Phase I environmental study of the existing site under another contract with Terracon.

CONCLUSIONS AND RECOMMENDATIONS:

As previously noted, there is presence of uncontrolled fill at various locations throughout the site. It is possible that it could vary from approximately 2-6 feet. We recommend that test pits be performed at all four corners of the building at the same time the soil borings are conducted to confirm the depth and extent of the uncontrolled fill. The uncontrolled fill materials likely are not adequate to properly support the proposed building due to possible pockets of buried unsuitable material such as wood or debris with voids. If these materials are buried, the proposed building/floor slab could experience greater than normal settlement. Because of this potential, we recommend removing all the uncontrolled fill in the building footprint and replacing it with controlled fill. If the existing uncontrolled fill does not contain debris or organics it could be reused as controlled fill provided it can be properly compacted.

Site Work:

The proposed construction areas should be cleared and grubbed and all organic topsoil and vegetation along with any uncontrolled fill and debris. The subgrade should be proof-rolled with a 10-ton roller and the proof rolling should be observed by the engineer. This proof rolling will compact the subgrade and reveal the presence of soft spots. If saturated subgrade conditions exist, we recommend that the subgrade be observed and probed by the soil engineer in place of proof rolling. Any soft spots should be excavated and backfilled with controlled fill material.

The removal of any uncontrolled fill should extend to a minimum horizontal distance past the edge of the footings equal to half the depth that the fill extends under the footing. This is equal to a 1:2 (H:V) slope down from the outer edge of the footing to the virgin soil. All uncontrolled fill within the proposed building area should also be removed.

A way to stabilize a spongy, but suitable, virgin, subgrade would be to spread a reinforcement or separation type of geo- textile (Mirafi 600X or approved equal) on the subgrade and follow with a lift of clean, granular fill or uniform crushed stone. The thickness of the controlled fill can range from 1.0 to 2.5 feet, as necessary, to achieve a working mat upon which to construct the remainder of the controlled fill or to place footings.

Controlled Fill:

Before any controlled fill is placed the site should be inspected by the engineer.

Controlled fill can consist of non-organic, on-site or imported soils free of debris and having a maximum particle size of 4 inches. Agradation and proctor should be performed on the proposed soil and submitted for approval. Approved, properly placed and compacted material can be used as controlled fill within the proposed building footprint. Free draining controlled fill material should be placed as recommended in this report. Approved on-site or imported soils should not be used in these locations where free draining controlled fill is recommended unless approved.

Controlled, relatively clean, granular fill can be spread in lifts not exceeding 12 inches in loose thickness. These materials should be compacted to a minimum of 95 percent of the maximum ASTM Specification D 1557-91 density, modified proctor. This is commonly referred to as a good, boney gravel.

On-site, silty soils, will be difficult to compact during wet weather or poor drying conditions. Given good drying conditions, the on-site soils with more than 10 percent silt/clayey silt may be able to be properly compacted. These types of soils are sensitive to moisture content and weather conditions. During freezing or wet weather conditions these materials may not be able to be adequately compacted for use as structural fill.

If crushed stone is used as controlled fill, it should have a layer of geotextile with a minimum tensile strength of 200 lbs should be placed between the stone and existing soils. The stone should be placed in lifts not exceeding 12 inches in thickness and should be compacted with a minimum of 5 passes of a vibratory roller rated at 5 tons or larger. Weathered shale or crushed shale should not be used as controlled fill within the proposed building area.

Crushed stone or a similar well graded material should be used in areas under the foundation where drainage is not required and where fine grading is necessary for foundation construction. Gravel material should be used to allow site groundwater to access building foundation drainage. If uniform crushed stone is used as controlled fill a layer of geotextile should be placed between the crushed stone and any sand/gravel controlled fill or virgin soil to prevent fine mitigation into the clean gravel soils.

Controlled Gravel Fill Material: Natural or crushed #2 or #1-#2 Blend Stone

U.S. Sieve No.	Percent Passing by Weight
2 inch	100
1 inch	90-100
½ Inch	0-15

Gravel Fill Material: Naturally or sand, natural or crushed stone or Item 304-2.03, Type 4

U.S. Sieve No.	Percent Passing by Weight
2 inch	100
1/4 inch	30-65
No. 40	5-40
No. 200	0-10

All controlled fill should be free of organic and/or frozen material. Free-draining controlled fill should have less than 10 percent fines passing the #200 sieve.

A field density test for every 2,000 square feet of controlled fill placed, within the overlaying building footprint, but in no case fewer than three tests per lift.

It is recommended that for foundation walls and footing backfill that in each compacted backfill layer have at least one field in place density test for each 50 feet or less of wall or footing length, but not fewer than two tests along a wall face or footing be performed per lift.

Proper placement and compaction of backfill along exterior portions of foundation walls should be provided, especially in locations where there are sidewalks or building entries. Proper placement of backfill materials can reduce possible settlements and the use of properly designed backfill and drainage can reduce possible frost heave movements.

Results of the field compaction test results should be sent to my office for review. Copies of the results of soil gradation tests should also be provided to Lamont for review and approval.

Building Construction:

Building Foundations:

The building foundation will be constructed mostly of a continuous strip footing supporting a concrete frost wall. Some spread footings may be used for column loads. Based on the findings of the deep test pits, it is assumed that the site soils are a stiff sandy gravel. It is our opinion that footings can be designed for a maximum, net, allowable soil bearing pressure of 2500 psf based on the observed conditions. This should be verified with the completion of the soil borings and deep test pits within the building area before construction to ensure there isn't unknown fill materials or areas of looser soils below. The soil engineer should observe the footing subgrade at the beginning of the project or if soil conditions change to verify the allowable bearing pressure of the soil encountered.

Floor Slabs:

Concrete floor slabs can be designed to rest on controlled fills resting on virgin materials. A 8-inch layer of well-graded, free-draining, granular material should be placed beneath the floor slab to provide drainage, act as a capillary break, and to provide better and more uniform support. If vehicle loadings are to be applied to the floor slab, the proposed slab and supporting soils should be analyzed as a pavement structure. I recommend that a minimum of 12 inches of free draining controlled granular fill be placed below any concrete pavements.

A modulus of subgrade reaction of 150 psi per inch can be used to design concrete slabs resting on a minimum of 6 inches of free draining controlled fill that in turn rests on virgin soils or controlled fill that in turn rests on virgin soils. A modulus of subgrade reaction of 175 psi per inch can be used to design concrete slabs resting on a minimum of 12 inches of free draining controlled fill that in turn rests on virgin soils or controlled fill that in turn rests on virgin soils. A modulus of subgrade reaction of 100 psi per inch can be used to design exterior slabs or pavements resting on a minimum of 12 inches of free draining controlled fill. This reduced value is recommended due to seasonal variations that occur due to frost in the soils.

Seismic Conditions:

The potential seismic conditions at the proposed site have been investigated using the information provided by the ASCE Site Hazard tool. The NYS building code was referenced to designate the building hazard category as II. Assumptions based on the site deep test pits assumed that the Site Soil Classification could be assumed to be C. Based on that information the MCE spectral acceleration (SMs) at short periods is 0.2 and the MCE spectral acceleration (SM1) at 0.064 s period is 0.19. Further details of the existing soils and potentials for liquefaction will need to be verified at a later date with soil boring data.

Stormwater and Drainage:

Site Infiltration:

Based on the investigation conducted with the site deep test pits and percolation testing, the site soils appear to be very well draining. This should allow the site to be well suited for infiltration

methods for stormwater treatment to minimize any impact on existing site stormwater. Although groundwater was noted weeping into the lower portion of the deep test pit, it didn't appear to be standing water indicative of a consistent water table but more likely water flowing through the gravel. This likely wouldn't prevent the use of infiltration methods for stormwater treatment but if possible, the proposed infiltration basins should be constructed to a depth of 24" below existing grade. This can also be verified prior to construction with the conduction of infiltration testing once the stormwater basin sites have been identified.

CONSTRUCTION PROCEDURES AND PROBLEMS:

- All excavations of more than a few feet should be sheeted and braced or laid back to prevent sloughing in of the sides.

- Excavations should not extend below adjacent footings or structures unless properly designed sheeting and bracing or underpinning is installed.

- Footing and floor slab subgrades should be tamped to compact any soil disturbed during the excavation process. A flat plate should be placed on the end of the excavator or backhoe bucket to reduce disturbance of the footing subgrade. If over excavation of subgrades are required to remove cobbles or possibly boulders, then the over excavated areas should be replaced with geotextile fabric and controlled gravel fill.

- Based on the deep test pit information, site dewatering may be needed for construction depending on the weather conditions. Sump-pit and sump-pump-type dewatering may be required in excavations or low areas during wet weather or if groundwater is encountered. If large quantities of groundwater are encountered vacuum wells maybe required to stabilize the subgrade soils. All excavations should be dewatered to a minimum of 1 foot below the bottom of the excavation. All dewatering programs should be designed to prevent bottom heave. Any dewatering program should be performed with properly designed filtration protection on all pumps to prevent loss of ground.

- Subgrades should be kept from freezing during construction.

- Water, snow, and ice should not be allowed to collect and stand in excavations or low areas of the subgrade.

- Design and construction procedures should include measures to limit the potential for slab curl and vapor transmission. The shrinkage properties of the concrete should be controlled and the curing of the concrete controlled. Differential shrinkage between the top and bottom of the slabs could otherwise result in curling of the slabs. The control of vapor transmission through the slab should also be addressed. These phenomena may be only indirectly related to soil conditions. The architect/structural engineer should address this aspect of the design.

If you have any additional questions and concerns, please feel free to contact me.

PZ clerk rec'd 07.02.25

Sincerely,

Brendon Becker

Brendon Becker, P.E.

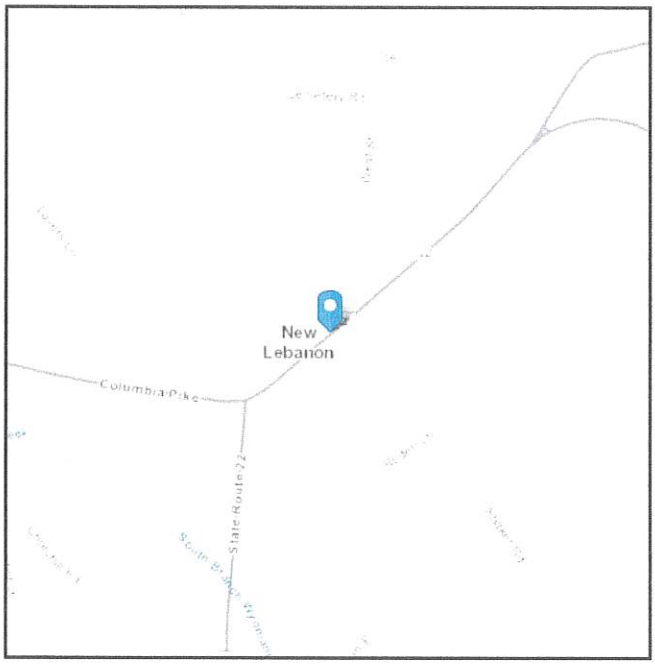
Cc: Town Codes Office

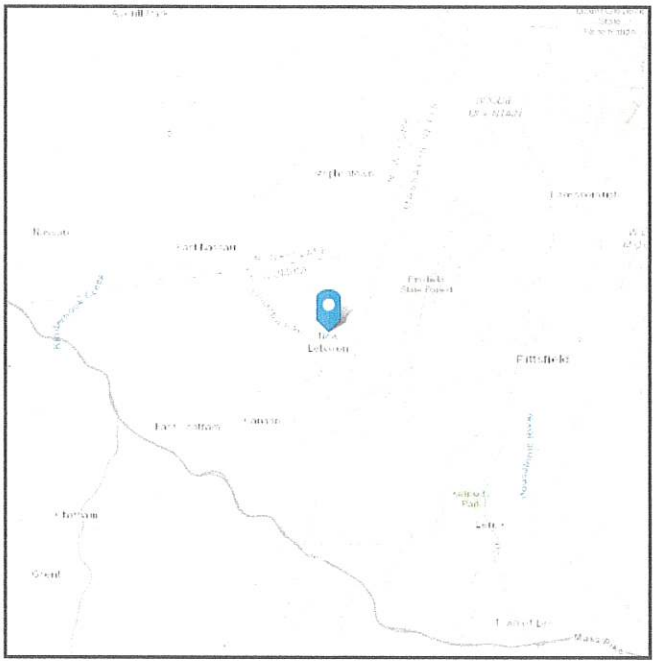
Attachments: A – Soils Map
B – ASCE Hazard Seismic Sheet

ASCE Hazards Report

Address:
538 US-20 E
New Lebanon, New York
12125

Standard:	ASCE/SEI 7-22	**Latitude:**	42.465955
Risk Category:	II	**Longitude:**	-73.39356
Soil Class:	C - Very Dense Soil and Soft Rock	**Elevation:**	0 ft (NAVD 88)





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Seismic

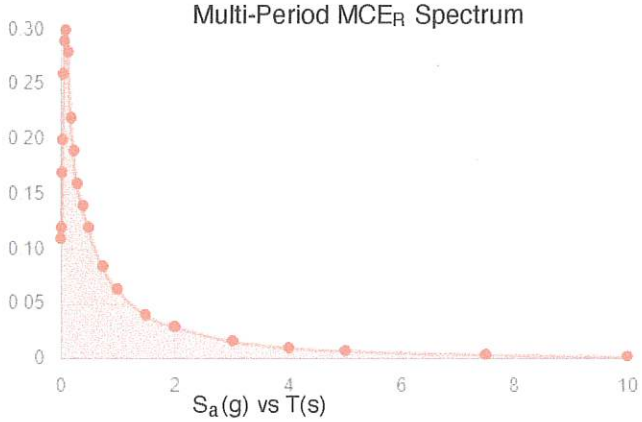
Site Soil Class: C - Very Dense Soil and Soft Rock

Results:

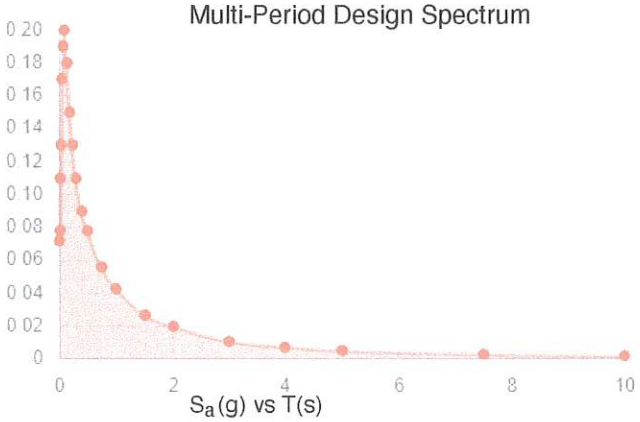
PGA_M :	0.097	T_L :	6
S_{MS} :	0.2	S_S :	0.19
S_{M1} :	0.064	S_1 :	0.05
S_{DS} :	0.13	V_{S30} :	530
S_{D1} :	0.043		

Seismic Design Category: A

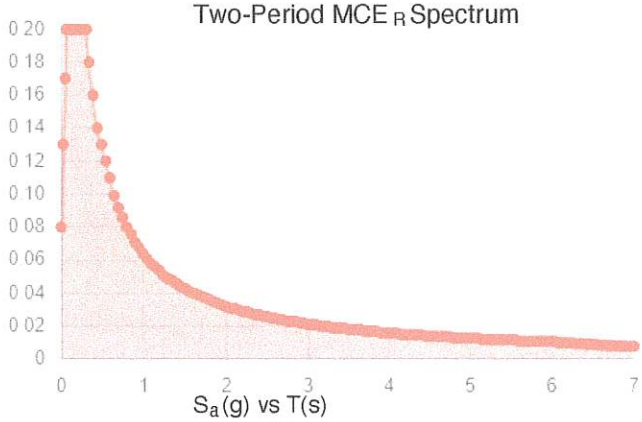
Multi-Period MCE_R Spectrum



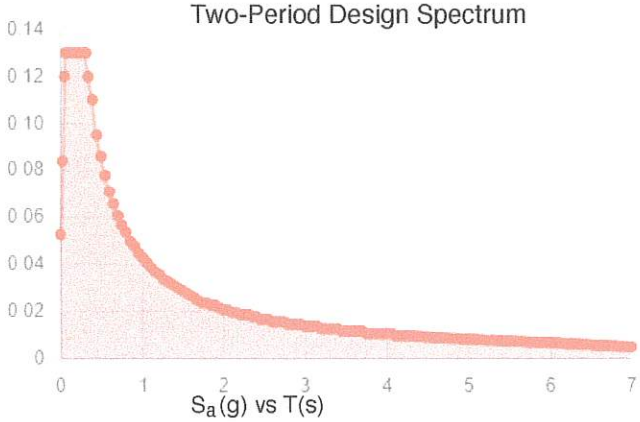
Multi-Period Design Spectrum



Two-Period MCE_R Spectrum



Two-Period Design Spectrum



MCE_R Vertical Response Spectrum

Vertical ground motion data has not yet been made available by USGS.

Design Vertical Response Spectrum

Vertical ground motion data has not yet been made available by USGS.

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Data Accessed: Wed Jul 02 2025

Date Source:
USGS Seismic Design Maps based on ASCE/SEI 7-22 and ASCE/SEI 7-22 Table 1.5-2. Additional data for site-specific ground motion procedures in accordance with ASCE/SEI 7-22 Ch. 21 are available from USGS.

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The ASCE Hazard Tool is provided for your convenience, for informational purposes only, and is provided "as is" and without warranties of any kind. The location data included herein has been obtained from information developed, produced, and maintained by third party providers; or has been extrapolated from maps incorporated in the ASCE standard. While ASCE has made every effort to use data obtained from reliable sources or methodologies, ASCE does not make any representations or warranties as to the accuracy, completeness, reliability, currency, or quality of any data provided herein. Any third-party links provided by this Tool should not be construed as an endorsement, affiliation, relationship, or sponsorship of such third-party content by or from ASCE.

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Alicia R. Legland
Associate
Direct Dial: 518.433.2416
alegland@hodgsonruss.com

Hodgson Russ LLP
ATTORNEYS

July 2, 2025

Town of New Lebanon
Planning Board
14755 Route 22
New Lebanon, NY 12125

Re: Tilden Commons – Proposed SEQRA Materials

To: Members of the Planning Board

Our firm represents Tilden Project LLC (Applicant) in connection with its efforts to develop the Tilden Commons (Project) at 538 Route 20 New Lebanon, New York 12125 (Tax Map ID 19.2-1-69) (Property) in the Town of New Lebanon, New York (Town). The Project will replace the abandoned building currently on the Property with a grocery store, a multi-family residential space with 41 affordable apartment units, and a community park.

The Town of New Lebanon Planning Board (Planning Board) has indicated its intent to act as Lead Agency for purposes of the environmental review of the Project under the State Environmental Quality Review Act (SEQRA), and as such, will be required to review the Full Environmental Assessment Form (FEAF) Part I that was submitted by the Applicant with the application, and to prepare the FEAF Parts 2 and 3. In an effort to assist the Planning Board with its environmental review of the Project, the Applicant has drafted a proposed FEAF Part 2, FEAF Part 3, and FEAF Part 3 Narrative, which discusses in further detail any items of potential concern raised, and provides the analysis as to why such concerns do not rise to the level of a significant adverse environmental impact. The Applicant has also drafted a proposed Negative Declaration as well as a resolution approving same for the Planning Board's review.

As such, to provide as much assistance to the Planning Board as possible as you navigate through the environmental review of the Project, enclosed herein is a proposed FEAF Part 2, FEAF Part 3, FEAF Part 3 Narrative, and Negative Declaration and related resolution. Please do not hesitate to reach out with any questions or concerns.

Very truly yours,

Alicia R. Legland

ARL
Enclosures

cc: Courtney Potter, *Zoning Board of Appeals Clerk*, Town of New Lebanon
Stephanie Ferradino, Esq., *Attorney*, Town of New Lebanon
Joshua Young, Tilden Project LLC

Agency Use Only [If applicable]
Project :
Date :

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

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

Tips for completing Part 2:

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

1. Impact on Land

Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) ☐NO ☑YES

If "Yes", answer questions a - j. If "No", move on to Section 2.

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

PZ clerk rec'd 07.02.25

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) ☑ NO ☐ YES

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

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

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) ☑ NO ☐ YES

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

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

l. Other impacts: _____ _____		☐	☐

4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) ☐NO ☑YES

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☑	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☑	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☑	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E21	☑	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☑	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E21	☑	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E21, D2c	☑	☐
h. Other impacts: _____ _____		☐	☐

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) ☑NO ☐YES

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

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

g. Other impacts: _____ _____		☐	☐

6. Impacts on Air

The proposed action may include a state regulated air emission source. ☑ NO ☐ YES
(See Part 1. D.2.f., D.2.h, D.2.g)
If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO_2)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N_2O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF_6)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	D2h	☐	☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____ _____		☐	☐

7. Impact on Plants and Animals

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

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

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

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☑NO ☐YES

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

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

9. Impact on Aesthetic Resources

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)

☑ NO ☐ YES

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☐ ☐	☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	☐ ☐	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile ½ -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____		☐	☐

10. Impact on Historic and Archeological Resources

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)

☐ NO ☑ YES

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	☑	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☑	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☑	☐

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

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.
(See Part 1. C.2.c, E.1.c., E.2.q.)
If "Yes", answer questions a - e. If "No", go to Section 12.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____		☐	☐

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)
If "Yes", answer questions a - c. If "No", go to Section 13.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts: _____		☐	☐

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems. ☐ 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	☑	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☑	☐
c. The proposed action will degrade existing transit access.	D2j	☑	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☑	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☑	☐
f. Other impacts: _____ _____		☐	☐

14. Impact on Energy

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

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting. ☐ 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	☑	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☑	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☑	☐

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

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) ☑ NO ☐ YES

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

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

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17. Consistency with Community Plans

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

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

18. Consistency with Community Character

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

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

PZ clerk rec'd 07.02.25

PRINT FULL FORM

PZ clerk rec'd 07.02.25

Agency Use Only [If Applicable]
Project:
Date:

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

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

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

Reasons Supporting This Determination:

To complete this section:

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

See attached Full Environmental Assessment Form Part III Narrative.

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

PZ clerk rec'd 07.02.25

Upon review of the information recorded on this EAF, as noted, plus this additional support information
as provided in the full application package

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

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

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

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(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: Tilden Commons	
Name of Lead Agency: Town of New Lebanon Planning Board	
Name of Responsible Officer in Lead Agency: Elizabeth Brutsch	
Title of Responsible Officer: Chair, Town of New Lebanon Planning Board	
Signature of Responsible Officer in Lead Agency:	Date:
Signature of Preparer (if different from Responsible Officer)	Date:

For Further Information:

Contact Person: Elizabeth Brutsch

Address: 14755 Route 22 New Lebanon, NY 12125

Telephone Number: 518-794-8884

E-mail: nlnb.brutsch@gmail.com

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

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
Environmental Notice Bulletin: http://www.dec.ny.gov/enb/enb.html

PRINT FULL FORM

Environmental Assessment Form Part III
Proposed Narrative

Tilden Commons

Town of New Lebanon Planning Board

August __, 2025

Introduction

Tilden Project LLC (Applicant) proposes to develop the Tilden Commons Project (the Project) at 538 Route 20 New Lebanon, New York 12125 (Tax Map ID 19.2-1-69) (Property) in the Town of New Lebanon, New York (Town). The Project will replace the abandoned building currently on the Property with a grocery store, a multi-family residential space with 41 affordable apartment units, and a community park. The Town of New Lebanon Planning Board (Planning Board) is the Lead Agency for the environmental review of the Project under the State Environmental Quality Review Act (SEQRA). The Planning Board has reviewed the application materials for the Project and will be preparing a Full Environmental Assessment Form (FEAF) Part 2 and Part 3.

To further assist the Planning Board in its environmental review, the Applicant completed a proposed FEAF Part 2 as well as this FEAF Part 3 narrative to indicate why any areas of concern identified in the proposed FEAF Part 2 as potentially imposing any impact will not result in a significant adverse environmental impact, allowing the Planning Board to issue a Negative Declaration of Environmental Significance. Pursuant to SEQRA and its implementing regulations, the Lead Agency must evaluate the magnitude and importance of each potentially "moderate to large impact" to determine whether such impact will be significant. An impact that is considered potentially moderate to large on Part 2 of the EAF does not mean that it is also necessarily significant. *See Merson v. McNally*, 90 N.Y.2d 742, 751 (1997). The Lead Agency must take a hard look at each environmental area of concern by considering the materials, studies, and reports submitted by the applicant, concerns raised by the community through public comment, and any mitigation measures proposed by the applicant to address any environmental concerns raised by the public and the Lead Agency. However, each and every conceivable environmental impact, mitigating measure, or alternative does not need to be addressed—only the relevant areas of concern related to and reasonably expected from the action must be reviewed. *See Neville v. Koch*, 79 N.Y.2d 416, 425 (1992).

The items identified and checked "Yes" in the Applicant's proposed FEAF Part 2 are listed below and are thoroughly reviewed herein.

- Impact on Land (FEAF Part II, Item No. 1)
- Impact on Groundwater (FEAF Part II, Item No. 4)
- Impact on Historic and Archeological Resources (FEAF Part II, Item No. 10)
- Impact on Transportation (FEAF Part II, Item No. 13)
- Impact on Energy (FEAF Part II, Item No. 14)
- Impact on Noise, Odor, and Light (FEAF Part II, Item No. 15)

I. Impact on Land.

1.a) The proposed action may involve construction on land where depth to water table is less than 3 feet.

The average depth of the water table is approximately four to six feet. As such, the Project will not have any significant adverse impact on the water table.

1.b) The proposed action may involve construction on slopes of 15% or greater.

The entirety of the Property contains slopes of zero to ten percent. There will therefore not be any construction on slopes of 15 percent or greater. As such, the Project will not have any significant adverse impact in this regard.

1.c) The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.

The Project will not have any significant adverse environmental impact regarding depth to bedrock. The average depth to bedrock on the Property is greater than six feet and there are no bedrock outcroppings on the Property.

1.d) The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.

The Project will require excavation of approximately 2,000 tons of soil, however, the proposed site grading requires fill, which will be sourced from this excavated soil to the greatest extent practicable. The Applicant's engineers have estimated that approximately 500 tons of the 2,000 tons of soil to be excavated will not be suitable for grading and fill and will be removed from the Property. It is therefore estimated that 2,000 tons of material will be excavated, but *only 500 tons will be removed from Property*, with 1,500 tons remaining onsite as fill. As such, there will not be a significant adverse environmental impact in this regard.

1.e) The proposed action may involve construction that continues for more than one year or in multiple phases.

The Project will be constructed in one phase, lasting approximately 12 to 18 months. This is a typical construction period for a mixed-use building of this size. Although the construction period for the Project *may* exceed 12 months, there will be no significant adverse environmental impact in this regard as no site impacts will require remediation (there is no contaminated soil or groundwater present), there will be no need for construction of avoidance measures for streams and wetlands (as no such features exist on the Property), there are no construction timing constraints due to presence of protected species onsite (no such species exist on the Property), etc. And once the building is framed, an extensive amount of work will be done on the interior of the building, which will not present any impacts to neighboring properties or the area generally.

1.f) The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment of herbicides).

The Project will not result in increased erosion. There will be little, if any, vegetation removal as part of the Project since the Applicant will be converting an abandoned commercial property into a mixed-use building and community park. There will be a significant increase in vegetation on the Property as part of the Project than currently exists, including various trees and shrubs planted throughout the site, a lawn area in the park, etc. *See* Site Plan, L-200. Any potential erosion impacts from installation of the Project's impervious areas, including the building and parking area, will be fully mitigated through the Project's stormwater control design, as well as by following the measures in implementing the measures in the New York State Department of Environmental Conservation (NYSDEC) Stormwater Design Manual and NYSDEC Standards and Specifications for Erosion and Sediment Control (*i.e.*, The Blue Book) and as per the approved Stormwater Pollution Prevention Plan (SWPPP). The SWPPP includes erosion and sediment control measures in compliance with the Clean Water Act and is enforced by state and local agencies. Lastly, there will not be any herbicide use on the Property. As such, the Project will not have any significant adverse impact related to erosion.

1.g) The proposed action is, or may be, located within a Coastal Erosion hazard area.

The Property is not located in a Coastal Erosion Hazard Area, and as such, there is no potential for a significant adverse environmental impact in this regard.

II. Impact on Groundwater.

2.a) The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.

The mixed-use building that will be constructed is expected to require 11,020 gallons per day. This is an increase compared to the current water demand, which is zero given that the existing commercial building on the Property has abandoned and is not in use. Nevertheless, the well that is already installed onsite can accommodate up to 21,600 gallons per day (the well has a maximum pumping capacity of 13 gallons per minute, producing 18,720 gallons per day). As such, the increased demand for water will be fulfilled by the currently installed well and will no require a new water supply well. There is therefore no potential for a significant adverse environmental impact in this regard.

2.b) Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer.

See response to Item 2.a, above. The water supply demand created by the Project will be fully satisfied with the well already installed onsite.

2.c) The proposed action may allow or result in residential uses in areas without water and sewer services.

The Project, which includes both residential and commercial use, will be sited in an area of the Town with both commercial and residential uses. And in any case, the Property has a well that will fully satisfy the increased water supply demand. *See* response to Item 2.a, above.

2.d) The proposed action may include or require wastewater discharged to groundwater.

The mixed-use building that will be constructed will generate sanitary wastewater. However, this sanitary wastewater will be adequately managed with the Project's proposed treatment system that will have a conventional septic tank for solids removal, an Orenco Advantex treatment system for secondary treatment, and UV disinfection before discharge. As such, there is no potential for a significant adverse environmental impact related to wastewater.

2.e) The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.

See response to Item 2.a, above. The Property does not contain contaminated groundwater, but regardless, the Project will not require a new water supply well to be installed. As such, there is no potential for a significant adverse environmental impact related to wastewater.

2.f) The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.

The Project will not require any bulk storage of petroleum or chemical products, as such, there is no potential for a significant adverse environmental impact in this regard.

2.g) The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.

The Project will not require any application of pesticides, and as such, there is no potential for a significant adverse environmental impact in this regard.

III. Impact on Historic and Archeological Resources.

10.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.

The Property does not contain 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. However, the Property is near such historic buildings eligible for listing (*i.e.*, the Abbott-Perry House, New Lebanon Railroad Depot, and New Lebanon District No. 8 School). The New York State Historic Preservation Office (SHPO) reviewed the proposed Project in accordance with Section 106 of the National Historic Preservation Act of 1966, finding that no historic properties, including archaeological and/or historic resources, will be affected by the Project. See "No Impact Letter" from SHPO, dated May 20, 2025. As such, there is no potential for a significant adverse environmental impact in this regard.

10.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.

The Property is not within or substantially contiguous to an area designated as sensitive for archaeological sites on the SHPO archaeological site inventory. As such, there is no potential for a significant adverse environmental impact in this regard.

10.c) The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory.

The Property is not in or substantially contiguous to an archeological site not included on the SHPO inventory. As such, there is no potential for a significant adverse environmental impact in this regard.

10.d) Other impacts.

None.

10.e) If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3.

N/A.

IV. Impact on Transportation.

13.a) Projected traffic increase may exceed capacity of existing road network.

The Project will be sited on a local highway, Route 20, which has sufficient capacity for local traffic. The Applicant's engineer, Lamont Engineers, conducted a Traffic Study and prepared a Traffic Study Report to review the potential impacts on traffic from the Project. The Traffic Study Report indicates that existing Annual Average Daily Traffic (AADT) volume for this corridor of Route 20 is approximately 7,300 vehicles and the existing peak hour traffic on Route 20 is 365 to 395 vehicles per hour. *See* Traffic Study Report, dated July 1, 2025. Based on Lamont Engineers' analysis, the Project is expected to generate approximately 73 new vehicle trips during the AM peak hour and 128 new vehicle trips during the PM peak hour, which would result in a volume to capacity ratio of 0.62, which is under the capacity of the existing roads. Lamont Engineers concludes that "[e]xisting traffic conditions on US Route 20 can support the expected increase without significant degradation to traffic operations." *Id.* Lamont Engineers also reviewed the sight distances to determine adequacy of the ingress and egress to the Property. As indicated in the Traffic Study Report, the "existing sight distance in both directions at the Tilden intersection are 500'+. The AAHTO Sight stopping distance minimum recommendations for a design speed of 45 MPH on a level grade are 360' so this intersection more than meets those requirements." *Id.*

Moreover, this area of the Town is designed for higher levels of traffic. The Project will not be sited in an area that is difficult to access or accessible only via local, residential roads. Rather, the Project will be located in the center of Town, in a high-density, commercial area, serviced by U.S. Route 20. Even though the Project will lead to increased vehicles trips to the Property as noted above, the surrounding roads are suitable for this type of commercial (and residential) traffic. *See id.* As such, the Project will not result in a significant adverse environmental impact in this regard.

13.b) The proposed action may result in the construction of paved parking area for 500 or more vehicles.

The Project will not require a paved parking area for 500 or more vehicles. The parking area that will be constructed as part of the Project will have 130 parking spaces to be used by both residents and grocery store patrons. As such, there is no potential for a significant adverse environmental impact in this regard.

13.c) The proposed action will degrade existing transit access.

The Project will in no way degrade existing transit access. There is no public transit in the area that the Project will impact. The Project will also not impact access to existing roads, including Route 20 and Tilden Road. Rather, the Project will enhance this commercial center of Town by adding three vehicular access points to the Property, which will allow all Town residents to access the grocery store and community park from both Route 20 and Tilden Road. As such, there is no potential for a significant adverse environmental impact in this regard.

13.d) The proposed action will degrade existing pedestrian or bicycle accommodations.

The Project will in no way degrade existing pedestrian or bicycle accommodations, as such accommodations do not currently exist on the Property. Rather, the Project will be providing these accommodations for the community. The Project includes bicycle parking and there will be sidewalks installed around the grocery store. There will also be a path from the rear parking area through to the residents' entrance as well as a footpath that starts at Route 20, runs along Tilden Road for the length of the building, and then circumnavigates the community party. Meaning, anyone walking along Route 20 could enter the footpath and walk to the park (though pedestrian use of Route 20 is quite limited). As such, there is no potential for a significant adverse environmental impact in this regard.

13.e) The proposed action may alter the present pattern of movement of people or goods.

The Project site will increase the vehicle trips to and from the Property as the Applicant will be converting an abandoned commercial property into a mixed-use property with 41 affordable apartment units, a grocery store, and community park. This will lead to a higher number of residents and local community members visiting the Property. Operation of the grocery store will also require daily truck deliveries. However, the Project design includes three access points for vehicles allowing for adequate ingress and egress, as well as circulation of vehicle movement throughout the site. There will be one point of ingress, via an existing curb cut from U.S. Route 20 for patrons, residents, and guests. There will be a point of ingress and egress along Tilden Road for patrons, residents, and guests. Together with the design of the parking lot, movement of such traffic will be efficient. In addition, there will be a second point of ingress and egress along Tilden Road exclusively for deliveries. *See* Traffic Study Report, dated July 1, 2025, Attachment.

Further, the Applicant's engineer, Lamont Engineers, conducted a Traffic Study and prepared a Traffic Study Report which indicates that existing Annual Average Daily Traffic (AADT) volume for this corridor of U.S. Route 20 is approximately 7,300 vehicles and the existing peak hour traffic on U.S. Route 20 is 365 to 395 vehicles per hour. *See* Traffic Study Report, dated July 1, 2025. Based on Lamont Engineers' analysis, the Project is expected to generate approximately 73 new vehicle trips during the AM peak hour and 128 new vehicle trips during the PM peak hour, which would result in a volume to capacity ratio of 0.62, which is under the capacity of the existing roads. Lamont Engineers concludes that "[e]xisting traffic conditions on US Route 20 can support the expected increase without significant degradation to traffic operations." *Id.* Additionally, the Project has been designed with adequate off-street to accommodate residents and grocery store patrons. There will be 130 parking spaces installed which will accommodate residents and patrons. There will be 69 permitted, assigned residential spaces, 11 guest parking spaces, and 50 grocery store parking spaces. *See* Tilden Commons Residential Tenant Policies. The Applicant also secured the option to create, maintain, and use a 20-space parking lot on the 1- acre parcel owned by the Rail Trail Association across Tilden Road from the Property. As such, the Project will not create a significant adverse environmental impact in this regard.

V. Impact on Energy.

As noted in the FEAF Part I, the Project will generate a new demand for energy, requiring approximately 500 kilowatts , and the annual electrical usage will be approximately 250 megawatt-hours (MWh) per year. Following a load study conducted by New York State Electric & Gas (NYSEG) as the utility provider, it was confirmed this new demand for energy will be provided by the local grid. . The increased energy demand associated with the Project can be handled using existing utility infrastructure and, as indicated in the FEAF Part I, no upgrades to the existing substation are required for the Project. There are three-phase power lines available at the Property already. Further, the Applicant intends to utilize efficient appliances and heating and cooling systems to the extent practicable.

14.a) The proposed action will require a new, or an upgrade to an existing, substation.

The Project will not require a new substation or an upgrade to the existing nearby substation. As such, the Project will not create a significant adverse environmental impact in this regard.

14.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.

The Project will not require the creation or extension of an energy transmission or supply system to serve the Property. As such, the Project will not create a significant adverse environmental impact in this regard.

14.c) The proposed action may utilize more than 2,500 MWhrs per year of electricity.

The Project will not utilize more than 2,500 MWhrs per year of electricity. Annually, the Project is expected to require 250 MWh. As such, the Project will not create a significant adverse environmental impact in this regard.

14.d) The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.

The Project will not require heating and/or cooling of more than 100,000 square feet of building area. The new mixed-use building will total approximately 62,430 square feet. And the Applicant intends to utilize efficient appliances and heating and cooling systems to the extent practicable.

VI. Impact on Noise, Odor, and Light.

15.a) The proposed action may produce sound above noise levels established by local regulation.

The Zoning Law limits maximum noise levels at property lines to 70 dB. *See* Zoning Law § 205-13(B)(3). There does not appear to be an exception from this requirement for typical civil construction conducted with all necessary local approvals, which is common for most zoning laws. Nevertheless, there will be temporary noise generated from the Project during construction that *may* exceed this noise limit at certain times given use of certain equipment; however, construction noise will not continuously exceed this noise limit and given the absence of bedrock on the Property, blasting and hammering is not expected to be conducted during site prep work, which will minimize construction noise. Construction will be conducted in a single phase, lasting approximately twelve to eighteen months, and will take place during the hours of 7 a.m. and 4 p.m. only. Project construction will produce noise typical of any civil construction project that takes place in the Town. Once operational, the Project will generate noise typical of any mixed-use commercial and residential building, including once daily truck deliveries, patrons entering and exiting the grocery store, and residents coming and going from apartments. Included in the Residential Policies for tenants will be quiet hours from 11 pm to 7 am, during which tenants shall not make noise disturbing other residents, whether inside apartment units or anywhere on the Property. *See* Tilden Commons Residential Tenant Policies. The community park will also generate noise typical of any small, local park—children playing, people talking, etc.—but given the robust landscaping around the park, this potential noise, which will only be generated during daytime hours, will be largely buffered from surrounding properties. *See* Site Plan, L100-L200. Regardless, the Project will not generate noise above ambient levels, as the Property is located in a commercial district, on a highway. The noise of residents coming and going from the Property or customers shopping at the grocery store will largely blend into the current level of ambient noise in this area.

As such, given that the Project will only produce typical construction noise for a temporary period, and will not produce noise above ambient levels in this commercial area of the Town during operation, there will not be a significant adverse environmental impact related to noise levels.

15.b) The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.

There will not be any blasting associated with construction of the Project and thus there is no potential for a significant adverse environmental impact in this regard.

15.c) The proposed action may result in routine odors for more than one hour per day.

The Project will not produce any odors and thus there is no potential for a significant adverse environmental impact related to odors.

15.d) The proposed action may result in light shining onto adjoining properties.

There will be some exterior lighting on the Property, on the building and in the parking

lot, for safety of residents and grocery store patrons. However, this lighting will be downcast, shielded, and dark sky compliant, and has been specifically designed and will be installed so as not to cause any glare or light pollution onto adjoining properties. As such, there is no potential for a significant adverse environmental impact related to light.

15.e) The proposed action may result in lighting creating sky-glow brighter than existing area conditions.

See response to 15.d., above. The exterior lighting that will be included in the Project design will be downcast, shielded, and dark sky compliant. As such, it will not create sky-glow brighter than existing conditions. As such, there is no potential for a significant adverse environmental impact in this regard.

TOWN OF NEW LEBANON PLANNING BOARD

Resolution Issuing Negative Declaration for Tilden Commons proposed by Tilden Project LLC in the Town of New Lebanon, New York

WHEREAS, Tilden Project LLC (Applicant) applied to the Town of New Lebanon Planning Board (Planning Board) for a special permit and site plan approval, and applied to the New Lebanon Zoning Board of Appeals (ZBA) for an area variance, to develop the Tilden Commons (the Project) at 538 Route 20 New Lebanon, New York 12125 (Tax Map ID 19.2-1-69) (Property) in the Town of New Lebanon, New York (Town). The Project will replace the abandoned building currently on the Property with a grocery store, a multi-family residential space with 41 affordable apartment units, and a community park; and

WHEREAS, the application for a special permit and site plan approval (Application) included a Full Environmental Assessment Form (FEAF) Part 1, prepared pursuant to the New York State Environmental Quality Review Act (SEQRA); and

WHEREAS, pursuant to Section 239-m of the New York General Municipal Law, the Application was referred to the Columbia County Planning Board; and

WHEREAS, the Planning Board declared its intent to be the Lead Agency under SEQRA, and following the required 30-day notice period with no objection from any involved agencies, the Planning Board was established as the Lead Agency for review of the Project; and

WHEREAS, the Planning Board duly considered the application, the FEAF Part 1, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the SEQRA regulations, and such other information deemed appropriate; and

WHEREAS, the Planning Board has identified the relevant areas of environmental concern, taken a hard look at these areas, and made a reasoned elaboration of the basis for its determination; and

NOW, THEREFORE, BE IT RESOLVED by the Town of New Lebanon Planning Board as follows:

1. The Project will not result in any significant adverse impacts on the environment.

2. Parts 2 and 3 of the FEAF, attached hereto and incorporated herein by reference, have been reviewed and completed by the Planning Board.

3. The attached Negative Declaration, incorporated herein by reference, is issued and adopted for the reasons stated therein.

4. The Planning Board will hereby take such other and further action as is required to comply with the SEQRA regulations, including, but not limited to, ENB publication.

5. This resolution is effective immediately.

PASSED AND ADOPTED this __ day of August, 2025 by the Town of New Lebanon Planning Board.

NEGATIVE DECLARATION
Determination of NonSignificance

Lead Agency: **Town of New Lebanon Planning Board**

Date: **August ___, 2025**

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act (SEQRA)).

The Town of New Lebanon Planning Board (Planning Board), as Lead Agency, has reviewed the special use permit and site plan application for development of Tilden Commons (Action or Project) at 538 Route 20 New Lebanon, New York 12125 (Tax Map ID 19.2-1-69) (Property) in the Town of New Lebanon, New York (Town) proposed by Tilden Project LLC (Applicant). The Planning Board has determined that issuance of the requested approvals to the Applicant for the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement need not be prepared.

Name of Action: Consideration of the Applicant's proposed mixed-use building project, Tilden Commons.

Location of Action: The Town of New Lebanon, New York (Town).

SEQRA Status: Type I Action.

Description of Action: The Planning Board has reviewed the special use permit and site plan application, and supporting materials, including the Full Environmental Assessment Form (FEAF) Part I.

Reasons Supporting this Determination:

The Planning Board has identified the relevant areas of environmental concern and has taken a hard look at each of the identified areas as required by SEQRA. The Planning Board compared the Action with the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR §§ 617.7(c)(2) and (3). As indicated below in the discussion of each criterion specified in 6 NYCRR § 617.7(c)(1), the Action will not have a significant adverse impact on the environment.

(i) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;

The Project will not create a substantial adverse change in existing air quality. As indicated in the FEAF Part I, the Project does not include any state regulated air emission source. Although there may be minor air impacts associated with construction vehicles and equipment during the temporary construction period, any impacts will be limited given the nature of such impacts and will otherwise be temporary. Accordingly, the Project will not have any potentially significant adverse impacts to air resources. The Project will similarly not create a substantial adverse change in ground or surface water quality or quantity. As indicated in the FEAF Part I, there are no wetlands or surface water bodies on the Property that would be impacted by the Project. *See* FEAF Part I at § E.2.h. The increased water supply demand for the mixed-use building will be met with the water supply well currently installed on the Property. *See* FEAF Part III Narrative, Response to Item 2.a. The mixed-use building also includes a sanitary wastewater treatment system that will prevent any impact to groundwater from wastewater discharge, including a septic tank for solids removal, an Orenco Advantex treatment system for secondary treatment, and UV disinfection. *See id.*, Response to Item 2.d. There is also no contaminated groundwater on the Property, there will not be any bulk storage of petroleum or chemical products onsite, nor will the Project require application of pesticides. *See id.*, Response to Items 2.e – 2.g.

The Project will not create a substantial adverse impact regarding traffic levels. The Applicant's engineer, Lamont Engineers, conducted a Traffic Study and prepared a Traffic Study Report to review the potential impacts on traffic from the Project. The Traffic Study Report indicates that existing Annual Average Daily Traffic (AADT) volume for this corridor of Route 20 is approximately 7,300 vehicles and the existing peak hour traffic on Route 20 is 365 to 395 vehicles per hour. *See* Traffic Study Report, dated July 1, 2025. Based on Lamont Engineers' analysis, the Project is expected to generate approximately 73 new vehicle trips during the AM peak hour and 128 new vehicle trips during the PM peak hour, which would result in a volume to capacity ratio of 0.62, which is under the capacity of the existing roads. Lamont Engineers concludes that "[e]xisting traffic conditions on US Route 20 can support the expected increase without significant degradation to traffic operations." *Id.* Lamont Engineers also reviewed the sight distances to determine adequacy of the ingress and egress to the Property. As indicated in the Traffic Study Report, the "existing sight distance in both directions at the Tilden intersection are 500'+. The AAHTO Sight stopping distance minimum recommendations for a design speed of 45 MPH on a level grade are 360' so this intersection more than meets those requirements." *Id.* Accordingly, although the Project will result in increased vehicle trips to and from the Property compared to current conditions, the Project will be sited in the Town's commercial center, on U.S. Route 20, which has sufficient capacity for this type of higher density traffic. The Project will not be sited in a rural, residential area that is difficult to access or accessible only via local, residential roads. And, the Project features bicycle storage and connections to the Property's walking path from Route 20. This offers a wider variety of transportation options that will facilitate transportation of bicyclists and pedestrians and can serve to reduce overall traffic demand in the area around the Project. Accordingly, the Project will not have any potentially significant adverse impacts to transportation.

The Project has also been designed with adequate off-street to accommodate residents and grocery store patrons. There will also be 130 parking spaces installed which will accommodate residents and patrons. There will be 69 permitted, assigned residential spaces, 11 guest parking spaces, and 50 grocery store parking spaces. *See* Tilden Commons Residential Tenant Policies. The Applicant also secured the option to create, maintain, and use a 20-space parking lot on the 1- acre parcel owned by the Rail Trail Association across Tilden Road from the Property.

Similarly, the Project will not result in a substantial adverse change in noise levels. Although there will be a temporary and unavoidable impact to noise levels during construction, this will only occur during the construction period and only during the hours of 7 a.m. to 4 p.m. *See* FEAF Part I, § D.2.l. And given the absence of bedrock on the Property, blasting and hammering is not expected to be conducted during site prep work. Thereafter, during the operational phase of the Project, there may be a minimal increase in noise associated with the increase in commercial and recreational activities on the Property. However, the Property is in the Town's Central Commercial District. A busy highway (U.S. Route 20) runs through the District, with thousands of cars and trucks, including semi-trucks, passing through daily. The District also contains similar commercial land uses that produce noise levels similar to those the Project will produce. Given the use of surrounding properties and location on the Town's main highway, the Project, once in operation, will not produce noise at the property line exceeding surrounding ambient noise level. Further, included in the Residential Policies for tenants will be quiet hours from 11 pm to 7 am, during which tenants shall not make noise disturbing other residents, whether inside apartment units or anywhere on the Property. *See* Tilden Commons Residential Tenant Policies. Accordingly, the Project will not have any potentially significant adverse impacts to noise.

Lastly, the Project will not result in an increased potential for erosion, flooding, leaching, or drainage concerns. There will be little, if any, vegetation removal as part of the Project since the Applicant will be converting an abandoned commercial property into a mixed-use building and community park. There will be a significant increase in vegetation on the Property as part of the Project than currently exists, including various trees and shrubs planted throughout the site, a lawn area in the park, etc. *See* Site Plan, L-200. Any potential erosion impacts from installation of the Project's impervious areas, including the building and parking area, will be fully mitigated through the Project's stormwater control design, as well as by following the measures in implementing the measures in the New York State Department of Environmental Conservation (NYSDEC) Stormwater Design Manual and NYSDEC Standards and Specifications for Erosion and Sediment Control (*i.e.*, The Blue Book) and as per the approved Stormwater Pollution Prevention Plan (SWPPP). The SWPPP includes erosion and sediment control measures in compliance with the Clean Water Act and is enforced by state and local agencies. As such, the Project will not create a substantial increase in potential for erosion, flooding, leaching or drainage problems.

(ii) the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;

The Action will not include removal or destruction of large quantities of vegetation or fauna; will not substantially interfere with the movement of any resident or migratory fish or wildlife species; will not create impacts on a significant habitat area; will not create substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species or create other significant adverse impacts to natural resources. The Property is currently an abandoned commercial property, with an existing parking area and building located thereon. The Project proposes very little, if any, vegetation removal in order to construct the new mixed-use building, and in fact, will increase the amount of vegetation onsite as the Project includes a community park with a lawn area and various tree and shrub species as part of the Project landscape design. *See* Site Plan, L100-L200. Further, as indicated in the FEAF Part I, the Project site does not contain a designated significant natural community, any species of plant or animal that is listed by the federal government or New York State as endangered or threatened, rare, or as a species of special concern, nor does the Property contain any habitat of such species. *See* FEAF Part I at §§ E.2.n-p. Although the Property may contain ordinary wildlife such as deer or squirrels, this area of the Town—the commercial center and Route 20—is not well-suited as habitat for such species. But in any event, the Property will be improved for such species compared to its current condition giving the inclusion of a community park with a lawn area and various tree and shrub species to be planted. Accordingly, the Project will not have any potentially significant adverse impacts to plants, animals, natural communities or wildlife habitat.

(iii) the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to subdivision 617.14(g) of this Part;

There will be no impacts to Critical Environmental Areas as designated under 6 NYCRR § 617.14(g) as a result of the Action. The Property is not located in, nor does it adjoin, a state-listed Critical Environmental Area.

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

The Project is a specially permitted use in the Central Commercial (CC) District as Mixed Uses and Multifamily Dwellings are specially permitted, and Retail Uses, including grocery stores, are permitted with site plan approval. *See* Zoning Law of the Town of New Lebanon, New York (Zoning Law), Use Table. Meaning, the Town Board made a very specific legislative determination when it enacted the Zoning Law that these land uses are appropriate in this district and in harmony with the character of this area of the Town. *See North Shore Steak House, Inc., v. Bd. of Appeals of Incorporated Vill. of Thomaston*, 30 N.Y.2d 238, 243 (1972); *see*

also Edwards v. Zoning Bd. of Appeals of Town of Amherst, 163 A.D.3d 1511, 1511-12 (4th Dep't 2018). Further, pursuant to the Zoning Laws, the CC District represents the "Town Center," which has the "most dense concentration of commercial properties. In furtherance of the Town's comprehensive plan, this district is intended to have vibrant, customer intensive commercial activity ... Residential and community-oriented uses are consistent with this downtown feel." Zoning Law § 205-4(B)(3); *see also* Town of New Lebanon Comprehensive Plan Update 2021 (Comp Plan) at 19 ("the Routes 20/22 corridor, which has been considered the "center of Town" for the last few decades."). Siting this Project—a mixed-use building with a grocery store and apartment units—is exactly the type of use permissible, and ***encouraged***, in this area of the Town.

The Project is also consistent with and fully supported by the Town's plans and goals. One of the Town's weaknesses as stated by the Town in the Comp Plan is the lack of a grocery store and limited affordable rental housing and one of the stated opportunities is to repurpose vacant commercial spaces to meet residential needs. *See* Comp Plan at 13-14, 19; *see also* Comp Plan at 19 ("Survey respondents and focus group members identified a grocery store as the single most important need for the Town. Despite considerable efforts over several years, it has not been possible to attract a store ... Focus group members envisioned a smaller, independent grocery as a more likely possibility."). Another major goal in the Comp Plan is to increase economic development "through constructive growth of existing businesses and attracting appropriate new businesses[.]" *Id.* at 52. This includes using "un- and under-utilized properties, in commercial zones[.]" *Id.* at 53. The Project consists of renovating an abandoned property in the center of Town with a newly constructed mixed-use building with a new business—a highly desired grocery store—and much needed affordable housing as well as a community park. *See id.* at 65. (the park fulfills the Town's goal to "[e]xpand recreation opportunities[.]"). Accordingly, the Project will not have any potentially significant adverse impacts to community plans or community character and actually has a positive impact on same inasmuch as the Project helps the Town to achieve important goals as outlined in the Comp Plan.

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

There will be no impairment of the character or quality of important historical, archeological, or architectural resources as a result of the Project. The Property is not substantially contiguous to a building or district listed on the National or State Register of Historic Places, or that has been determined to be eligible for listing on the State Register of Historic Places. However, as indicated in the FEAF Part I and FEAF Part III Narrative, the Property is near such historic buildings eligible for listing (*i.e.*, the Abbott-Perry House, New Lebanon Railroad Depot, and New Lebanon District No. 8 School). However, the New York State Historic Preservation Office (SHPO) reviewed the proposed Project in accordance with Section 106 of the National Historic Preservation Act of 1966, finding that no historic properties, including archaeological and/or historic resources, will be affected by the Project. *See* "No Impact Letter" from SHPO, dated May 20, 2025.

Further, there will be no impairment of the character or quality of aesthetic resources as the Property is not located within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource. *See* FEAF Part I, § E.3.h. The proposed mixed-use building has been specifically designed to complement the Town's rural character and includes architectural and design elements consistent with the area's Shaker history. Pursuant to Planning Board feedback, the building design was adjusted to avoid flat roofs and large expanses of undifferentiated facades. The Project—a mixed-use development in the commercial Town Center—is not in sharp contrast to the nearby land use patterns. Rather, it is wholly consistent with the surrounding commercial buildings, including Larrabee Heating building, the Midtown Mall, and the Family Dollar building. Moreover, as noted above, the Project features a publicly accessible green space, including a lawn area and walking trail, providing opportunities for public recreation and enjoyment of green space onsite. As such, the Project will not impair the character or quality of aesthetic resources.

Similarly, there will be no impairment of the character or quality of the existing community or neighborhood character as a result of the Project. The Project creates a walkable, active environment with a mix of uses, public spaces, and development style that is consistent with the Town's unique community and the Town's vision for the Property and surrounding area. As mentioned above, the Project is proposed to be sited in the CC District where the Town determined such uses are specially permitted, and therefore compatible with the character of the district. *See North Shore Steak House, Inc.*, 30 N.Y.2d 238; *see also Edwards*, 163 A.D.3d 1511 (classification of a use as specially permitted represents a legislative determination by the Town Board that such land use is "in harmony with the general zoning plan and will not adversely affect the neighborhood."). A grocery store is the exact type of business typically located in a "Town Center." And the addition of affordable apartment units to a mixed-use building with a grocery store is similarly well-suited to a busier, higher density area, like this one, as the higher number of people coming and going from the apartments and the grocery store is what makes a bustling town center. This type of land use is not only suitable in this area, but desired by the Town as stated in the Comp Plan. It would likely be less appealing to residents of a quiet suburban area with no commercial uses or highways. But on the Property, adjacent to Route 20 and in the commercial center of Town, it is entirely appropriate.

Further, the Property is surrounded by other commercial uses as well as some residential land, and is located on a major thoroughfare, Route 20, in the commercial Town Center. Nearby land uses include restaurants, stores, a brewery, strip malls, a barbershop, a church, a self-storage facility, a gas station, an auto parts store, and some residences. A grocery store with apartments on the upper levels is well-suited in this mixed-use neighborhood. And the building size and design is consistent with other commercial buildings in this area as well as the general architectural style of most buildings and homes in the Town. The size of the proposed mixed-use building is comparable to the Larrabee Heating building, the Midtown Mall, and the Family Dollar building nearby. And as discussed above, the building has been specifically designed to complement the Town's rural character and includes architectural and design elements consistent with the area's agricultural and Shaker history. Accordingly, the Project will

not have any potentially significant adverse impacts to community character and actually has a positive impact on same inasmuch as the Project helps the Town to enhance this area of the Town by converting an abandoned commercial property to a mixed-use building designed consistent with the Town's predominant architectural style and providing needed services to Town residents.

(vi) a major change in the use of either the quantity or type of energy;

As noted in the FEAF Part I and FEAF Part III Narrative, the Project will generate a new demand for energy, requiring approximately 500 kilowatt hours (kWh) of energy per year. *See* FEAF Part I § D.2.k. This new demand for energy will be provided by the local grid using New York State Electric & Gas (NYSEG) as the utility provider. The increased energy demand associated with the Project can be handled using existing utility infrastructure and, as indicated in the FEAF Part I, no upgrades to the existing substation are required for the Project. *See id.* Further, the Applicant intends to utilize efficient appliances and heating and cooling systems to the extent practicable.

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

The Action will not create a hazard to human health. As indicated in the FEAF Part I, the Project does not involve any bulk storage of petroleum or chemical products, use of pesticides, construction or modification of a solid waste management facility, or commercial generation, treatment, storage, or disposal of hazardous waste. *See* FEAF Part I §§ D.2.p-q, s-t. The Project will result in the generation of solid waste both during the temporary construction period and during operation. During the operational phase of the Project, approximately 0.33 tons of solid waste will be generated per day, which will be removed from the Site and recycled or otherwise disposed of as necessary. *See id.* at § D.2.r. Residents and the operator of the grocery store will have access to dumpsters onsite, which will be routinely picked up by a local waste management company and disposed of at a landfill or recycling center as authorized by the New York State Department of Conservation. Further, the amenities provided by the Project, including a park and walking path that are accessible to the public will provide an overall benefit to public health since they provide recreational and physical fitness opportunities as well as an opportunity to enjoy nature. Accordingly, the Project will not have any potentially significant adverse impacts to human health and rather, will have a positive impact on human health.

(viii) a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;

There will be no substantial change in the use, or intensity of use, of land including agricultural, open space, or recreational resources as a result of the Project. The Property does not contain agricultural resources and is not located in a County-adopted Agricultural District. Further, the Property is privately owned and the Project will not result in loss of recreational resources or open space. Rather, the Project will have an overall positive impact on open space and recreation. As noted above, a publicly accessible community park will be created on the

Property as part of the Project, which will include benches, a lawn and play area, a pavilion, a gravel walking trail, and a garden area. The walking trail will traverse the Property and connect to Route 20. Thus, the Project results in the addition of recreational open space at the Site, which will be publicly available and is a significant amenity provided by the Project. Accordingly, the Project will not have any potentially significant adverse impacts to open space or recreational resources and actually has a positive impact on open space and recreational resources.

(ix) the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;

There will be no such impacts. The Property is currently abandoned commercial land, which will be converted to a mixed-use building with a grocery store and affordable apartment units, as well as a community park. These resources have been identified by the Town in its Comp Plan as being sorely needed by Town residents. A large number of people—such as that which would attend a large hotel, casino, or resort for instance, will not be visiting the Project. Only a relatively small number of people, likely Town residents, will visit the grocery store during operational hours. And the apartment units, like any residential use, will not attract large numbers of people for extended periods of time. Lastly, the community park will attract visitors—again, likely Town residents—but such visitors will not be onsite for extended periods.

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

There will be no such impacts.

(xi) changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or

There will be no such impacts.

(xii) two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision.

There will be no such impacts.

For Further Information:

Contact Person: Elizabeth Brutsch
Chair, Town of New Lebanon Planning Board

Address:	New Lebanon Town Hall 14755 Route 22 New Lebanon, NY 12125
Telephone:	(518) 794-8884

PZ clerk rec'd 07.02.25

Alicia R. Legland
Associate
Direct Dial: 518.433.2416
alegland@hodgsonruss.com

Hodgson Russ LLP
ATTORNEYS

July 2, 2025

Town of New Lebanon Planning Board
14755 Route 22
New Lebanon, NY 12125

Re: Tilden Commons – School District Inquiry

To: Members of the Planning Board

Our firm represents Tilden Project LLC (Applicant) in connection with its efforts to develop the Tilden Commons (the Project) at 538 Route 20 New Lebanon, New York 12125 (Tax Map ID 19.2-1-69) (Property) in the Town of New Lebanon, New York (Town). The Project will replace the abandoned building currently on the Property with a mixed-use building consisting of a grocery store and multi-family residential space with 41 affordable apartment units, as well as a community park.

The Applicant applied for an area variance, special use permit, and site plan approval for the Project and the Town of New Lebanon Planning Board (Planning Board) has indicated its intent to act as Lead Agency for purposes of the environmental review under the State Environmental Quality Review Act (SEQRA). During its meeting on June 18, 2025, the Planning Board inquired about the ability of the New Lebanon Central School District (District) to accommodate additional children who may move into the Town to live in the new apartments. A member of Tilden Project LLC, Josh Young, spoke with the Superintendent of the District, Christopher Harper, about this inquiry. Although Mr. Harper did not wish to provide anything in writing to the Planning Board from his office at this time, he indicated to Mr. Young that the School District would gladly welcome into the District any new students that move into Tilden Commons.

Thank you for your consideration of this letter. Please do not hesitate to reach out with any questions or concerns.

Very truly yours,

Alicia R. Legland

ARL

cc: Courtney Potter, *Zoning Board of Appeals Clerk*, Town of New Lebanon
Stephanie Ferradino, Esq., *Attorney*, Town of New Lebanon
Joshua Young, Tilden Project LLC

PZ clerk rec'd 07.02.25

To the members of the Planning Board of New Lebanon and Tilden Plaza affordable housing project

The Lebanon Valley Seniors has approximately 150 members with estimated 80% from New Lebanon or pay taxes to New Lebanon. We are a social club with diverse opinions.

As President, I am familiar with many of our members' opinions and circumstances. Based on this familiarity, I know that numerous members could benefit from local affordable housing, and I believe that creating new affordable housing for seniors must be a priority in New Lebanon.

The seniors in New Lebanon who need affordable housing fall into four groups. The first has difficulty maintaining their current homes. Mowing the lawn, shoveling the snow, doing repairs, and all the other kinds of upkeep involved in owning a single-family home eventually become overwhelming. The second group has mobility and other medical issues that make their current homes impractical. For example, having to climb stairs can make life in a two-story home impossible. The third group needs in-home care that's not feasible to receive in their current homes. The fourth can no longer financially support their homes.

Today, seniors who face these issues — including ones who have lived here their entire lives — are struggling to find small, single-level homes in the community. The options they need do not exist, so they are forced to move out of the area or even out of state.

It is difficult for many seniors to make predictions about their lives more than two years into the future. We have reached out to our membership via email with a survey and have had numerous conversations with our members about senior housing and Tilden Commons. The survey also was posted on our Facebook page and it was posted on a town board members "virtual" office. From our very quick survey at least 88% of those who responded so far are strongly in favor of having options for senior housing in New Lebanon.

Our members understand today's harsh reality: that growing old often means having no choice but to move out of town or out of state. Many of our members believe strongly that we need options in New Lebanon for senior affordable housing. We encourage the planning board and town board to help advance senior affordable housing. They would request more information on the Tilden project but on face value appreciate having options versus currently no options.

Sincerely,

William A. Shannon

William A. Shannon
President of Lebanon Valley Seniors

Gmail

Josh Young <joshuanyoung@gmail.com>

Tilden Commons additional parking on Corkscrew Rail Trail land
1 message

bbie shoobs <afs1091@gmail.com>
Josh Young <joshuanyoung@gmail.com>
Joe Ogilvie <joeogilvie@hotmail.com>

Wed, Jul 2, 2025 at 2:59 PM

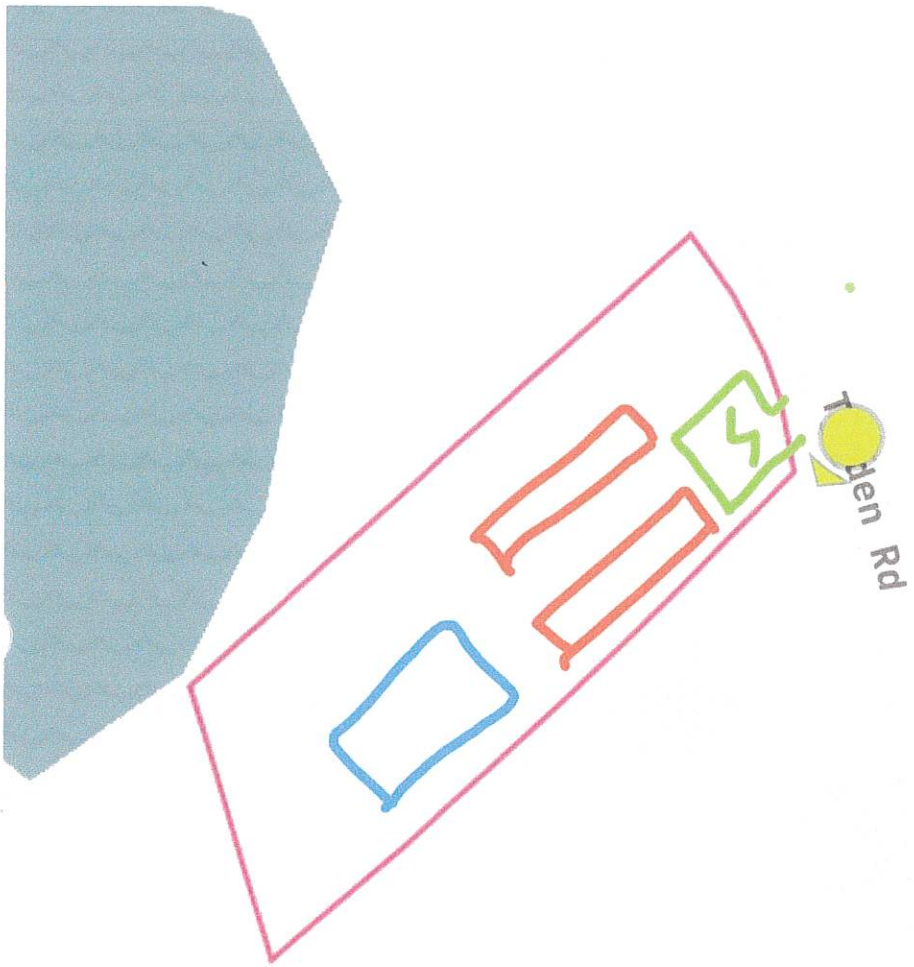
Hi Josh,

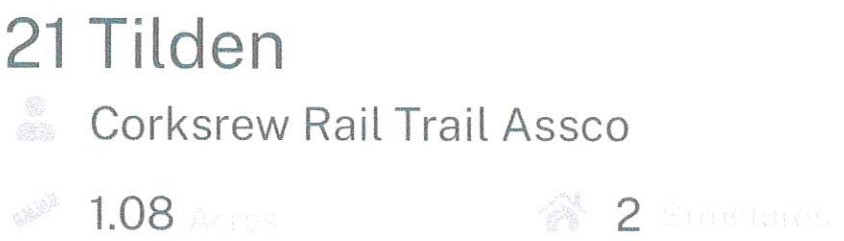
The Corkscrew Rail Trail Association voted unanimously at our meeting on Wednesday, June 25, to approve the following agreement:

This is an agreement between Corkscrew Rail Trail Association, owner of the ~1.1acre lot at 21 Tilden Rd, and Tilden Project LLC, owner of the ~3.2acre lot at 538 Route 20.

Corkscrew Rail Trail Association grants Tilden Project LLC the option to build a simple gravel parking lot at 21 Tilden Rd with spaces for up to 20 vehicles, as shown by the red boxes in the image below. Tilden Project LLC shall cover the costs of construction and maintenance, and in exchange, Tilden Project LLC shall be able to use this gravel parking lot for parking and expects this usage to be moderate.

Corkscrew Rail Trail Association shall also be able to use the parking lot and expects this usage to be modest.





If there are any questions, please let me know.

Abbie Shoobs
Corkscrew Rail Trail Executive Board Member

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 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Tilden Commons		
Project Location (describe, and attach a general location map): 538 US 20, Town of New Lebanon, Columbia County, NY		
Brief Description of Proposed Action (include purpose or need): New Lebanon Development LLC and Hudson River Housing propose the construction of a single three-story building fronting US Route 20/22 and Tilden Rd on a 3.2 acre lot in downtown New Lebanon. The building will house a roughly 10,000sf grocery store and 41 apartments. The project will also include site grading, the construction of a driveway and parking area, the installation of drainage and storm water practices, drilling a new well, and the construction of a septic system (conventional system assumed).		
Name of Applicant/Sponsor: Tilden Project LLC	Telephone:917-488-1061 E-Mail:joshuanyoung@gmail.com	
Address:58 Pool Hill Rd		
City/PO:New Lebanon	State:NY	Zip Code:12125
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):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

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B. Government Approvals

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

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees ☐Yes ☑No		
b. City, Town or Village Planning Board or Commission ☑Yes ☐No	Town of New Lebanon Planning Board	TBD
c. City, Town or Village Zoning Board of Appeals ☑Yes ☐No	Town of New Lebanon Zoning Board of Appeals	May 2025
d. Other local agencies ☑Yes ☐No		
e. County agencies ☑Yes ☐No	Columbia County DOH, Columbia County DPW, County Planning Board	TBD
f. Regional agencies ☐Yes ☑No		
g. State agencies ☑Yes ☐No	NYSDOT, NYSDEC, NYSHPO	TBD
h. Federal agencies ☐Yes ☑No		

i. Coastal Resources.
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes ☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes ☑No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes ☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐Yes ☑No

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

C.2. Adopted land use plans.

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

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

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

If Yes, identify the plan(s):

_____

_____

_____

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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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?
Central Commercial

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

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

C.4. Existing community services.

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

b. What police or other public protection forces serve the project site?
New York State Police, Columbia County Sheriff

c. Which fire protection and emergency medical services serve the project site?
Lebanon Valley Protective Association Inc. (New Lebanon Fire Department), Chatham Rescue Squad

d. What parks serve the project site?
Shatford Memorial 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)? Residential, commercial

b. a. Total acreage of the site of the proposed action? 3.20 acres
b. Total acreage to be physically disturbed? 3.20 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 3.20 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? ☑ Yes ☐ No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	41			
At completion of all phases				

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

If Yes,

i. Total number of structures 1

ii. Dimensions (in feet) of largest proposed structure: _____ height; 149 width; and 154 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): _____

_____

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

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

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

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

v. Describe any proposed reclamation/mitigation following disturbance:

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

i. Total anticipated water usage/demand per day: 9950 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:
A new well will be drilled

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

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

i. Total anticipated liquid waste generation per day: 9950 gallons/day

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

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

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

- Do existing sewer lines serve the project site? ☐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):

On-site treatment will be designed. It is anticipated that the system will be a conventional leach field.

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 1.5 acres (impervious surface)

_____ Square feet or 3.2 acres (parcel size)

ii. Describe types of new point sources. New building, driveway, parking lot and walking paths

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

On-site stormwater management facilities will be designed/constructed to treat all stormwater runoff

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐Yes ☑No

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

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

If Yes, identify:

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

Delivery vehicles for the grocery store

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

Portable generator

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

None

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_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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

If Yes:

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

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

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

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

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

If Yes:

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

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

iii. Parking spaces: Existing 0 Proposed 75 Net increase/decrease 75

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

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: A new driveway and parking area will be constructed

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

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

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

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

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: 100 kw/day

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

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

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

i. During Construction:

- Monday - Friday: 7am-4pm
- Saturday: n/a
- Sunday: n/a
- Holidays: n/a

ii. During Operations:

- Monday - Friday: Grocery6am-11pm, apartment24/7
- Saturday: Grocery6am-11pm, apartment24/7
- Sunday: Grocery6am-11pm, apartment24/7
- Holidays: Grocery6am-11pm, apartment24/7

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:

During construction heavy machinery will produce noise exceeding ambient noise levels during hours of operation listed above. During operation, grocery store deliveries (tractor trailers) will produce noise exceeding ambient noise levels during hours of operation listed above.

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

Describe: _____

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

If yes:

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

Proposed building will have exterior lighting attached to the building. There will also be lighting around the proposed parking lot.

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

Describe: _____

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

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

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

If Yes:

i. Product(s) to be stored _____

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

iii. Generally, describe the proposed storage facilities:_____

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

If Yes:

i. Describe proposed treatment(s):

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

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

If Yes:

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

- Construction: n/a tons per _____ (unit of time)
- Operation : 0.33 tons per day (unit of time)

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

- Construction: None
- Operation: None

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

- Construction: N/A
- Operation: On-site dumpsters, trash will then be hauled to landfills off site

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

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

If Yes:

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

_____

_____

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

_____

_____

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

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

_____

_____

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

If Yes: provide name and location of facility: _____

_____

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

_____

_____

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

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

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

_____

_____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	1	1.5	+0.5
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	2	1.5	-0.5
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	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 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:

Occum Loam	100 %
	%
	%

d. What is the average depth to the water table on the project site? Average: 4-6 feet

e. Drainage status of project site soils:

☑	Well Drained:	100 % of site
☐	Moderately Well Drained:	% of site
☐	Poorly Drained	% of site

f. Approximate proportion of proposed action site with slopes:

☑	0-10%:	100 % of site
☐	10-15%:	% of site
☐	15% or greater:	% of site

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

h. Surface water features.

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

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

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

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

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

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters Approximate Size _____
- Wetland No. (if regulated by DEC) _____

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

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

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

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

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

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

If Yes:

i. Name of aquifer: Principal Aquifer

PZ Clerk rec'd 06.23.25

m. Identify the predominant wildlife species that occupy or use the project site:
Deer Squirrel

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

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

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

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

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

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

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

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

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

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

If Yes:

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

ii. Name: Eligible property:Abbott-Perry House, Eligible property:New Lebanon Railroad Depot, New Lebanon District No. 8 School

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

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☑ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☑ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

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

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

G. Verification

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

Applicant/Sponsor Name Joshua Young Date May 27, 2025 June 20, 2025

Signature _____ Title Developer

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2024125

June 30, 2025

Javier Gomez
Tilden Development LLC
313 Mill Street
Poughkeepsie, NY 12601

RE: Tilden Development – 538 US Route 20, Town of New Lebanon
Geotechnical Review Report

Dear Mr. Gomez:

Below is a summary of the soil conditions as they have currently been evaluated for the Tilden Development site at 538 US Route 20 in the Town of New Lebanon, Columbia County, NY. This report describes the initial findings of the existing site soils regarding percolation and groundwater for sanitary and stormwater construction and some initial assumptions for the proposed building foundation but further soil investigation for the building foundation design will be verified at a later date upon the completion of the proposed soil borings.

INTRODUCTION:

It is our understanding that the proposed construction will include a three-story building located approximately as indicated on the site drawing in Attachment A. The building is proposed as a mixed-use building with approximately 10,000 SF commercial space on the 1st floor of the south side of the building and 41 residential apartments and community space in the remainder of the building, for a total square footage of 60,000 SF. The building is anticipated to be mostly wood/metal stud construction exterior bearing walls with a possible steel frame construction for the commercial space. The building foundation will be a concrete slab on grade design with the possibility of an under-slab tank constructed as part of the frost wall in some portions of the building to serve as the water storage tank needed for the water system clearwell and sprinkler storage tank.

The maximum column loadings anticipated is 100 kips. The settlement tolerances are normal. Settlement tolerances are considered to include up to 1 inch of total settlement and 3/4 inch of differential settlement between column locations.

The first-floor slab will be established within 1-3 feet of the existing grade at the site.

PO Box 610
Cobleskill, NY 12043
www.lamontengineers.com
Tel: 518-234-4028
Fax: 518-234-4613

FIELD INVESTIGATION:

At a later date, we anticipate the completion of two soil borings by means of 3.25 inch ID, hollow-stem augers and standard sampling with a split-spoon sampler to a depth of 50' to verify the soil conditions assumptions in this report. Soil samples obtained from these procedures were examined in the field, sealed in containers, and shipped to the laboratory for further examination, classification and testing, as applicable.

Lamont has conducted several onsite testing of the existing soils with percolation testing and deep test pits as seen in Attachment A. The USDA soils maps indicates the site soils to be an Occum Loam soil which is well draining. Lamont conducted site soils testing in April/May 2025 in an abnormally wet Spring season. The results confirmed the site soils to be mostly a sandy gravelly loam which was well draining. The site percolation testing that was conducted stabilized at 5-7 minutes. Deep test pits indicated there is no bedrock present to a depth of 6'. At a depth of 4' groundwater was noted to weep into the deep test pit holes. Some of the deep test pits conducted in the central part of the site indicated the presence of unconsolidated fill in some areas to a depth of 48".

SITE CONDITIONS:

The existing ground surface at the proposed building site is fairly level. There is an existing building on the site which is proposed to be demolished and may require over-excavation of the site and removal of existing foundation materials. The owners of the site have already conducted a Phase I environmental study of the existing site under another contract with Terracon.

CONCLUSIONS AND RECOMMENDATIONS:

As previously noted, there is presence of uncontrolled fill at various locations throughout the site. It is possible that it could vary from approximately 2-6 feet. We recommend that test pits be performed at all four corners of the building at the same time the soil borings are conducted to confirm the depth and extent of the uncontrolled fill. The uncontrolled fill materials likely are not adequate to properly support the proposed building due to possible pockets of buried unsuitable material such as wood or debris with voids. If these materials are buried, the proposed building/floor slab could experience greater than normal settlement. Because of this potential, we recommend removing all the uncontrolled fill in the building footprint and replacing it with controlled fill. If the existing uncontrolled fill does not contain debris or organics it could be reused as controlled fill provided it can be properly compacted.

Site Work:

The proposed construction areas should be cleared and grubbed and all organic topsoil and vegetation along with any uncontrolled fill and debris. The subgrade should be proof-rolled with a 10-ton roller and the proof rolling should be observed by the engineer. This proof rolling will compact the subgrade and reveal the presence of soft spots. If saturated subgrade conditions exist, we recommend that the subgrade be observed and probed by the soil engineer in place of proof rolling. Any soft spots should be excavated and backfilled with controlled fill material.

The removal of any uncontrolled fill should extend to a minimum horizontal distance past the edge of the footings equal to half the depth that the fill extends under the footing. This is equal to a 1:2 (H:V) slope down from the outer edge of the footing to the virgin soil. All uncontrolled fill within the proposed building area should also be removed.

A way to stabilize a spongy, but suitable, virgin, subgrade would be to spread a reinforcement or separation type of geo- textile (Mirafi 600X or approved equal) on the subgrade and follow with a lift of clean, granular fill or uniform crushed stone. The thickness of the controlled fill can range from 1.0 to 2.5 feet, as necessary, to achieve a working mat upon which to construct the remainder of the controlled fill or to place footings.

Controlled Fill:

Before any controlled fill is placed the site should be inspected by the engineer.

Controlled fill can consist of non-organic, on-site or imported soils free of debris and having a maximum particle size of 4 inches. Agradation and proctor should be performed on the proposed soil and submitted for approval. Approved, properly placed and compacted material can be used as controlled fill within the proposed building footprint. Free draining controlled fill material should be placed as recommended in this report. Approved on-site or imported soils should not be used in these locations where free draining controlled fill is recommended unless approved.

Controlled, relatively clean, granular fill can be spread in lifts not exceeding 12 inches in loose thickness. These materials should be compacted to a minimum of 95 percent of the maximum ASTM Specification D 1557-91 density, modified proctor. This is commonly referred to as a good, boney gravel.

On-site, silty soils, will be difficult to compact during wet weather or poor drying conditions. Given good drying conditions, the on-site soils with more than 10 percent silt/clayey silt may be able to be properly compacted. These types of soils are sensitive to moisture content and weather conditions. During freezing or wet weather conditions these materials may not be able to be adequately compacted for use as structural fill.

If crushed stone is used as controlled fill, it should have a layer of geotextile with a minimum tensile strength of 200 lbs should be placed between the stone and existing soils. The stone should be placed in lifts not exceeding 12 inches in thickness and should be compacted with a minimum of 5 passes of a vibratory roller rated at 5 tons or larger. Weathered shale or crushed shale should not be used as controlled fill within the proposed building area.

Crushed stone or a similar well graded material should be used in areas under the foundation where drainage is not required and where fine grading is necessary for foundation construction. Gravel material should be used to allow site groundwater to access building foundation drainage. If uniform crushed stone is used as controlled fill a layer of geotextile should be placed between the crushed stone and any sand/gravel controlled fill or virgin soil to prevent fine mitigation into the clean gravel soils.

Controlled Gravel Fill Material: Natural or crushed #2 or #1-#2 Blend Stone

U.S. Sieve No.	Percent Passing by Weight
2 inch	100
1 inch	90-100
½ Inch	0-15

Gravel Fill Material: Naturally or sand, natural or crushed stone or Item 304-2.03, Type 4

U.S. Sieve No.	Percent Passing by Weight
2 inch	100
1/4 inch	30-65
No. 40	5-40
No. 200	0-10

All controlled fill should be free of organic and/or frozen material. Free-draining controlled fill should have less than 10 percent fines passing the #200 sieve.

A field density test for every 2,000 square feet of controlled fill placed, within the overlaying building footprint, but in no case fewer than three tests per lift.

It is recommended that for foundation walls and footing backfill that in each compacted backfill layer have at least one field in place density test for each 50 feet or less of wall or footing length, but not fewer than two tests along a wall face or footing be performed per lift.

Proper placement and compaction of backfill along exterior portions of foundation walls should be provided, especially in locations where there are sidewalks or building entries. Proper placement of backfill materials can reduce possible settlements and the use of properly designed backfill and drainage can reduce possible frost heave movements.

Results of the field compaction test results should be sent to my office for review. Copies of the results of soil gradation tests should also be provided to Lamont for review and approval.

Building Construction:

Building Foundations:

The building foundation will be constructed mostly of a continuous strip footing supporting a concrete frost wall. Some spread footings may be used for column loads. Based on the findings of the deep test pits, it is assumed that the site soils are a stiff sandy gravel. It is our opinion that footings can be designed for a maximum, net, allowable soil bearing pressure of 2500 psf based on the observed conditions. This should be verified with the completion of the soil borings and deep test pits within the building area before construction to ensure there isn't unknown fill materials or areas of looser soils below. The soil engineer should observe the footing subgrade at the beginning of the project or if soil conditions change to verify the allowable bearing pressure of the soil encountered.

Floor Slabs:

Concrete floor slabs can be designed to rest on controlled fills resting on virgin materials. A 8-inch layer of well-graded, free-draining, granular material should be placed beneath the floor slab to provide drainage, act as a capillary break, and to provide better and more uniform support. If vehicle loadings are to be applied to the floor slab, the proposed slab and supporting soils should be analyzed as a pavement structure. I recommend that a minimum of 12 inches of free draining controlled granular fill be placed below any concrete pavements.

A modulus of subgrade reaction of 150 psi per inch can be used to design concrete slabs resting on a minimum of 6 inches of free draining controlled fill that in turn rests on virgin soils or controlled fill that in turn rests on virgin soils. A modulus of subgrade reaction of 175 psi per inch can be used to design concrete slabs resting on a minimum of 12 inches of free draining controlled fill that in turn rests on virgin soils or controlled fill that in turn rests on virgin soils. A modulus of subgrade reaction of 100 psi per inch can be used to design exterior slabs or pavements resting on a minimum of 12 inches of free draining controlled fill. This reduced value is recommended due to seasonal variations that occur due to frost in the soils.

Seismic Conditions:

The potential seismic conditions at the proposed site have been investigated using the information provided by the ASCE Site Hazard tool. The NYS building code was referenced to designate the building hazard category as II. Assumptions based on the site deep test pits assumed that the Site Soil Classification could be assumed to be C. Based on that information the MCE spectral acceleration (SMs) at short periods is 0.2 and the MCE spectral acceleration (SM1) at 0.064 s period is 0.19. Further details of the existing soils and potentials for liquefaction will need to be verified at a later date with soil boring data.

Stormwater and Drainage:

Site Infiltration:

Based on the investigation conducted with the site deep test pits and percolation testing, the site soils appear to be very well draining. This should allow the site to be well suited for infiltration

methods for stormwater treatment to minimize any impact on existing site stormwater. Although groundwater was noted weeping into the lower portion of the deep test pit, it didn't appear to be standing water indicative of a consistent water table but more likely water flowing through the gravel. This likely wouldn't prevent the use of infiltration methods for stormwater treatment but if possible, the proposed infiltration basins should be constructed to a depth of 24" below existing grade. This can also be verified prior to construction with the conduction of infiltration testing once the stormwater basin sites have been identified.

CONSTRUCTION PROCEDURES AND PROBLEMS:

- All excavations of more than a few feet should be sheeted and braced or laid back to prevent sloughing in of the sides.

- Excavations should not extend below adjacent footings or structures unless properly designed sheeting and bracing or underpinning is installed.

- Footing and floor slab subgrades should be tamped to compact any soil disturbed during the excavation process. A flat plate should be placed on the end of the excavator or backhoe bucket to reduce disturbance of the footing subgrade. If over excavation of subgrades are required to remove cobbles or possibly boulders, then the over excavated areas should be replaced with geotextile fabric and controlled gravel fill.

- Based on the deep test pit information, site dewatering may be needed for construction depending on the weather conditions. Sump-pit and sump-pump-type dewatering may be required in excavations or low areas during wet weather or if groundwater is encountered. If large quantities of groundwater are encountered vacuum wells maybe required to stabilize the subgrade soils. All excavations should be dewatered to a minimum of 1 foot below the bottom of the excavation. All dewatering programs should be designed to prevent bottom heave. Any dewatering program should be performed with properly designed filtration protection on all pumps to prevent loss of ground.

- Subgrades should be kept from freezing during construction.

- Water, snow, and ice should not be allowed to collect and stand in excavations or low areas of the subgrade.

- Design and construction procedures should include measures to limit the potential for slab curl and vapor transmission. The shrinkage properties of the concrete should be controlled and the curing of the concrete controlled. Differential shrinkage between the top and bottom of the slabs could otherwise result in curling of the slabs. The control of vapor transmission through the slab should also be addressed. These phenomena may be only indirectly related to soil conditions. The architect/structural engineer should address this aspect of the design.

If you have any additional questions and concerns, please feel free to contact me.

Sincerely,

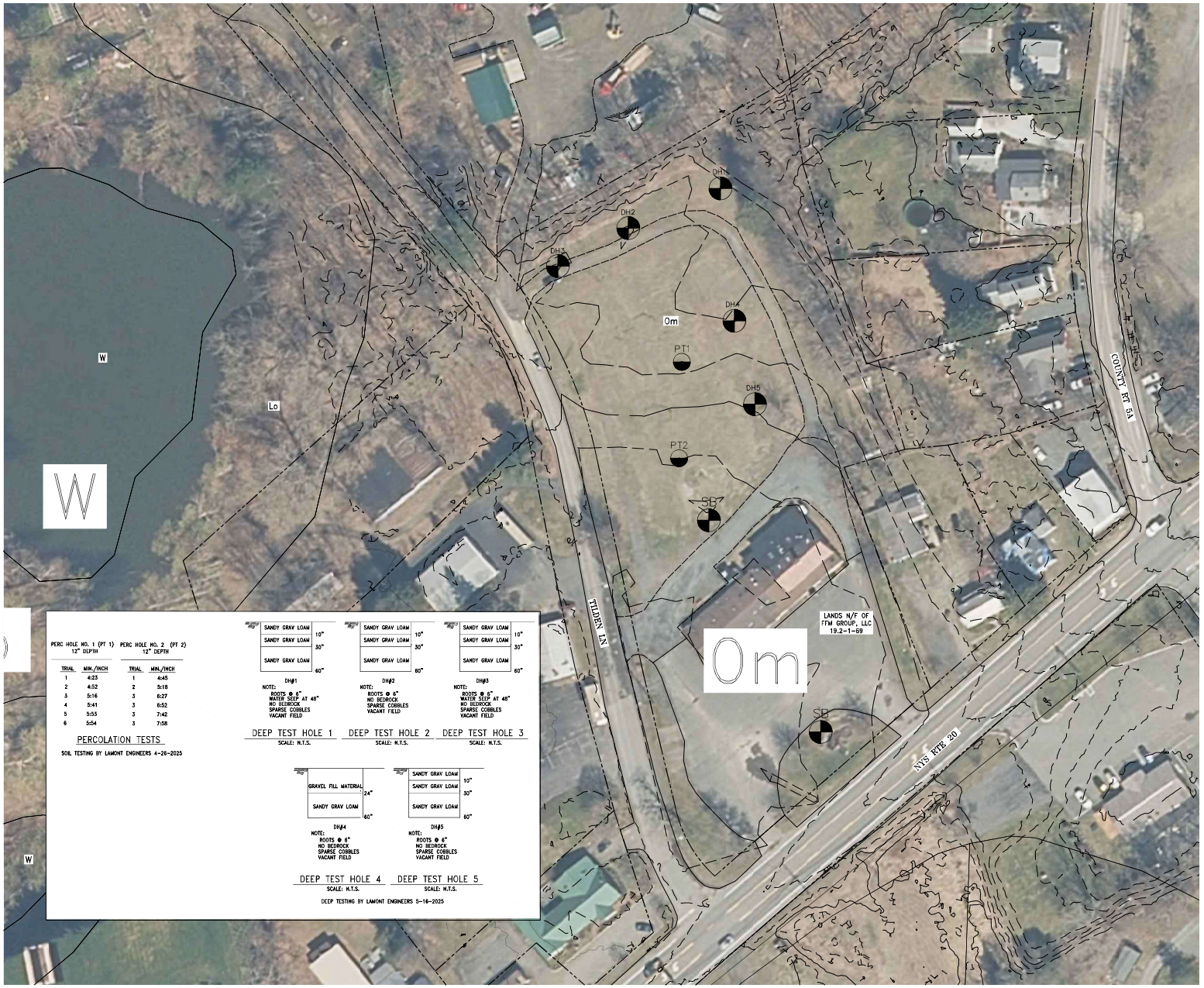
Brendon Becker, P.E.

Cc: Town Codes Office

Attachments: A – Soils Map
B – ASCE Hazard Seismic Sheet

ALBANY BUSINESS REVIEW
BPtW
2023 BEST PLACES TO WORK

PZ Clerk Rec'd 07.02.25



SOILS LEGEND

Om = OCCUM LOAM
Ln = LIMERICK SILT LOAM
Lo = LINLITHGO SILT LOAM
W = WATER

PERC HOLE NO. 1 (PT 1) 12" DEPTH

TRIAL	MIN./INCH
1	4:23
2	4:52
3	5:16
4	5:41
5	5:53
6	5:54

PERC HOLE NO. 2 (PT 2) 12" DEPTH

TRIAL	MIN./INCH
1	4:45
2	5:18
3	6:27
3	6:52
3	7:42
3	7:58

PERCOLATION TESTS

SOIL TESTING BY LAMONT ENGINEERS 4-26-2025

DH#1
NOTE:
ROOTS @ 6"
WATER SEEP AT 48"
NO BEDROCK
SPARSE COBBLES
VACANT FIELD

DEEP TEST HOLE 1
SCALE: N.T.S.

DH#2
NOTE:
ROOTS @ 6"
NO BEDROCK
SPARSE COBBLES
VACANT FIELD

DEEP TEST HOLE 2
SCALE: N.T.S.

DH#3
NOTE:
ROOTS @ 6"
WATER SEEP AT 48"
NO BEDROCK
SPARSE COBBLES
VACANT FIELD

DEEP TEST HOLE 3
SCALE: N.T.S.

DH#4
NOTE:
ROOTS @ 6"
NO BEDROCK
SPARSE COBBLES
VACANT FIELD

DH#5
NOTE:
ROOTS @ 6"
NO BEDROCK
SPARSE COBBLES
VACANT FIELD

DEEP TEST HOLE 4
SCALE: N.T.S.

DEEP TEST HOLE 5
SCALE: N.T.S.

DEEP TESTING BY LAMONT ENGINEERS 5-16-2025

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Consultant

FFM GROUP, LLC
538 US ROUTE 30 NEW LEBANON
COLUMBIA COUNTY NEW YORK STATE

Stamp

Issue Rev.	Date	Remarks

Project Number	2024125
Drawn By	SK/MVC
Designed By	BJB
Checked By	BJB
Date	6/7/24
Scale	1"=40'
File Name	AERIAL

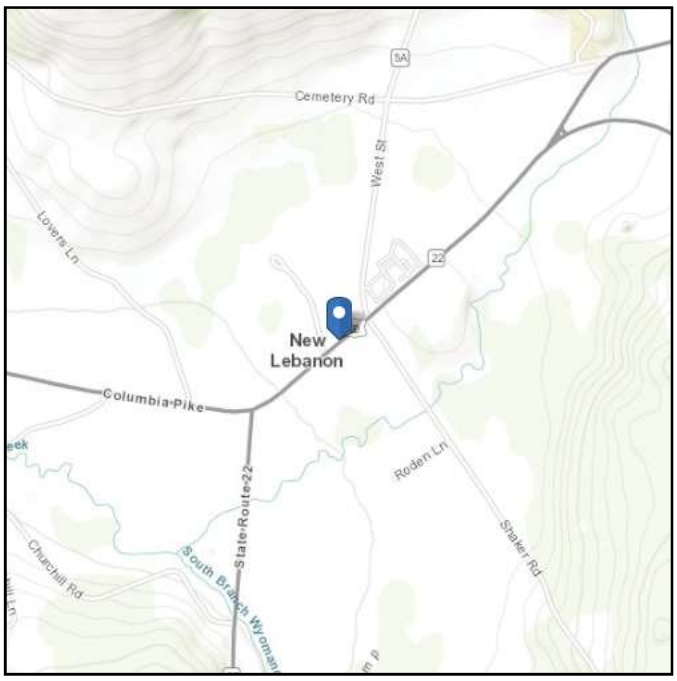
Sheet Title
AERIAL MAP

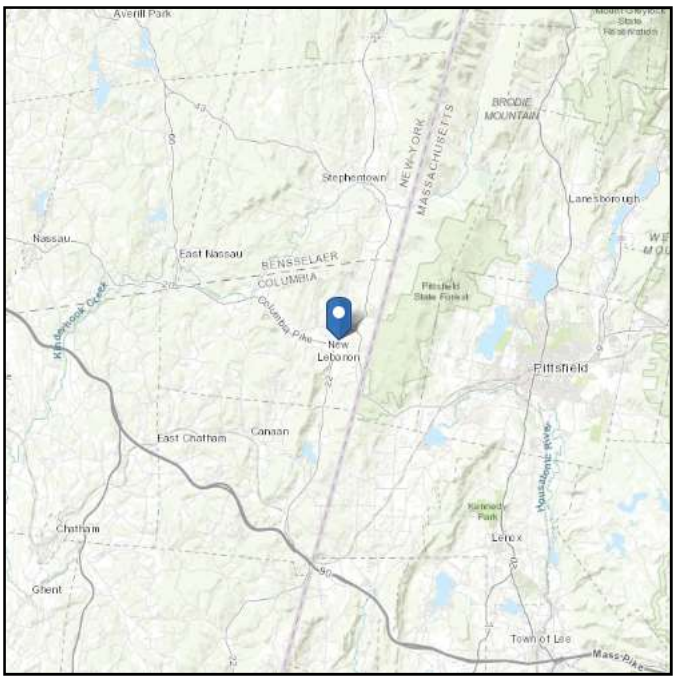
Sheet No.
SOILS

ASCE Hazards Report

Address:
538 US-20 E
New Lebanon, New York
12125

Standard:	ASCE/SEI 7-22	**Latitude:**	42.465955
Risk Category:	II	**Longitude:**	-73.39356
Soil Class:	C - Very Dense Soil and Soft Rock	**Elevation:**	0 ft (NAVD 88)





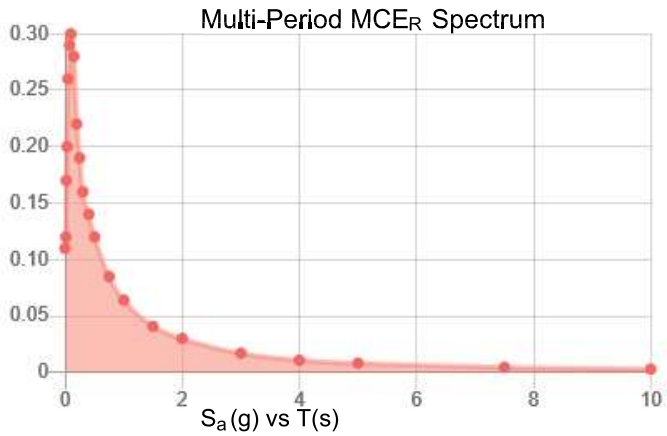
Seismic

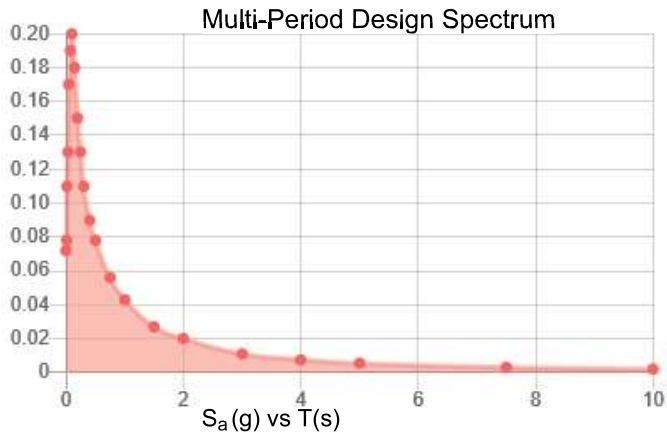
Site Soil Class: C - Very Dense Soil and Soft Rock

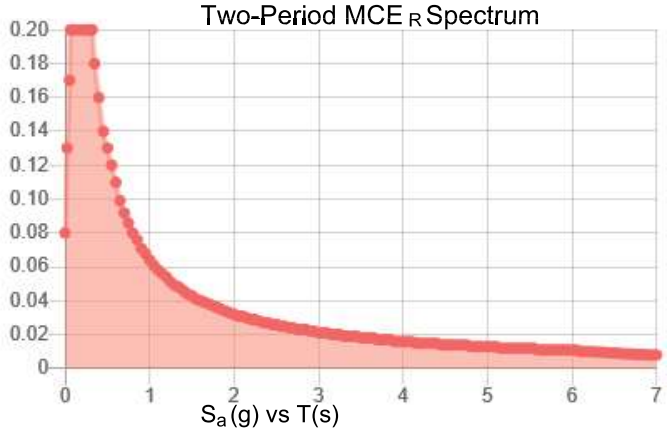
Results:

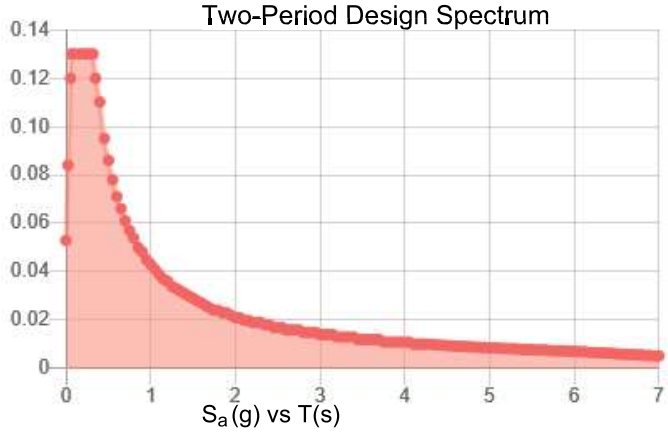
PGA_M :	0.097	T_L :	6
S_{MS} :	0.2	S_S :	0.19
S_{M1} :	0.064	S_1 :	0.05
S_{DS} :	0.13	V_{S30} :	530
S_{D1} :	0.043		

Seismic Design Category: A









MCE_R Vertical Response Spectrum

Vertical ground motion data has not yet been made available by USGS.

Design Vertical Response Spectrum

Vertical ground motion data has not yet been made available by USGS.

Data Accessed: **Wed Jul 02 2025**

Date Source:
USGS Seismic Design Maps based on ASCE/SEI 7-22 and ASCE/SEI 7-22 Table 1.5-2. Additional data for site-specific ground motion procedures in accordance with ASCE/SEI 7-22 Ch. 21 are available from USGS.

The ASCE Hazard Tool is provided for your convenience, for informational purposes only, and is provided “as is” and without warranties of any kind. The location data included herein has been obtained from information developed, produced, and maintained by third party providers; or has been extrapolated from maps incorporated in the ASCE standard. While ASCE has made every effort to use data obtained from reliable sources or methodologies, ASCE does not make any representations or warranties as to the accuracy, completeness, reliability, currency, or quality of any data provided herein. Any third-party links provided by this Tool should not be construed as an endorsement, affiliation, relationship, or sponsorship of such third-party content by or from ASCE.

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July 1, 2025

Javier Gomez
Tilden Development LLC
313 Mill Street
Poughkeepsie, NY 12601

RE: Tilden Development – 538 US Route 20, Town of New Lebanon
Traffic Study Letter Report

Dear Mr. Gomez:

Dear Mr. Gomez:
Below is a summary of the traffic conditions as they have currently been evaluated for the Tilden Development site at 538 US Route 20 in the Town of New Lebanon, Columbia County, NY. This report describes the initial findings of the existing site traffic at the project site and the proposed impacts the new development could potentially have on the existing traffic patterns:

INTRODUCTION:

Location: 538 US Route 20, Town of New Lebanon, NY
Intersection of Tilden Road and US Route 20

The proposed Tilden Commons Project involves the construction of 41 housing units and a 10,000 square-foot commercial space designated for a grocery store. The development is located at 538 US Route 20 at the intersection with Tilden Road in the Town of New Lebanon, Columbia County, New York. This traffic assessment evaluates the trip generation and sight distances associated with the project based on ITE Trip Generation Manual (10th Edition) and available NYSDOT traffic data.

Existing Conditions

US Route 20 is a state highway that serves as a principal arterial road in the Town of New Lebanon. The road runs east-west and is characterized by a mix of residential and commercial land uses. NYSDOT reports an Annual Average Daily Traffic (AADT) volume of approximately 7,300 vehicles along this corridor based on an average of 2021 and 2022 data for US Route 20 at this location.

Tilden Road is a small local road that serves a few parcels, three residential and some commercial properties. The commercial property is a currently vacant repair shop and there is also a small construction company staging property near the residential property at the end of the road. Based on observations at the site the current traffic on Tilden Road is likely 20-30 trips per day.

The Tilden Road site currently already has two curb cuts on the NYSDOT regulated US Route 20. These are designated as ingress only on the eastern side and exit only on the western side.

At the intersection of Tilden Road and US Route 20 the intersection is a one-way stopped controlled (minor road stop). Tilden Road is a two-way, non-through road and US Route 20 is a two-way with center median turning lane. The grade of the site is flat. Heavy traffic existing is minor.

Existing Intersection Conditions:
The existing peak hour traffic on US Route 20 is estimated to be as follows based on 10% of the 2022 AADT data:

- **US Route 20 EB:** 365 vph
- **US Route 20 WB:** 395 vph
- **Tilden Road NB (entire leg):** 3 vph (very low volume)

Based on the Highway Capacity Manual design guidelines, this intersection would be classified as a Level of Service (LOS) A for all points of the intersection:

ROUTE	LOS	Description
US Route 20 EB	A	Free-flow major street
US Route 20 WB	A	Free-flow major street
Tilden Rd NB (Stop)	A	Very low volume, minimal conflict delay

Traffic Assessment

Based on the proposed building for the site, trip generation estimates were developed based on the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition. The following land use categories and unit counts are used:

- 13 One-Bedroom Apartments
- 15 Two-Bedroom Apartments
- 13 Three-Bedroom Apartments
- 10,000 SF Grocery Store

Estimated weekday AM and PM peak hour trip generation is shown below.

Land Use	Size	LUC	AM In	AM Out	PM In	PM Out
1-Bedroom Apartment	13 Units	221	3	7	10	6
2-Bedroom Apartment	15 Units	221	4	8	11	7
3-Bedroom Apartment	13 Units	221	3	7	10	6
Grocery Store	10,000 SF	850	25	16	42	43
TOTALS			35	38	73	62

Sight Distance Assessment

Sight distance measurements are required to determine adequate visibility for safe ingress and egress at the site access points. Specific sight distances (intersection and stopping) are to be verified in the field and compared to AASHTO guidelines for the applicable design speed on US Route 20. The existing sight distance in both directions at the Tilden intersection are 500'+. The AAHTO Sight stopping distance minimum

recommendations for a design speed of 45 MPH on a level grade are 360' so this intersection more than meets those requirements.

Conclusions and Recommendations

The project is estimated to generate approximately 73 new vehicle trips during the AM peak hour and 128 new vehicle trips during the PM peak hour. Taking the existing intersection data into consideration, we would assume the new intersection data following the construction of this development on Tilden Road would be as follows under the worst-case scenario, PM peak hour traffic:

- **US Route 20 EB:** 365 vph
- **US Route 20 WB:** 395 vph
- **Tilden Road NB (Stop Controlled):** 131 vph

The US route 20 conflicting flow volume is 760 vehicles per hour (vph) and the movement capacity is 210 vph. With the increase in volume as a result of the project, the volume to capacity ratio is 0.62, still under capacity.

Under these conditions using the Highway Capacity Manual, we would still classify the intersection in the US Route 20 directions as LOS A, ideal traffic conditions. We would anticipate that the Tilden road portion of the intersection would be classified as LOS C, which would result in a delay of 19 seconds/ vehicle for traffic exiting Tilden Road to US Route with a maximum anticipated traffic queue on Tilden Road of 2-3 vehicles. These conditions are still within the allowable conditions and the potential maximum traffic queue would not obstruct any other properties further north on Tilden Road.

Because of the close proximity of the existing egress exit from the Tilden site on the US Route 20 and Tilden Road, it is our recommendation that this exit be abandoned and all traffic from the site should exit at the stop intersection on Tilden Road. This will eliminate some potential conflicts for exiting the site. The existing ingress on US Route 20 can remain to minimize ingress through Tilden road.

Existing traffic conditions on US Route 20 can support the expected increase without significant degradation to traffic operations. Sight distance are more than sufficient to meet the design recommendations. Placement of signage and landscaping should maintain clear visibility consistent with NYSDOT and AASHTO standards should be provided to designate the US Route 20 entrance to the sign in ingress only, one-way and DO NOT ENTER signs within the site itself.

Assuming these conditions are met, it is our opinion that this development will have no impact on the existing traffic conditions on US Route 20 and only a minor impact on the intersection traffic of Tilden Road to US Route 20. If you have any additional questions and concerns, please feel free to contact me.

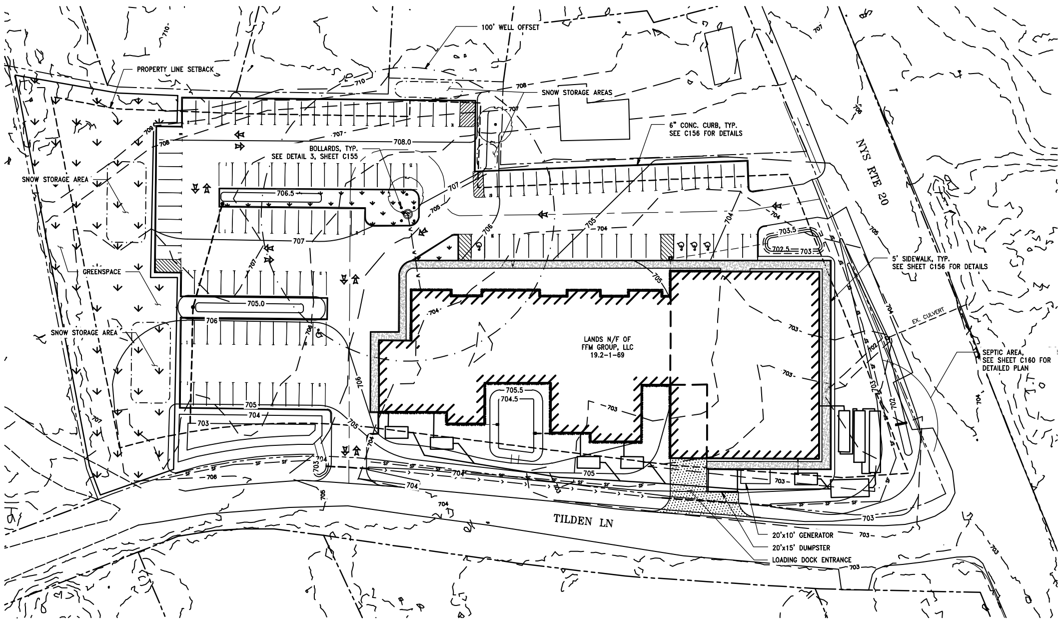
Sincerely,

Brendon Becker

Brendon Becker, P.E.

Cc: Town Codes Office

Attachments: A – Site Map



OVERALL SITE PLAN
1"=40'

GRAPHIC SCALE
40 20 0 20 40 80 160
1 INCH = 40 FEET

LEGEND

- PROPERTY LINE
- EX. CONTOURS
- EX. WELL
- EX. CULVERT AND CATCH BASIN
- PROPOSED CONTOURS
- PROPOSED WATER LINE
- PROPOSED SEWER LINE
- PROPOSED CULVERT
- PROPOSED DRAINAGE DITCH

SITE PLAN NOTES:

1. SEE SHEET C100 AND SECTION 02100 FOR CLEARING AND GRUBBING REQUIREMENTS AND LIMITATIONS.
2. ALL EARTHWORK SHALL BE SMOOTHLY AND EVENLY BLENDED INTO EXISTING CONDITIONS.
3. PERFORM EXCAVATION AND GRADING WORK IN ACCORDANCE WITH SECTIONS 02218, 02222, 02223 & 02225.
4. ALL DISTURBED AREAS NOT RECEIVING ASPHALT OR CRUSHED STONE WEARING SURFACES SHALL BE TOPSOILED AND SEEDED. ADDITIONALLY, SOME AREAS REQUIRE PREPARATORY SOIL RESTORATION.
5. IT IS THE CONTRACTOR'S RESPONSIBILITY TO EXAMINE ALL PLAN SHEETS AND SPECIFICATIONS. PRIOR TO COMMENCING CONSTRUCTION ACTIVITIES, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING, OF ANY ERRORS OR DISCREPANCIES.
6. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING, OF ANY CONDITIONS THAT VARY FROM THOSE SHOWN ON THE PLANS. THE CONTRACTOR'S WORK SHALL NOT VARY FROM THE PLANS WITHOUT THE EXPRESSED WRITTEN APPROVAL OF THE OWNER.
7. CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EX. SUBSURFACE UTILITIES AT THE SITE PRIOR TO SETTING HEAVY EQUIPMENT (E.G. CRANES) AND MATERIALS ON THE SITE.
8. PRIOR TO CONSTRUCTION THE CONTRACTOR IS RESPONSIBLE FOR NOTIFYING DIG SAFE NEW YORK AND ANY REGIONAL UTILITIES TO LOCATE ALL RELATED UTILITIES.
9. THE CONTRACTOR SHALL PROTECT EXISTING PROPERTY LINE MONUMENTATION. ANY MONUMENTATION DISTURBED OR DESTROYED, AS JUDGED BY THE ENGINEER, SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE UNDER THE SUPERVISION OF A NEW YORK STATE LICENSED LAND SURVEYOR.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AND INCURRING THE COST OF ALL REQUIRED PERMITS, INSPECTIONS, CERTIFICATIONS, ETC.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ALL FIELD LAYOUT. THE CONTRACTOR SHALL TAKE TIES TO ALL UTILITY CONNECTIONS AND PROVIDE MARKED-UP AS-BUILT PLANS FOR ALL UTILITIES SHOWING TIES TO CONNECTIONS, BENDS, VALVES, LENGTHS OF LINE AND INVERTS. AS-BUILT PLANS SHALL BE REVIEWED BY THE OWNER AND HIS REPRESENTATIVES, AND THE CONTRACTOR SHALL PROVIDE ANY CORRECTIONS TO THE SATISFACTION OF THE OWNER AND HIS REPRESENTATIVES BEFORE AS-BUILT PLANS WILL BE ACCEPTED.
12. CONTRACTOR SHALL FIELD VERIFY ALL LAYOUT DIMENSIONS AND ELEVATIONS WITH ENGINEER PRIOR TO CONSTRUCTION. CONTRACTOR SHALL COORDINATE A FIELD VISIT WITH ENGINEER TO REVIEW LAYOUT AND DIMENSIONS. CONTRACTOR SHALL SCHEDULE FIELD VISIT WITH ENGINEER TO CONFIRM FINISHED FLOOR ELEVATION.
13. ALL SUITABLE TOPSOIL TO BE TEMPORARILY STOCKPILED (AS APPLICABLE) FOR REUSE.
14. ALL MATERIALS TRANSPORTED OFF-SITE SHALL BE HANDLED IN SUCH A MANNER AS TO PREVENT SPILLAGE ON ADJACENT SURFACES AND AREAS.
15. CONTRACTOR SHALL BE RESPONSIBLE FOR DE-WATERING AND THE MAINTENANCE OF SURFACE DRAINAGE DURING THE COURSE OF THE WORK, IN ACCORDANCE WITH THE STORMWATER POLLUTION PREVENTION PLAN.
16. BUILDING DIMENSIONS TO BE TAKEN FROM BUILDING CONSTRUCTION PLANS.
17. ALL AREAS WITHIN THE LIMIT OF DISTURBANCE (SEE SHEET C100) MAY BE USED FOR STOCKPILING, EQUIPMENT STORAGE, AND FIELD OFFICES. ADDITIONAL SEDIMENT AND EROSION CONTROL PRACTICES MAY BE NEEDED TO PROTECT SENSITIVE AREAS. COORDINATE WITH ENGINEER.
18. SEE ELECTRICAL DRAWINGS FOR ON-SITE ELECTRICAL, CONTROLS, AND INTERNET WIRING.

PARKING:

TOTAL SPACES: 130
GROCERY: 40
APARTMENTS: 90
ACCESSIBLE: 5

Lamont Engineers
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FACILITY OPERATIONS
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(518) 234-4028
www.lamontengineers.com

Consultant

TILDEN COMMONS
NEW LEBANON DEVELOPMENT, LLC.
COLUMBIA COUNTY NEW YORK STATE

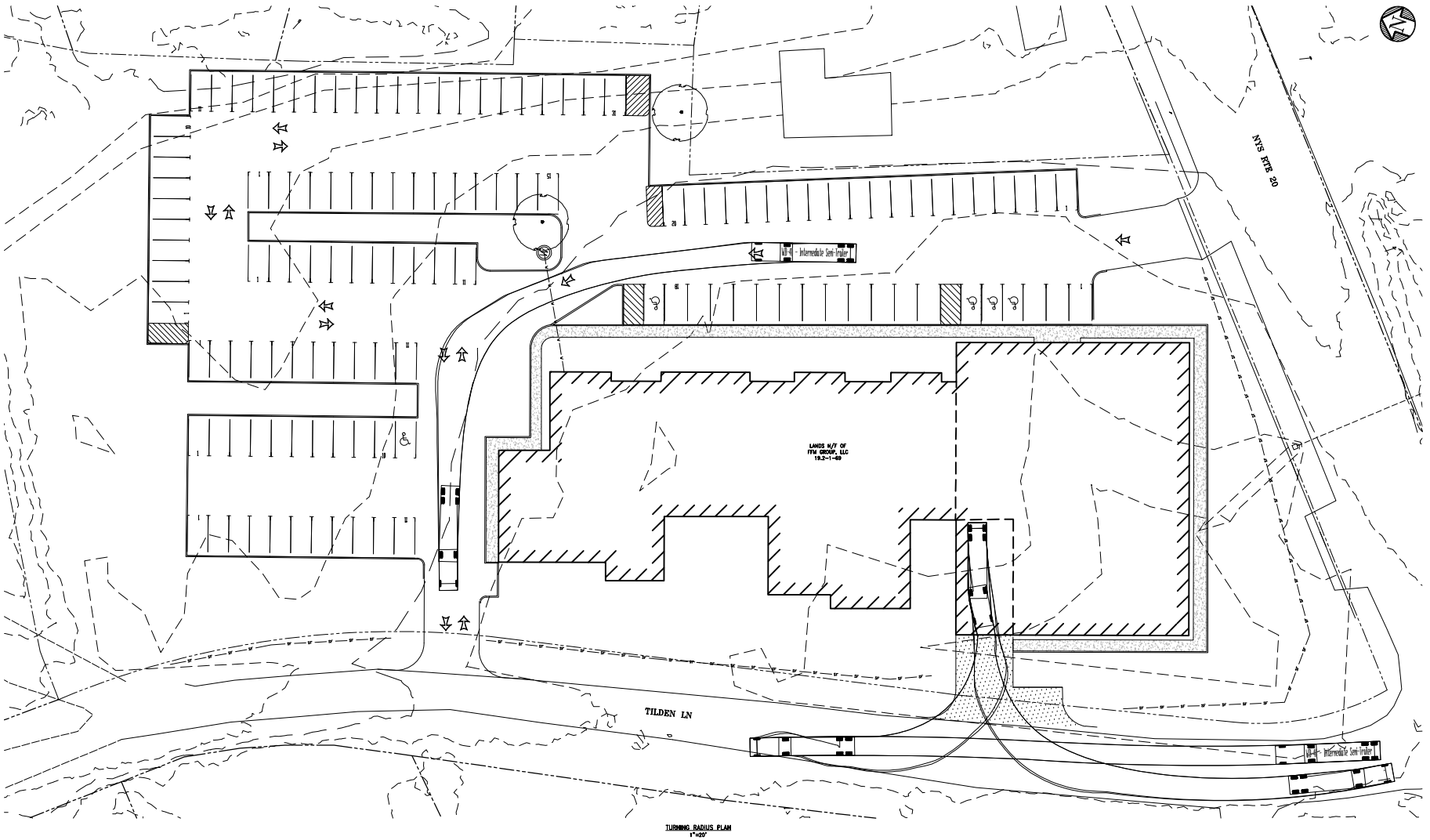
Stamp

Issue	Rev. Date	Remarks
A	6/3/25	FOR ZBA REVIEW
B	7/1/25	PLANNING BOARD

Project Number	2024125
Drawn By	SK
Designed By	BJB
Checked By	BJB
Date	6/7/24
Scale	1"=40'
File Name	BM_TILDEN

Sheet Title
SITE PLAN

Sheet No.
C110



TURNING RADIUS PLAN
1"=20'

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(518) 234-4028
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Consultant

TILDEN COMMONS
NEW LEBANON DEVELOPMENT, LLC.
COLUMBIA COUNTY NEW YORK STATE

Stamp

Sheet Rev.	Date	Remarks
-	7/7/25	Planning Board

Project Number	2024125
Drawn By	SK
Designed By	BJB
Checked By	BJB
Date	6/30/25
Scale	AS SHOWN
File Name	BM_TILDEN

Sheet Title
TURNING RADIUS PLAN

Sheet No.
C120

Stormwater Pollution Prevention Plan

TILDEN PROJECT LLC
TILDEN COMMONS
538 US ROUTE 20, NEW LEBANON

COLUMBIA COUNTY **NEW YORK STATE**

Prepared: July 2025

Lamont Engineers
ENGINEERS • PLANNERS • FACILITY OPERATIONS
197 Elm Street – PO Box 610
Cobleskill, New York 12043
(518) 234-4028

R:\2024125\swppp\001 SWPPP Z1.docx

PZ Clerk Rec'd
07.02.25

Table of Contents

APPENDICES

OTHER ITEMS MADE A PART OF THIS REPORT BY REFERENCE BUT PROVIDED UNDER SEPARATE COVER

CONTRACT DRAWINGS ENTITLED "TILDEN COMMONS, SITE DEVELOPMENT", BY LAMONT ENGINEERS DATED JUNE 2025.

1. Project Information

1.1. Introduction

This SWPPP is prepared in accordance with the requirements of Article 17, Titles 7, 8 and Article 70 of the New York State Environmental Conservation Law to obtain coverage by the SPDES General Permit for Stormwater Discharge from Construction Activities (GP-0-25-001).

A copy of the Electronic Notice of Intent (eNOI) is presented in Appendix 1.1.

The design standards and practices outlined herein are in accordance with the *New York State Standards and Specifications for Erosion and Sediment Control* and the *New York State Stormwater Management Design Manual.*

This report addresses both construction and post-construction measures to control and mitigate stormwater runoff for site preparation and infrastructure construction of the project.

1.2. Project Location, Description and Scope

The Tilden Commons project is located at 538 US-20 in the Town of New Lebanon in Columbia County. The site is approximately 3.2 acres and currently contains a commercial business.

The project consists of the construction of a single three-story building fronting US Route 20/22 on a 3 acre lot in downtown New Lebanon. The building will house a roughly 10,000 sf grocery store, a 2,000 sf community and space and 41 apartments. The project will also include site grading, the construction of a driveway and parking area, the installation of drainage and storm water practices, drilling a new well and the construction of an on-site wastewater treatment system.

The UTM 18 coordinates of the site are E: 632045, N: 4702801. The work occupies a parcel identified as tax parcel 19.2-1-69. A Location map is included in Appendix 1.2.

Soil disturbing activities include:

- Building and parking lot demolition
- Clearing and grubbing of existing ground cover within the area to be disturbed for construction.
- Removal and stockpiling of topsoil.
- Excavations for the installation of underground utilities and foundations
- Well drilling

- Paving
- Alteration of drainage patterns and construction of stormwater management facilities.
- Landscaping, topsoiling and seeding of disturbed areas.

1.3. SWPPP Contacts

Owner/Operator
Tilden Project LLC
58 Pool Hill Road
New Lebanon, NY 12125
917-488-1061
joshuanyoung@gmail.com

Engineer
Lamont Engineers
PO Box 610
197 Elm Street
Cobleskill, NY 12043
Brendon Becker, P.E.
Principal Engineer
518-234-4028
bbecker@lamontengineers.com

A copy of the Contractor's Certification Form is provided in Appendix 1.3.

2. EXISTING AND PROPOSED MAPPING AND PLANS

2.1. Vicinity Map and Project Boundary

A general plan of the project is shown on the Contract Drawings, provided under separate cover, where the project boundary is shown in more detail.

2.2. Existing and Proposed Topography and Land Use

The project site consists of an existing commercial building with asphalt and gravel driveways and parking, as well as open lawn space.

The site topography generally slopes to the south at very shallow slopes.

2.3. Map and Description of Soils from USDA Soil Survey and On-site soil testing

Information made available through the US Department of Agriculture Soil and Water Conservation Service and the Columbia County Soil and Water District identifies that the soils within the project area are Occum Loam (Om), hydrologic soil group B. Soils testing conducted on the site support this information, as the soils are generally well-drained and composed of

sandy loam. For the purposes of this report, the entire site was designed as containing hydrologic soil group C soils.

Soil maps and descriptions can be found in Appendix 2.3.

2.4. Boundaries of Existing Vegetation and Proposed Limits of Clearing

A limit of disturbance as well as existing vegetation limits are shown on the Contract Drawings.

2.5. Wetlands and Watercourses

No wetlands or watercourses have been identified on the project site.

2.6. Name and Locations of Receiving Waters

All runoff from the project area leaves the site through an existing drainage conveyance system, which discharges on the south side of US-20. It is believed that all runoff is tributary to the Wyomanock Creek, which is about 1,100 feet south of the project site.

NYSDEC Environmental Resource Maps are included in Appendix 2.6

2.7. Existing and Proposed Utilities (Sewer, Water, Gas, etc) and Easements

There are minimal existing underground utilities at the project site. New utilities for the proposed project will be installed, including sewer, water, and electrical. There are no known existing utility easements; there are no proposed utility easements.

2.8. Location of Floodplain/Floodway Limits

There are no regulated floodplains or floodways within the project site.

2.9. Other Environmentally Sensitive Areas

None. There are no known threatened or endangered species within in the project vicinity, according to the available NYS online resource maps.

2.10. Historic Preservation

The project does not have the potential to affect a property that is listed or determined to be eligible for listing on the National or State Register of Historic Places, according to the available NYS online resource maps. Available online resource maps also indicate that the project site is not located in or adjacent to an area designated as sensitive for archeological sites on the NY State Historic Preservation Office archaeological site inventory.

2.11. Climate Change Considerations

As previously stated, no areas within the project site are located in a regulated floodway/flood plain.

Due to the project site's natural resilience to potential risks due to climate change, no additional measures were considered necessary.

2.12. Other Permits and Approvals

- Town of New Lebanon
  - Highway
  - Planning Board
  - Zoning Board
- Columbia County
  - Columbia County DOH
- New York State
  - NYSDEC
  - NYSHPO
  - Hudson River Housing

3. CONSTRUCTION EROSION AND SEDIMENT CONTROL

3.1. Temporary and Permanent Structural and Vegetative Measures

Immediate stabilization: for areas near wetlands or on steep (>10%) slopes, work area shall be mulched with wood chips hay or straw immediately after rough grading following each soil disturbing operation. Stabilization shall be completed no later than the end of each day.

Temporary stabilization: Topsoil stockpiles and disturbed portions of the site where construction activity temporarily ceases shall be stabilized with temporary seed and mulch immediately after the temporary cessation of construction activity in that area. All areas must be stabilized no later than 7 days after work has ceased. The temporary seed shall be applied at the rate of 30 pounds per acre. Mulch and water shall be applied per table 4.2 of the New York State Standards and Specifications for Erosion and Sediment Control Manual. Slopes over 3H:1V shall be stabilized with anchored stabilization matting until such time as vegetation has been established. Areas to be paved shall be temporarily stabilized with geotextiles and stone subbase material, as shown on the Contract Drawings, provided under separate cover, until pavement is installed.

Permanent Stabilization: Disturbed portions of the site where construction activities have permanently ceased shall be stabilized with permanent seed no later than 14 days after the last construction activity. Prior to permanent

seeding, fertilizer and lime shall be applied to the soil per vegetation specification. Permanent seed shall be installed, mulched, and maintained per the requirements detailed on the Contract Drawings.

3.2. Dimensions, Installation Details, and Material Specifications for Erosion and Sediment Control Practices

All dimensions, installation details and materials specifications are shown on the Contract Drawings, provided under separate cover.

3.3. Design Elements not in Conformance with the New York State Standards and Specifications for Erosion and Sediment Control

All erosion and sediment control practices have been designed in accordance with this reference.

3.4. Inspection Schedule and Operation and Maintenance Schedule of all Erosion and Sediment Control Practices

A schedule of inspection and maintenance of erosion and sediment control practices is shown on the Contract Drawings, provided under separate cover.

3.5. Staging Areas, Equipment Storage Areas, Borrow Pits, Waste Areas, and Concrete Washout Areas

Temporary staging, stockpile, and spoil areas have been located on the Contract Drawings, provided under a separate cover. The contractor will be required to locate any additional staging, stockpile, storage, borrow and waste areas. Staging, stockpile, and waste areas are to be approved by the Engineer and Regulatory Agencies.

3.6. Construction Phasing and Sequencing Plans

A sequence of major construction activities can be found on the Contract Drawings, provided under separate cover.

3.7. Pollution Prevention Measures

A. Spill Prevention Plan

All Contractors are responsible for implementing and enforcing the contents of a Spill Prevention Plan as outlined below:

1. Waste Disposal

All construction wastes, hazardous wastes, and sanitary wastes shall be disposed of according to New York State Department of Environmental Conservation standards and regulations. No burning,

burying, or dumping of wastes will be permitted on-site. Transportation and ultimate disposal of wastes off-site shall be done according to all relevant State and local regulations.

2. Material Management Practices

The materials or substances listed below are expected to be present on-site during construction:

- Concrete Products
- Detergents
- Paints
- Structural Steel
- PVC Piping
- Hydraulic Equipment
- Fertilizers
- Petroleum Based Products
- Cleaning Solvents
- Wood
- Metal Building Materials
- HDPE Piping

3. Housekeeping Procedures

- An effort will be made to store only enough products as required to complete the job.
- All materials stored on-site shall be stored in a neat, orderly manner in their appropriate containers and, if possible, under a roof or some other enclosure.
- Products will not be mixed with one another unless recommended by the manufacturer.
- Whenever possible, all of a product shall be used-up before disposing of the container.
- Manufacturers' recommendations for proper use, storage, cleaning, and disposal shall be followed if State or local regulations do not apply.
- There shall be daily inspections to ensure proper use, storage, and disposal of all materials on-site during construction.

4. Hazardous Materials

- Products shall be kept in original containers unless they are not re-sealable, in which case re-sealable containers shall be provided and shall be clearly marked as to contents and potential hazards.
- Original labels and material safety data sheets shall be always retained on the site when such materials are present on the site.
- If surplus products must be disposed, manufacturers' and State and local recommended methods for proper disposal shall be followed.

5. Petroleum Products

- All on-site vehicles shall be monitored for leaks and shall receive regular preventative maintenance to minimize leakage.

- On site fuel storage shall have secondary containment provisions.
- All on site fueling of equipment shall be performed by personnel trained in spill prevention and spill response.
- During on site fueling operations personnel must stay at the pump control, operator shall not rely on automatic shut-offs on fuel pumps.
- Fueling of small equipment shall be performed on non-absorbent surfaces if at all possible.

6. Fertilizers

Fertilizers used shall be applied only in the minimum amounts recommended by the manufacturer. Once applied, fertilizer shall be worked into the soil to limit exposure to stormwater runoff. Fertilizers shall be stored in a covered area and the contents of any partially used bags shall be transferred to a sealable plastic container to avoid spills or leaks.

7. Paints

All containers shall be tightly sealed and stored in a protected "fire safe" area when not required for use. Containers shall be clearly marked as to their contents. Excess paint shall not be discharged into storm or sanitary sewer systems and shall be properly disposed of according to manufacturers' instructions or State and local regulation.

8. Spill Control Practices

- A Spill Prevention Plan (SPP) shall be prepared by the contractor and shall be based on manufacturers' recommended methods for spill cleanup. The SPP shall be clearly posted, and site personnel shall be made aware of the procedures and the locations of all information and cleanup supplies.
- Materials and equipment necessary for spill cleanup shall be kept in the material storage areas on-site. Equipment and materials shall include, but not be limited to brooms, dust pans, mops, rags, shovels, gloves, goggles, kitty litter, sand, sawdust, and plastic & metal trash containers specifically for this purpose. Safety equipment such as fire extinguishers and first-aid kits shall be kept on site at all times in case of emergencies.
- All spills shall be cleaned-up immediately after discovery.
- The spill area shall be kept well ventilated and personnel shall wear appropriate protective clothing to prevent injury from contact with a hazardous substance.
- Spills of toxic or hazardous materials shall be reported to the appropriate State and local authorities, regardless of the size.

- The Spill Prevention Plan shall be modified and adjusted as necessary to prevent reoccurrence of spills after they have occurred, and shall include new clean-up procedures when necessary. A description of the spill, what caused it, and clean-up/prevention procedures to be followed in the future shall be included in the SPP and posted on-site after a spill.
- A spill prevention coordinator shall be designated for the Contract. The coordinator shall designate at least three other personnel who will receive spill prevention and clean-up training. These personnel shall become responsible for a particular phase of prevention and clean-up, and their names shall be posted along with the Spill Prevention Plan.

9. Dust Control

- All Contracts shall provide and apply water for the control of dust within the limits of their respective Work. Water application shall be the primary method of dust control.
- When used on roadways, the water shall be applied uniformly over a width of not less than eight (8) feet by means of an approved pressure distributor spray bar.
- When used on areas that will later be sodded or seeded, the water shall be free from oils, acids, alkalies, salts, or any other substances injurious to plant growth.
- Paved areas shall be kept clean by periodic sweeping with approved equipment.

B. Non-Stormwater Discharges

Concrete Trucks

- Concrete trucks shall be allowed to wash-out or discharge surplus concrete only at locations specifically approved by the Engineer.

Dewatering Effluent

- The Contractor shall pump dewatering effluent to geotextile sediment bags, a stable upland vegetated area, or temporary settling basin to remove suspended sediment prior to discharge to any watercourse.

Clearing and Grubbing Spoil

- No dumping shall be allowed in any stream, corridor, wetland, surface area, floodplain, or at unspecified locations or at locations not approved by the Engineer and regulatory agencies.

4. Stormwater Site Planning, Practice Selection and Details

4.1. Site Planning

The first step in developing a comprehensive stormwater management plan using green infrastructure is to avoid or minimize land disturbance by preserving natural resources and utilizing the hydrology of the site.

Implementation of “green” infrastructure practices aid in the reduction of runoff by proactively reducing runoff volume, peak flow and flow duration. It also promotes infiltration and evapotranspiration to improve groundwater recharge and relieve pollutants for the “end of pipe” stormwater treatment practice. The green infrastructure techniques utilized in this SWPPP are detailed in Section 4.3.

4.2. Determine Water Quality Treatment Volume (WQv)

The analysis uses existing conditions = 2021 site conditions pre MX track construction. Watershed schematics are presented in Appendix 4.5.

Water quality volumes were computed using the NYS Stormwater Design Manual equation of WQv=[P*Rv*A]/12, where:

P= 90% rainfall = 1.1”
A= Site Area
I= % Impervious
Rv=0.05+0.009*I

The project consists of redevelopment and new development activities. The project site is a 3.22 acre parcel which was previously developed with commercial shops, asphalt parking, and gravel driveways. For planning purposes, the previously developed southern portion of the project site (approximately 1.44 acres) is considered redevelopment, and the mostly undeveloped northern portion of the project site is considered new development.

The redevelopment portion of the project site has an existing impervious area of 1.07 acres. The proposed impervious area in this portion of the project site is 1.00 acres, which is a reduction of approximately 7%. In conjunction with this impervious area reduction, 18% of the proposed redevelopment area will be directed to standard SMPs, providing 100% WQv treatment.

A summary of the minimum required water quality volume is below:

Calculate Required WQv					
Area	Contributing Area (acres)	Impervious Area (acres)	Percent Impervious	Rv	WQv (cf)
New-Dev	1.74	0.88	51	0.51	3,510
Re-Dev	1.44	1.00	69	0.68	3,881

Redevelopment adjustment: 3,881 cf x 18% = 699 cf

Total Adjusted WQv = 4,209 cf (0.097 acre-ft)

4.3. Runoff Reduction by Applying Green Infrastructure Techniques and Standard Stormwater Management Practices with RRv Capacity

The majority of runoff is treated with green infrastructure techniques.

100% reduction of the WQv will be achieved by a combination of Infiltration Basins and Infiltration Bioretention Basins.

A small portion of runoff from impervious surfaces are not directed to RRv practices due to hydraulic and siting infeasibility.

Runoff Reduction Volumes were computed using the NYS Stormwater Design Manual equation of RRv_{min}=[P*Rv*Aic*S]/12, where:

P= 90% rainfall = 1.1”
Aic= Area of Impervious Cover = 0.88 Acres (New-Dev)
Rv= 0.05+0.009*100 = 0.95
S= Hydrologic Soil Group Specific Reduction Factor = 0.4

Minimum RRv: 1350 cf (0.031 acre-ft)

1. RRv Practice 1: Infiltration Bioretention Basin 1 (F-4)
    a. Provides 972 cf RRv
2. RRv Practice 2: Infiltration Bioretention Basin 2 (F-4)
    a. Provides 769 cf RRv
3. RRv Practice 3: Infiltration Basin 1 (I-2)
    a. Provides 1326 cf RRv
4. RRv Practice 4: Infiltration Basin 2 (I-2)
    a. Provides 958 cf RRv
5. RRv Practice 5: Infiltration Bioretention Basin 3 (F-4)
    a. Provides 497 cf RRv

Total RRv Provided = 4,522 cf > 4,209 cf

The full WQv is reduced via Green Infrastructure Techniques.

Green Infrastructure Worksheets are presented in Appendix 4.3

4.4. Apply Standard Stormwater Management Practices to Address Remaining Water Quality Volume

The full WQv is reduced via Green Infrastructure Techniques.

4.5. Apply Volume Peak Rate Control Practices if Needed to Meet Requirements

Channel Protection Volume (CPv) Requirements:
CPv requirements are designed to protect stream channels from erosion. This is typically accomplished by providing 24-hr extended detention of the 1-year, 24-hr design storm that remains after runoff reduction.

Discharge Point:
As a predominantly redevelopment project, the typical channel protection requirement is relaxed. The hydrologic analysis for the project site shows that the post-construction 1-year 24-hour peak discharge rate and volume is less than pre-construction amounts, therefore the CPv requirement has been satisfied.

CPv Provided: 0.283 acre-ft

Overbank Flood (Qp) & Extreme Storm (Qf) Requirements:
Overbank Flood: Control the peak discharge from the 10-yr storm to 10-yr predevelopment rates.

Extreme Storm: Control the peak discharge from the 100-yr storm to 100-yr predevelopment rates. Safely pass the 100-yr storm event.

Hydrologic DP: Runoff from Site to Existing Culvert			
	1-year (cfs)	10-year (cfs)	100-year (cfs)
Pre-Development	3.08	7.67	16.54
Post-Development	4.56	10.61	22.05
Post-Mitigation	2.28	5.69	15.05
Delta	0.80	-1.98	-1.49

Watershed Schematics and Hydrologic Calculations are presented in Appendix 4.5.

4.6. Conveyance Criteria

Typically, the targeted storm frequencies for conveyance are the 2-yr and 10-yr storms. The 2-yr event is used to ensure non-erosive flows through roadside swales, overflow channels, pond pilot channels, and over berms within practices. The 10-year storm is typically used as a safe conveyance criterion for open channel practices and overflow channels

2-yr Storm

1. Roadside Swales
    a. All swales are non-erosive during the 2-year storms
2. Pilot Channels
    a. No pilot channels proposed
3. In-Practice Berms
    a. No in-practice berms proposed.

10-yr Storm

1. Open Channel Practices
    a. All swales are designed to safely convey the 10-yr storm.
2. Overflow Channels
    a. All overflow channels safely convey the 10-yr storm.

4.7. Identification of Design Elements not in Conformance with the New York State Stormwater Management Design Manual

Not all proposed impervious surfaces are directed to RRv practices. This was previously detailed in Section 4.3.

The proposed pre-treatment methods for the infiltration basins are not in conformance with the design manual. The proposed methods, in conjunction with proper and timely maintenance of the practices will adequately protect the basins from buildup of sediment deposits and ensure functionality of the practices.

4.8. Descriptions, Dimensions, Material Specifications and Installation Details for Post-Construction Stormwater Control Practices

Refer to the Contract Drawings, provided under separate cover, for dimensions and installation details of the stormwater management practices.

4.9. Long Term Operation and Maintenance of Post-Construction Stormwater Management Practices

Tilden Project LLC is responsible for long-term operation and maintenance of all post-construction SMPs and their appurtenances. A long-term operation and maintenance manual is presented in Appendix 4.9.

Appendix 1.1

Electronic Notice of Intent (eNOI)

Construction General Permit (CGP) Electronic Notice of Intent (eNOI) GP-0-25-001

version 1.11

(Submission #: HQD-SK74-3APBS, version 1)

Details

Originally Started By	Asa Snyder
Alternate Identifier	Tilden Commons—Region 4
Submission ID	HQD-SK74-3APBS
Status	Draft

Form Input

Eligibility

Disturbance Threshold

1. Will the construction activity involve soil disturbances listed in Part I.A.1 of GP-0-25-001?
Yes

1.a. Will any runoff from the site enter a sewer system classified as a combined sewer?
No

1.b. Is this a remediation project being done under a Department approved work plan (i.e. CERCLA, RCRA, Voluntary Cleanup Agreement, etc.) with a SWPPP which meets the substantive requirements of GP-0-25-001?
No

1.c. Is the construction activity related to a stormwater discharge that does not require a permit as described in 40 CFR 122.3(e), e.g. non-point source agriculture or silviculture activities?
No

Other SPDES Permits

2. Will the discharge from the construction activity meet all conditions listed in Part I.A.2 of GP-0-25-001?
Yes

Threatened and Endangered Species

3. Will the construction activity potentially adversely affect a species that is endangered or threatened per Part I.A.3.?
No

State Historic Preservation Act (SHPA)

4. Is the construction activity designated by the Commissioner of the Office of Parks, Recreation and Historic Preservation (OPRHP), pursuant to 9 NYCRR §§428.12 or 428.13 as exempt from the SHPA review (see Attachment 2 of the Letter of Resolution between NYSDEC and OPRHP, dated January 9, 2015)?
No

4.a. Will the construction activity:

a) occur within an archeologically sensitive area indicated on the sensitivity map, or

b) have the potential to affect a property that is listed or determined to be eligible for listing on the Na or State Registers of Historic Places, or

c) include a new permanent building on the construction site within the following distances from a building, structure, or object that is more than 50 years old and OPRHP, a Historic Preservation Commission of a Certified Local Government, or a qualified preservation professional has determinec historically/archeologically significant building, structure, or object:

- 1-5 acres of disturbance—20 feet
- 5-20 acres of disturbance—50 feet
- 20+ acres of disturbance—100 feet?

No

4.b. Is there documentation at the construction site demonstrating:

a) that the construction activity is not within an archeologically sensitive area indicated on the sensiti map, and that the construction activity is not immediately adjacent to a property listed or determined t eligible for listing on the National or State Registers of Historic Places, and

b) that there is no new permanent building to be built on the construction site within the following distances from a building, structure, or object that is more than 50 years old, or if there is such a new permanent building on the construction site within those parameters that OPRHP, a Historic Preserva Commission of a Certified Local Government, or a qualified preservation professional has determinec the building, structure, or object more than 50 years old is not historically/archeologically significant:

- 1-5 acres of disturbance – 20 feet
- 5-20 acres of disturbance – 50 feet
- 20+ acres of disturbance – 100 feet?

Yes

State Environmental Quality Review (SEQR)

5. Is the construction activity subject to SEQR (Part I.A.5.), or the equivalent environmental review from another NYS or federal agency (Part I.A.6.)?
Yes

5.a. Has the owner/operator obtained documentation that the project review pursuant to SEQR, or the equivalent, has been satisfied per Part I.A.5. or I.A.6. of GP-0-25-001?
NONE PROVIDED

Uniform Procedures Act (UPA) Permits

6. Has the owner/operator obtained all necessary UPA permits from NYSDEC, or the equivalent from another NYS or federal agency per Part I.A.7.a. of GP-0-25-001?
NONE PROVIDED

Steep Slope

7. Is the construction activity within the watershed of surface waters of the State classified as AA or AA-S identified utilizing the Stormwater Interactive Map on NYSDEC's website?
No

Owner/Operator Information

8. Owner/Operator Name
Tilden Project LLC

9. Owner/Operator Contact Person Information

First and Last Name	Phone	E-mail
Joshua Young	9174881061	joshuayoung@gmail.com

10. Owner/Operator Mailing Address
58 Pool Hill Road
New Lebanon, NY 12125
USA

11. Is the billing contact different from the Owner/Operator Contact?
No

12. What type of organization is the owner/operator?
Corporation

12.b. Is the owner/operator registered with the Department of State to do business in New York State?
NONE PROVIDED

Site Information

13. Project/Site Name
Tilden Commons

14. Site Address
538 US 20
New Lebanon, NY 12125
Columbia

DEC Region
4

15. Site Latitude & Longitude
42.46642326263599,-73.39380523246572

Project Details

16. This eNOI submission is for:
A construction activity not part of a common plan of development or sale in accordance with Part I.D.1.a.

17. Does the project type fall under Table 1 or Table 2 of Appendix B of GP-0-25-001? If any portion of the construction activity falls under Table 2, regardless of the size of the disturbance, select "Table 2".
Table 2

18. Consistent with Part III.B.1.c.i. of GP-0-25-001, provide a concise overview of the project. Describe existing and proposed conditions, and include any other relevant information.
The project site consists of an existing commercial building with asphalt and gravel driveways and parking, as well as open lawn space.

The site topography generally slopes to the south at very shallow slopes.

The project consists of the construction of a single three-story building fronting US Route 20/22 on a 3 acre lot in downtown New Lebanon. The existing building and parking areas will be demolished.

The new building will house a roughly 10,000 sf grocery store, a 2,000 sf community and space and 41 apartments. The project will also include site grading, the construction of a driveway and parking area, the installation of drainage and storm water practices, drilling a new well and the construction of an on-site wastewater treatment system.

Enter the total project site acreage, the acreage to be disturbed, and the future impervious area (acreage) within the disturbed area, rounded to the nearest tenth of an acre.

19. Total Site Area (acres)
3.2

20. Total Area to be Disturbed (acres)
3.2

21. Existing Impervious Area to be Disturbed (acres)
1.0

22. Future Impervious Area Within Disturbed Area (acres)
1.9

Nature of the project:
Redevelopment with increase in impervious area

23. Do you plan to disturb more than 5 acres of soil at any one time?
No

---

24. Indicate the percentage (%) of each Hydrologic Soil Group(HSG) at the site.

A (%)
0

B (%)
100

C (%)
0

D (%)
0

25. Enter the planned start and end dates of the disturbance activities.

Start Date
NONE PROVIDED

End Date
NONE PROVIDED

26. Identify the nearest surface waterbody(ies) to which construction site runoff will discharge.
Wyomanock Creek and tribs - 1310-0039

27. Type of waterbody identified in question 26?
Stream/Creek Off Site

28. Has the surface waterbody in question 26 been identified as a 303(d) segment in Appendix D of GP-0-25-001?
No

29. Is this project located in one of the Watersheds identified in Appendix C of GP-0-25-001?
No

30. Will the project disturb soils within a State regulated wetland or the protected 100 foot adjacent area?
No

31. Does the site runoff enter a separate storm sewer system (including roadside drains, swales, ditches, culverts, etc)?
Yes

31.a. What is the name of the municipality/entity that owns the separate storm sewer system? If the separate sewer system is owned by an MS4 Operator, enter the MS4 Operator name.
NYSDOT

32. Will future use of this site be an agricultural property as defined by the NYS Agriculture and Markets Law?
No

33. Is this property owned by a state authority, state agency, federal government or local government?
No

Required SWPPP Components

General SWPPP Requirements

34. Has a SWPPP been developed in conformance with the requirements in Part III. of GP-0-25-001?
Yes

35. Does the SWPPP demonstrate consideration of the future physical risks due to climate change pursuant to the CRRA, 6 NYCRR Part 490, and associated guidance per Part III.A.2. of GP-0-25-001?
Yes

36. Has the required Erosion and Sediment Control component of the SWPPP been developed in conformance with the current NYS Standards and Specifications for Erosion and Sediment Control (aka Blue Book)?
Yes

37. Has the post-construction stormwater management practice component of the SWPPP been developed in conformance with the NYS Stormwater Management Design Manual?
NONE PROVIDED

SWPPP Preparer

39. The Stormwater Pollution Prevention Plan (SWPPP) was prepared by:
Professional Engineer (P.E.)

40. Name of the person who prepared the SWPPP
Brendon Becker

41. SWPPP Preparer Organization Name
Lamont Engineers

42. SWPPP Preparer Contact Information

First and Last Name	Phone	E-mail
Brendon Becker	518-234-4028	bbecker@lamontengineers.com

43. SWPPP Preparer Address

PO Box 610
Cobleskill, NY 12043

Download SWPPP Preparer Certification Form

Please take the following steps to prepare and upload your preparer certification form:

1) Click on the link below to download a blank certification form
2) The certified SWPPP preparer should sign this form
3) Upload the completed form
Download SWPPP Preparer Certification Form

44. Please upload the SWPPP Preparer Certification
NONE PROVIDED
Comment
NONE PROVIDED

44.a. Has the SWPPP Preparer Certification Form been signed by the SWPPP preparer in accordance with Part VII.J of GP-0-25-001?
NONE PROVIDED

Erosion & Sediment Control Criteria

45. Has a construction sequence schedule for the planned management practices been prepared?
Yes

Post-Construction Criteria

Site Planning and Soil Restoration

46. Identify all site planning practices that were used to prepare the final site plan/layout for the project.
Sidewalk Reduction

47. Indicate which of the following soil restoration criteria was used to address the requirements in Section 5.1.6 ("Soil Restoration") of the Design Manual.
All disturbed areas will be restored in accordance with the Soil Restoration requirements in Table 5.3 of the Design Manual (see page 5-22).

Water Quality Criteria

49. Water Quality Sizing Criteria

Total WQv required (acre-feet)	Total RRv provided (acre-feet)	Minimum RRv (acre-feet)	Total WQv provided (acre-feet)	Sum of RRv and WQv provided
.097	.104			NaN

Water Quantity Criteria

50. Per Section 9.2.1.C.VI and VII of the 2024 Design Manual, is there 0% change to hydrology that increases the discharge rate and volume from the project site?
No

51. Does one of the waiver conditions apply to the channel protection for this construction activity?
No

51.b.i. CPv Required (acre-feet)
0.283

51.b.ii. CPv Provided (acre-feet)
0.283

52. Does one of the waiver conditions apply to the Qp and Qf for this construction activity?
No

Overbank Flood Control Criteria (Qp)

52.b.i. Pre-Development (CFS)
7.67

52.b.ii. Post-Development (CFS)
5.69

Total Extreme Flood Control Criteria (Qf)

52.b.iii. Pre-Development (CFS)
16.54

52.b.iv. Post-Development (CFS)
15.05

Operation and Maintenance

53. Has a long-term Operation and Maintenance Plan for the post-construction stormwater management practice(s) been developed?
Yes

53.a. Identify the entity responsible for the long-term Operation and Maintenance.
Tilden Project LLC

Post-Construction SMP Identification

54. Post-Construction RR Techniques and Standard SMPs

RR Techniques and SMPs	Contributing Impervious Area (acres)	Total Contributing Area (acres)
Infiltration Basin (I-2)	0.560	
Infiltration Bioretention (F-4)	0.580	

55. Alternative SMPs

Type of Alternative SMP	Manufacturer of the Alternative SMP	Name of the Alternative SMP	Contributing Impervious Area (acres)
NONE PROVIDED	*NONE PROVIDED*	*NONE PROVIDED*	*NONE PROVIDED*

Other Permits

56. Identify other permits, existing and new, that are required for this project/facility.
Individual SPDES

57. Is this NOI for a change in owner/operator per Part I.G.?
No

58. Is this eNOI for informational purposes only?
No

MS4 SWPPP Acceptance

59. Will the construction activities be within the municipal boundary(ies) of Traditional Land Use Control MS4 Operator(s) and discharge to the MS4(s)?
No

Owner/Operator Certification

Owner/Operator Certification Form Download

Download the Owner/Operator Certification Form by clicking the link below.
Owner/Operator Certification Form

61. Upload Owner/Operator Certification Form

NONE PROVIDED

Comment

NONE PROVIDED

61.a. Has the Owner/Operator Certification Form from Appendix J been signed by the owner/operator, or a representative of the owner/operator in accordance with Part VII.J of GP-0-25-001 and uploaded to the eNOI?

NONE PROVIDED

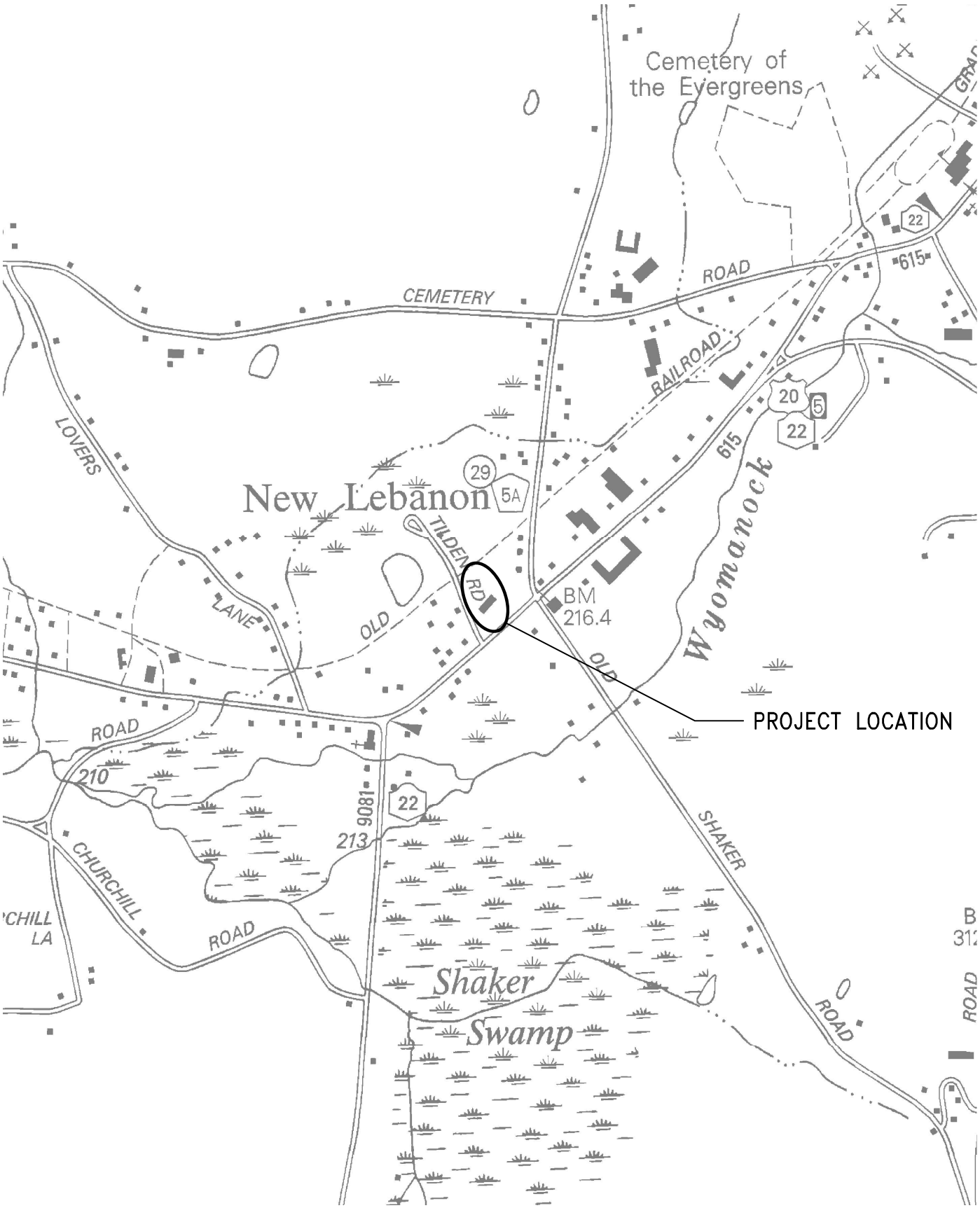
Additional Project Information

62. Enter any additional pertinent project information in the text box below.

NONE PROVIDED

Appendix 1.2

Location Map



DATE	PROJECT NO.	HUDSON RIVER HOUSING INC. PROJECT LOCATION MAP	Lamont Engineers
5/23/25	2024125		ENGINEERS • PLANNERS • FACILITY OPERATIONS
SCALE	DRAWN		
1"=1000'	JW	COLUMBIA COUNTY NEW YORK STATE	

Appendix 1.3

Contractor Certification Form

CONTRACTOR and SUBCONTRACTOR CERTIFICATION STATEMENT

for the New York State Department of Environmental Conservation (DEC) State Pollutant Discharge Elimination System Permit for Stormwater Discharges from Construction Activity (GP-0-25-001)

As per *Part III.A.6* on page 31 of GP-0-25-001, effective 1/29/2025

'Prior to the *commencement of construction activity*, the *owner or operator* must identify the contractor(s) and subcontractor(s) that will be responsible for installing, constructing, repairing, replacing, inspecting and maintaining the erosion and sediment control practices included in the SWPPP; and the contractor(s) and subcontractor(s) that will be responsible for constructing the post-construction stormwater management practices included in the SWPPP. The *owner or operator* shall have each of the contractors and sub-contractors identify at least one person from their company that will be responsible for implementation of the SWPPP. This person shall be known as the *trained contractor*. The *owner or operator* shall ensure that at least one *trained contractor* is on site on a daily basis when soil disturbance activities are being performed.'

The *owner or operator* shall have each contractor and subcontractor involved in soil disturbance sign a copy of the following certification statement before they commence <u>any</u> *construction activity*:

_____	**NYR** _____	_____
Name of Construction Site	*DEC Permit ID*	*Municipality (MS4)*

I hereby certify under penalty of law that I understand and agree to comply with the terms and conditions of the SWPPP and agree to implement any corrective actions identified by the *qualified inspector* during a site inspection. I also understand that the *owner or operator* must comply with the terms and conditions of the most current version of the New York State Pollutant Discharge Elimination System ("SPDES") general permit for stormwater *discharges* from *construction activities* and that it is unlawful for any person to cause or contribute to a violation of *water quality standards*. Furthermore, I am aware that there are significant penalties for submitting false information, that I do not believe to be true, including the possibility of fine and imprisonment for knowing violations.

Responsible Corporate Officer/Partner Signature	Date
Name of above Signatory	Name of Company
Title of above Signatory	Mailing Address
Telephone of Company	City, State and Zip

Identify the specific elements of the SWPPP the contractor or subcontractor is responsible for:

'*TRAINED CONTRACTOR*' FOR THE CERTIFIED CONTRACTOR OR SUBCONTRACTOR

_____	_____	_____
Name of Trained Employee	*Title of Trained Employee*	*NYSDEC SWT #*

A copy of this signed contractor certification statement must be maintained at the SWPPP on site

Appendix 2.3

Soil Map and Descriptions

United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Columbia County, New York

May 27, 2025

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

Contents

How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

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Custom Soil Resource Report
Soil Map

Map Scale: 1:1,150 if printed on A portrait (8.5" x 11") sheet.

N

Meters
0 15 30 60 90

Feet
0 50 100 200 300

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Columbia County, New York
Survey Area Data: Version 20, Aug 29, 2024

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 15, 2021—Nov 8, 2021

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Om	Occum loam	2.9	100.0%
Totals for Area of Interest		**2.9**	**100.0%**

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas.* Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Columbia County, New York

Om—Occum loam

Map Unit Setting

National map unit symbol: 9r1h
Elevation: 0 to 1,030 feet
Mean annual precipitation: 38 to 46 inches
Mean annual air temperature: 45 to 50 degrees F
Frost-free period: 115 to 195 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Occum and similar soils: 90 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Occum

Setting

Landform: Flood plains
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Rise
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Loamy over sandy alluvium

Typical profile

H1 - 0 to 10 inches: loam
H2 - 10 to 25 inches: fine sandy loam
H3 - 25 to 33 inches: coarse sandy loam
H4 - 33 to 60 inches: stratified very gravelly sand

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 1.98 in/hr)
Depth to water table: About 48 to 72 inches
Frequency of flooding: Occasional
Frequency of ponding: None
Available water supply, 0 to 60 inches: Moderate (about 6.8 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 1
Hydrologic Soil Group: B
Ecological site: F144AY010NH - Sandy High Floodplain
Hydric soil rating: No

Minor Components

Linlithgo

Percent of map unit: 8 percent
Hydric soil rating: No

Limerick

Percent of map unit: 2 percent
Landform: Flood plains
Hydric soil rating: Yes

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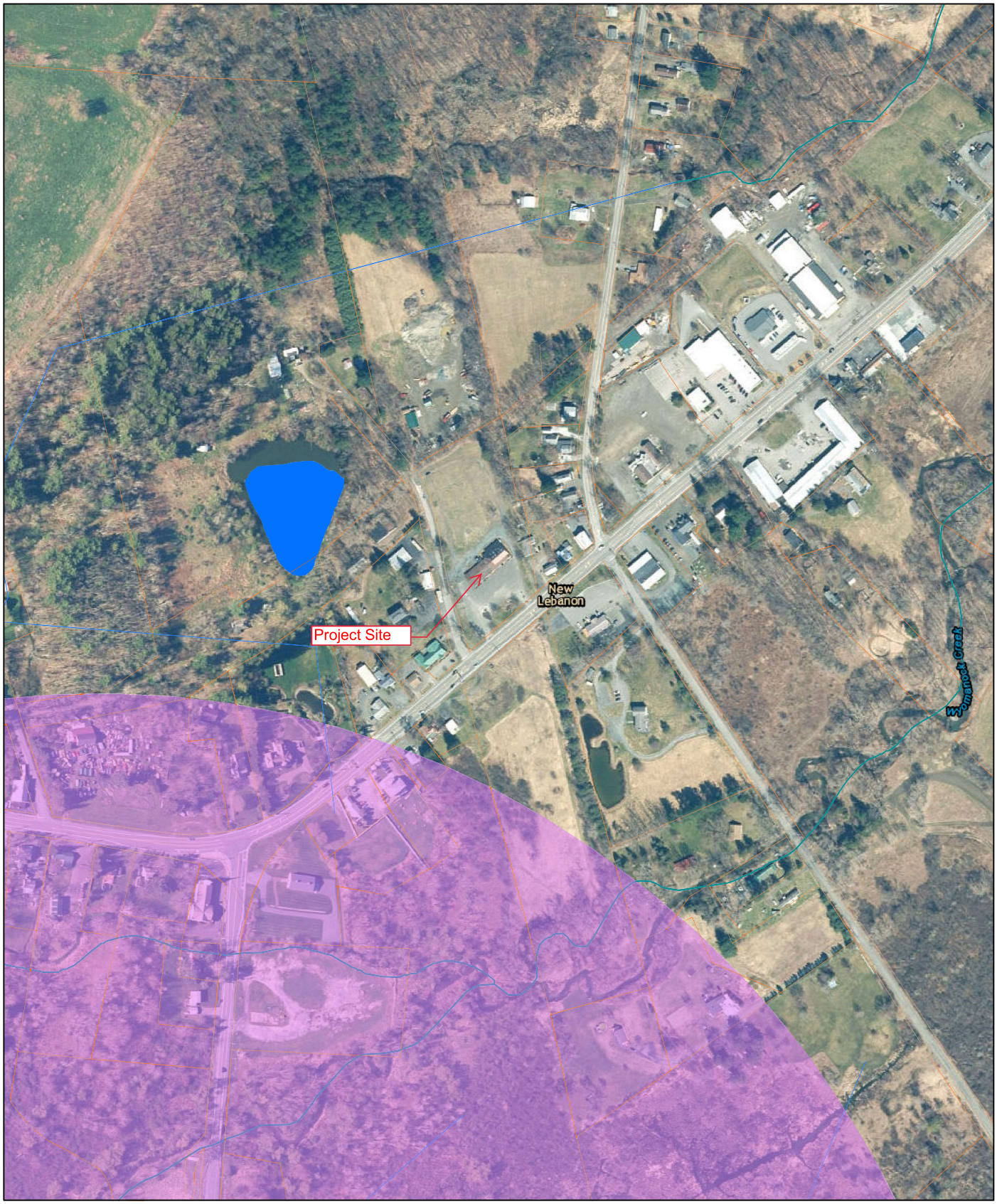
Appendix 2.6

NYSDEC Environmental Resource Maps

Tilden Project

PZ Clerk Rec'd
07.02.25



July 1, 2025

1:4,514

0 0.04 0.07 0.15 mi

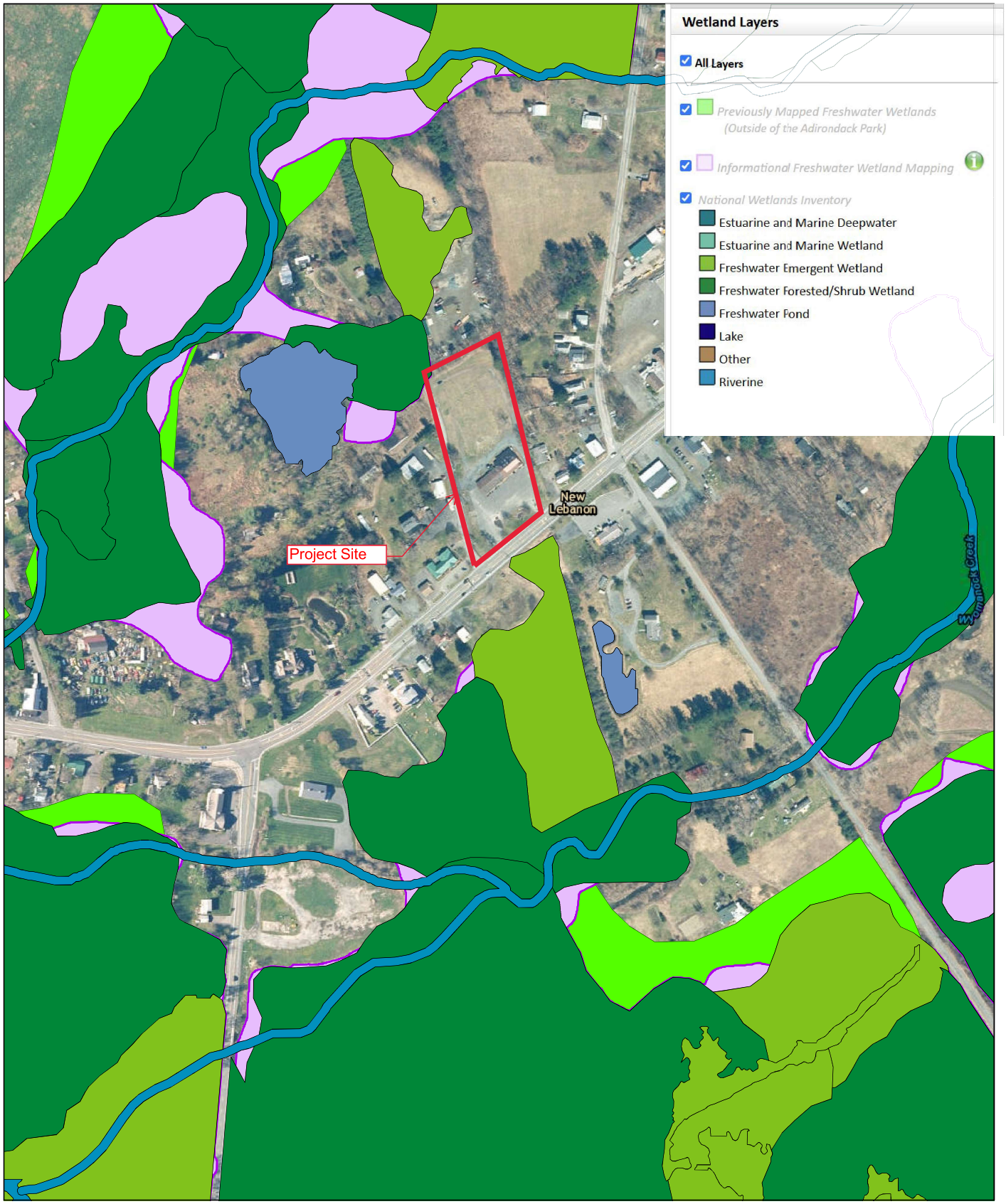
0 0.05 0.1 0.2 km

New York State, Maxar, Esri, HERE, Garmin, iPC

NYS Department of Environmental Conservation
Not a legal document

Tilden Project

PZ Clerk Rec'd 07.02.25



July 1, 2025

1:4,514

0 0.04 0.07 0.15 mi

0 0.05 0.1 0.2 km

New York State, Maxar, Esri, HERE, Garmin, iPC

NYS Department of Environmental Conservation
Not a legal document

Appendix 3.9

Construction Inspection Log Book

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STORMWATER INSPECTION REPORT

Permit No.:	GP-0-25-001
PROJECT NAME:	Boondocks Motocross Track
CONTRACT NO.:	1
ENGINEER:	Lamont Engineers
CONTRACTOR:	
PROJECT NO.:	2024181
Date/Time:	
Inspector:	
Title:	

INSTRUCTIONS:

1. Describe all construction not in conformance with SWPPP.
2. Identify all corrective measures to be taken.
3. Identify all corrective measures taken since last inspection.
4. Attach map/sketch of disturbed area.
5. Insert photos.

INSPECTION SCHEDULE:
Inspections to be performed at least once every 7 days. If >5 acres are disturbed, perform inspection twice every 7 days. Perform inspections every 30 days during shutdowns.

WEATHER	
TEMPERATURE	°F

SITE CONDITIONS:

Soil Conditions:
- ☐ Dry
- ☐ Wet
- ☐ Saturated
- ☐ Frozen
- ☐ Snow Covered

Discharge:
- ☐ None
- ☐ Light
- ☐ Moderate
- ☐ Heavy

Offsite Sediment Tracking:
- ☐ None
- ☐ Light
- ☐ Moderate
- ☐ Heavy

Condition of Discharge:
- ☐ N/A
- ☐ Clean
- ☐ Evidence of Turbidity

Contrast to Receiving Water:
- ☐ Yes
- ☐ No
- ☐ N/A

Disturbance:

Y	N	
☐	☐	Within Limits of the approved plans
☐	☐	Impacting adjacent property

Stockpiles and Waste Areas:

Y	N	
☐	☐	Areas Approved
☐	☐	Perimeter Controls in Place
☐	☐	Stabilized within 7 days of last use

COMMENTS:
Describe or show on map: Total area of active disturbance, total area inactive disturbance, total area with temporary stabilization and total area with final stabilization.

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STORMWATER INSPECTION REPORT

SITE MANAGEMENT PRACTICES:

- ☐ Stabilized Construction Entrance
- ☐ Construction Road Stabilization
- ☐ Dust Control
- ☐ Concrete Truck Washout
- ☐ Protected Areas
- ☐ Temporary Culverts
- ☐ Winter Stabilization
- ☐ Other
- ☐ Other
- ☐ Other
- ☐ Other
- ☐ Other
- ☐ Other
- ☐ Other

EROSION CONTROL PRACTICES:

- ☐ Check Dams
- ☐ Dewatering Sump Pit
- ☐ Diversions
- ☐ Jute Mesh/RECP
- ☐ Mulch
- ☐ Seeding
- ☐ Other
- ☐ Other
- ☐ Other
- ☐ Other
- ☐ Other

SEDIMENT CONTROL PRACTICES:

- ☐ Filter Strip
- ☐ Dirt Bag
- ☐ Sediment Basin/Trap
- ☐ Silt Fence
- ☐ Storm Drain Inlet Protection
- ☐ Turbidity Curtain
- ☐ Other
- ☐ Other
- ☐ Other
- ☐ Other
- ☐ Other
- ☐ Other

Describe current stage of all SMP's and identify all construction activity not in conformance with SWPPP and technical standards:

Describe corrective action that must be taken to install, repair, replace or maintain E&SC practices and to correct deficiencies with construction of SMP's:

Describe status of all corrective actions that were required by previous inspection:

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STORMWATER INSPECTION REPORT

Photos:

Comments:

Photos:

Comments:

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STORMWATER INSPECTION REPORT

Photos:

Comments:

Photos:

Comments:

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STORMWATER INSPECTION REPORT

Photos:

Comments:

Photos:

Comments:

Signature of
Qualified Inspector: _____