



Homes and Community Renewal

KATHY HOCHUL
Governor

RUTHANNE VISNAUSKAS
Commissioner

July 21, 2025

VIA ELECTRONIC MAIL

Elizabeth Brutsch, Planning Board Chairman
nlpbbrutsch@gmail.com

Re: Request for Lead Agency Status - Tilden Commons, US 20 & 22 and Tilden Road, New Lebanon, NY

Dear Elizabeth Brutsch:

With this letter, New York State Homes & Community Renewal (HCR), through the Housing Trust Fund Corporation (HTFC) and the Housing Finance Agency (HFA), consents to Town of New Lebanon Planning Board's assumption of Lead Agency status in conducting a coordinated State Environmental Quality Review for the proposed project.

HCR's lead agency consent in no way represents any financial commitment to or support of the project, unless or until the developer successfully applies for and is awarded funding by HCR. In the event that HCR makes a future funding award, it would require submission of the following items by the project sponsor. Some of these items may require review by the Lead Agency.

- The project sponsor would be required to submit a copy of a final impact determination letter from the NYS Office of Parks, Recreation and Historic Preservation (OPRHP). The project site review appears to have been "closed" by the OPRHP, however, HCR has not yet received a copy of the final determination letter.
- The project sponsor would be required to submit copies of a SPDES General Stormwater Permit, a Stormwater Prevention Pollution Plan, the water well approval, and the septic approval.
- The project sponsor would be required to submit a copy of a Phase I Environmental Assessment report which must meet, at a minimum, the American Society for Testing and Materials standard for site assessment and include a Vapor Encroachment Screen. Any Recognized Environmental Conditions or environmental concerns would need to be resolved per HCR RFP requirements.
- The project sponsor would be required to submit a copy of all floodplain and water level rise review documents and permits. If the project seeks Federal Funding that is subject to a NEPA review per 24 CFR Part 58, the project must meet the Federal Flood Risk Management Standard (FFRMS) per 24 CFR Part 55. Note that this analysis would require the addition of two feet of elevation to the base flood elevation for the closest Special Flood Hazard Area. All residential areas of the building would need to be constructed above that elevation.
- The project sponsor would be required to submit a copy of all review and permitting documents for: (1) wetlands (including a parcel jurisdictional determination or regional delineation from NYSDEC) and (2) endangered species (USFWS listed Northern Long-eared Bat and Tricolored Bat if the project includes tree cutting that may require time of year restrictions).
- The project sponsor would be required to submit evidence to support compliance with the NYS Smart Growth Public Infrastructure Policy Act. Given the proximity of the Special Flood Hazard Area, a future flood conditions analysis is required per criterion 11 of the form.
- The project sponsor would be required to submit a site suitability analysis (SSA) per HCR requirements. The SSA must include support that the project will not be impacted by existing or future surrounding industrial uses. The SSA must address, but will not be limited to, an analysis of the site to the north of the proposed project site with appears to include an operation involving large trucks.

If you have any questions, please contact me at (518) 486-3379 or heather.spitzberg@hcr.ny.gov.

Sincerely,

Heather Spitzberg
HTFC & HFA SEQR Officer

cc: Darren Scott, HCR Regional Development Director