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January 7, 2026

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

To: Members of the Planning Board

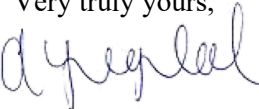
Re: Proposed Tilden Commons Project – January 2026 Submission

As you know, our firm represents Tilden Project LLC, and its partner Hudson River Housing, Inc., 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) in the Town of New Lebanon, New York.

Please see attached submission for the January 2026 Planning Board meeting, which includes the following documents:

- Letter from Alicia Legland, Esq. to the Town of New Lebanon Planning Bd., dated January 7, 2026
- Revised Full Environmental Assessment Form (FEAF) Part 1
- Revised Proposed FEAF Part 2
- Revised Proposed FEAF Part 3 Narrative
- Revised engineering drawing set, which includes:
 - The revised loading dock access and widened road entrance widths to better address truck access to the loading dock, access through the site and as an alternative scenario, entrance through Tilden Road;
 - Updated stormwater plans to include an expanded infiltration basin size to account for a 100-year storm and allowing for treatment of western curb inlets;
 - Additional annotations of the site features; and
 - A preliminary landscaping plan.

Please contact me with any questions or concerns. We look forward to seeing you at the January 2026 meeting.

Very truly yours,


Alicia R. Legland

ARL

Enclosures

cc: Courtney Potter, *Planning Board Clerk*, Town of New Lebanon
Tilden Project LLC

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January 7, 2026

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

The Town of New Lebanon Planning Board (Planning Board) as Lead Agency under the State Environmental Quality Review Act (SEQRA) for purposes of the environmental review of the Tilden Commons (Project) on Route 20 in the Town of New Lebanon (Town) has commenced its review of the Full Environmental Assessment Form (FEAF) Part I and preparation of the FEAF Part 2. The purpose of this letter is to continue to provide guidance and as much assistance as possible to the Planning Board as it navigates the environmental review of the Project. Tilden Project LLC (Applicant) previously submitted a proposed FEAF Part 2, FEAF Part 3, and a FEAF Part 3 Narrative. Enclosed for your review are revised versions of the Applicant’s proposed FEAF Part 2 and FEAF Part 3 Narrative, the latter of which discusses in further detail any items of potential concern raised in the FEAF Part 2 drafted by the Planning Board to date, and provides the analysis as to why such concerns do not rise to the level of a significant adverse environmental impact. The FEAF Part 3 Narrative has been revised to address items raised by the Planning Board during its December 19, 2025 meeting. At such meeting, the Planning Board worked through a first draft of the FEAF Part 2. In doing so, the Planning Board made certain incorrect assumptions, leading to factually inaccurate conclusions on the FEAF Part 2 form, as discussed fully below.

Question 4 – Impact on Groundwater

The Planning Board tentatively checked “Moderate to large impact” on FEAF Part 2 Item 4(c) (“The proposed action may allow or result in residential uses in areas without water and sewer services.”). This is incorrect. This area of the Town is fully served by wells and onsite septic tanks or fields. The Project will include development of 41 apartment units, and the Project will reuse the existing well onsite and replace the existing septic tank/field with a modern, high-quality system suitable for the Project needs. The existing well has been tested and confirmed to have sufficient capacity for the anticipated water use of the entire building (both the residential and commercial uses). Similarly, as demonstrated to the Planning Board, the proposed septic and wastewater facility to be constructed with the building will have a conventional septic tank for solids removal, an Orenco Advantex treatment system for secondary treatment, and UV disinfection system. Thus, Item 4(c) on the FEAF Part 2 should be checked “No, or small impact.”

Question 10 – Impact on Historic and Archeological Resources

The Planning Board incorrectly checked “Yes” on Question 10 of the FEAF Part 2 (“Impact on Historic and Archeological Resources”). Question 10 asks if the proposed action “may occur in or adjacent to a historic or archaeological resource.” As indicated in the FEAF Part 1, no such resources exist on or directly adjacent to the Project site. Further, although the Property is near historic buildings *eligible* for listing (*i.e.*, the Abbott-Perry House, New Lebanon Railroad Depot (which is across the road from the Project), and New Lebanon District No. 8 School), the Applicant provided a letter to the Planning Board from the New York State Office of Historic Preservation (SHPO) dated May 20, 2025, indicating that such agency reviewed the Project plans in accordance with Section 106 of the National Historic Preservation Act of 1966, and concluded 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.

The Planning Board is reminded that this SEQRA process is a coordinated review of a Type I Action, necessarily including review by other agencies, such as SHPO. Here, SHPO was advised of the Planning Board’s proposed status as lead agency, which it did not contest, and has issued a determination as to the potential impact of the Project in the context of historic preservation, finding no impact. The purpose of this process is to address concerns early and rule out areas of potential impact. To this point, the SEQRA regulations state that the lead agency must “make every reasonable effort to involve project sponsors, *other agencies* and the public in the SEQR process. Early consultations initiated by agencies can *serve to narrow issues of significance and to identify areas of controversy relating to environmental issues, thereby focusing on the impacts and alternatives requiring in-depth analysis ...*” 6 NYCRR § 617.3(d) (emphasis added). And agencies involved in the review “ha[ve] the responsibility to provide the lead agency with information it may have that may assist the lead agency in making its determination of significance[.]” *Id.* at § 617.3(e). Here, SHPO has reviewed the proposed Project and determined there will be no impact, thereby narrowing the issues of significance and areas of controversy for the Planning Board to consider.

Thus, Question 10 on the FEAF Part 2 should be checked “No” as the Project will not impact a historic or archaeological resource, as confirmed by an involved agency – the state agency solely responsible for making such determinations.

Question 13 – Impact on Transportation

The Planning Board tentatively checked “Moderate to large impact” on FEAF Part 2 Item 13(c) (“The proposed action will degrade existing transit access.”). This is factually inaccurate. Pursuant to the SEQRA guidance, “[t]ransit services or facilities” include “bus, taxi, train, park and ride lots, parking lots, and subways.” N.Y.S. DEP’T OF ENVTL. CONSERV., *Full Environmental Assessment (FEAF) Workbook, SEQR Environmental Assessment Form Guidance Documents* (“FEAF Workbook”) at 235. The Project will in no way degrade existing transit access. There are no transit services or facilities such as buses, taxis, trains, park and ride lots, or subways in the area that the Project will impact. The Project will also not impact access to existing roads, including U.S. Route 20 and Tilden Road. Rather, the Project will enhance this commercial center of Town, improving the existing commercial property ingress/egress from Route 20 to code compliance and adding two-way internal circulation to a second ingress/egress located towards the

end of Tilden Road, which will allow all Town residents and other regional community members to access the grocery store from both Route 20 and Tilden Road. The Project also includes sufficient parking for residents as well as community members visiting the grocery store. Thus, Item 13(c) on the FEAF Part 2 should be checked “No, or small impact.” And Question 13 can be checked “No,” as it does not appear that any other sub-questions were a concern to the Planning Board, particularly since the Applicant has provided a Traffic Study Report and Traffic Assessment, both of which have been reviewed and accepted by the Planning Board’s engineer, and the Applicant is in the process of obtaining a permit from the Town Highway Department.

Question 14 – Impact on Energy

The Planning Board did not check an option on FEAF Part 2 Item 14(c) (“The proposed action may utilize more than 2,500 MWhrs per year of electricity.”), as it did not have enough information at its meeting on December 19, 2025. To clarify, the Applicant estimates that a typical apartment in the building will use approximately 1,000 kilowatt-hours (KWh) per month based on similar facilities. This would equate to about 500 megawatt-hours (MWhs) annually for the residential portion (1,000 KWh x 41 units x 12 months = 492,000 KWh, which equates to approximately 500 MWh). The Applicant estimates that the commercial portion of the building will use 50 KWh per square foot annually, resulting in an additional estimated 500 MWh per year for the commercial portion. In total, the maximum anticipated annual electrical usage for the entire building would be 1,000 MWh per year, well below the 2,500-MWhr threshold. Thus, Item 14(c) on the FEAF Part 2 should be checked “No, or small impact.”

Question 15 – Impact on Noise, Odor, and Light

The Planning Board tentatively checked “Moderate to large impact” on FEAF Part 2 Items 15(d) (“The proposed action may result in light shining onto adjoining properties.”) and 15(e) (“The proposed action may result in lighting creating sky-glow brighter than existing area conditions.”). However, as indicated in previous submissions to the Planning Board, the Applicant has indicated that although there will be exterior lighting on the building and in the parking lot, for safety of residents and grocery store patrons, 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. The lighting plan included with the application was created by lighting designer Luxsi, an established, respected specialized professional firm with “16 years of experience running an award-winning lighting studio for an international, full-service AE firm, [] specializ[ing] in architectural lighting design, project management, and team alignment.” See <https://www.luxsi.org/about-luxsi>. Although there may be revisions made to the lighting plan as the Planning Board process continues, the proposed lighting will be downcast, shielded, and dark sky compliant. As such, there will not be a “Moderate to large impact” related to light pollution, and Items 15(d) and 15(e) should be checked “No or small impact.”

Question 17 – Consistency with Community Plans

The Planning Board incorrectly checked “Yes” in response to FEAF Part 2 Question 17 (“Consistency with Community Plans”) and tentatively checked “Moderate to large impact” on several of the sub-questions. Question 17 asks whether the proposed action is

consistent, or not, with adopted land use plans. The adopted land use plan in the Town consists of the Town of New Lebanon Comprehensive Plan Update 2021 (Comp Plan). There is also the Zoning Law of the Town of New Lebanon, New York (Zoning Law) which has some relevance to answering this question, specifically as it relates to the development plans or goals for each zoning district as stated in the Zoning Law. Further, the Town of New Lebanon Town Board adopted the Pro-Housing Communities Pledge in October 2023.

As has been previously submitted to the Planning Board, the Project is wholly consistent with the Comp Plan and meets several of its stated goals. The Comp Plan states that one of the Town's weaknesses is the lack of a grocery store and limited affordable rental housing, and that one of its 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 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 an expansion of an existing local business into a highly desired grocery store, and much needed affordable housing. The Project also includes a green space, which squarely fulfills the Town's goal to "[e]xpand recreation opportunities[.]" *Id.* at 65. The Project is indeed wholly consistent with the Comp Plan.

The Project also furthers the goals of the Town Board as stated in the Pro-Housing Communities Pledge by providing affordable housing for the community, with a portion of the units specifically reserved for senior citizens. *See* Town Bd. Res. Dated Oct. 10, 2023 ("the housing crisis has negative effects at regional and local levels ... we believe that supporting housing production of all kinds in our community will bring multiple benefits, including increasing housing access and choices for current and future residents, providing integrated accessible housing options that meet the needs of people with sensory and mobility disabilities, bringing economic opportunities and vitality to our communities, and allowing workers at all levels to improve their quality of life through living closer to their employment opportunities ... we believe that evidence showing that infill development that reduces sprawl and supports walkable communities has significant environmental and public health benefits"). The Project will assist the Town in meeting its policy goals of expanding housing opportunities for the benefit of the Town and region.

Further, the Project is fully consistent with the Town's plans for the Central Commercial (CC) District as stated in Section 205-4(B)(3) of the Zoning Law. The CC District serves as 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 densest 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.”) (emphasis added); *see also* Comp Plan at 19 (“the Routes 20/22 corridor, which has been considered the “center of Town” for the last few decades.”). 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 Zoning Law and Comp Plan. Thus, the Planning Board should check “No” to Question 17.

Assuming the answer to Question 17 was “Yes,” the Planning Board tentatively checked “Moderate to large impact” on Item 17(a) (“The proposed action’s land use components may be different from, or in sharp contrast to, current surrounding *land use pattern(s)*.”) (emphasis added). Item 17(a) focuses on *land use* – not the size and scale of the proposed development. The Project is directly adjacent to another apartment building and is surrounded by other commercial uses, including shopping centers, restaurants, stores, a barber shop, gas stations, etc., as well as community services, including the library and community center. The uses involved in the Project—multifamily residential and commercial—are the same uses of land surrounding the Property and which make up this central commercial area of the Town. And these are the exact types of land uses proposed for this area of the Town as stated in the Comp Plan and Zoning Law. This is the most “consistent” area of the Town in which this type of development could be placed. To say the Project is inconsistent with the surrounding land use patterns of this area of the Town is factually inaccurate. If required, the Planning Board should check “No or small impact.”

The Planning Board also tentatively checked “Moderate to large impact” on Item 17(c) (“The proposed action is inconsistent with local land use plans or zoning regulations”). As discussed above, there is simply no reasonable reading of the Comp Plan that leads to the conclusion that the Project is inconsistent with the goals as stated therein. Further, the Planning Board seemed to indicate that because the Applicant is seeking an area variance from the Town of New Lebanon Zoning Board of Appeals (ZBA) for relief from the requirement in Zoning Law § 205-13(E)(10)(a) that multifamily dwellings be sited on property with a minimum lot size of 5,000 square feet per dwelling unit, that there is a “Moderate to large impact” on consistency with community plans. However, as the Planning Board is aware, after due consideration of the proposed project as well as a review of the five factors of the area variance test,¹ the ZBA took a straw poll at its regular meeting in August 2025 indicating that it would grant the area variance.

¹ When considering an area variance application, the ZBA “shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the board shall also consider: (1) *whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance*; (2) whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance; (3) whether the requested area variance is substantial; (4) *whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district*; and (5) whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.” Zoning Law § 205-12(C)(3)(b) (emphasis added).

Similarly to SHPO discussed above, the ZBA is an involved agency in this SEQRA process and is the agency with the most relevant expertise related to the Applicant's consistency with the requirements of the Zoning Law. In making an informal determination, the ZBA necessarily considered whether "an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance" and whether the "proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district," and determined that, on balance, the benefit of the area variance outweighs any potential detriment to the neighborhood or community.² No design changes have occurred that would require a change to the requested area variance since this meeting, and as such, the ZBA will more than likely grant this area variance once the SEQRA process concludes. As such, with the area variance, the Project is entirely consistent with the Zoning Law. And even without the area variance, the Project is consistent with the goals for the CC District as stated in the Zoning Law as well as the area of the Town generally, which is in no way significantly impacted by the minor deviation of the proposed building from the lot size per dwelling unit requirement. As such, the Planning Board should check "No or small impact."

Lastly, the Planning Board also tentatively checked "Moderate to large impact" on Item 17(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."). The Project will increase the density of the property – converting an abandoned property into a mixed-use building with 41 apartment units and a grocery store. However, this increase in density will be fully supported by existing infrastructure as well as the upgrades to the electrical infrastructure that the Applicant will provide (documentation for which has been provided to the Planning Board). The SEQRA guidance states that Item 17(e) "explores whether the proposed project will result in a change in density that will require new or expanded infrastructure[]" including "water, sewer, new or upgraded roads, sidewalks or paths, and solid waste facilities." FEAF Workbook at 259. The Project will not require upgrades to any such facilities as the onsite well has been determined to fully support the anticipated water use for the building, and the Applicant will be installing a septic and wastewater treatment system as part of the building construction which will fully support the anticipated wastewater production for the building. As previously submitted to the Planning Board and discussed in the proposed FEAF Part 3 Narrative, there will be no significant impacts to local roads or sidewalks requiring any improvements thereto. Similarly, the Applicant will provide for the requisite upgrades to the local substation to fully support the electrical needs of the Project. As such, the Project will be fully supported by all current infrastructure as well as the planned improvements to such infrastructure included in the Project design. As such, the Planning Board should check "No or small impact."

Question 18 – Consistency with Community Character

The Planning Board incorrectly checked "Yes" in response to FEAF Part 2 Question 18 ("Consistency with Community Character") and tentatively checked "Moderate to large impact" in response to Item 18(b) ("The proposed action may create a demand for additional community services (e.g. schools, police and fire).") and Item 18(e) ("The proposed action is inconsistent with the predominant architectural scale and character."). The "Yes" response to

² See Zoning Law § 205-12(C)(3)(b).

Question 18 seems to stem from the Planning Board's continued, baffling preoccupation with the daily operation and functioning of the New Lebanon Central School District (the School District). This is despite the fact that the Planning Board has yet to articulate what the impact would be from the increase in demand for services (as such increased demand does not, in itself, create an environmental impact).

Rather, the Planning Board is again inappropriately stepping into the shoes of the School District and attempting to illegally expand its jurisdiction beyond review of environmental impacts. A simple review of the transcript of the Planning Board's December 19, 2025 meeting demonstrates the board's inappropriate consideration of the School District's financial operations as somehow related to the environmental impacts of the Project:

“Planning Board Chair: I think that there would be some trouble adjusting, because now we're looking at, compared to ten years ago, 1 in 4 students requires special education. I believe there's three self-contained classrooms now that, if we have to farm those kids out, we're looking at over ninety thousand dollars a kid. So now we're looking at an increase in taxes, which could mean... Great, we get 20 extra kids in school, but our budget goes down every year, because we now have to turn those classrooms back into general education classrooms... And we're bussing basically sixteen kids out at ninety thousand dollars... So do you build the addition... I'm just saying that it's something that has come up. It will come up as a secondary development impact. It could be moderate to large. It could be great for the community. Or it could be negative to the community. I guess, as Stef said, reviewing the guidance on whether we can qualify that... I just thought I'd bring it up because it has been a concern.”

This discussion is far beyond the concerns of the Planning Board and, most concerningly, does not appear to be based on any evidence on the record before the Planning Board. This is a discussion for the school board to have during its meetings—this is not relevant to the Planning Board's environmental review of the Project. Fortunately, not all Planning Board Members seem to suffer from this obsession with the financial considerations and operational functions of the School District:

“Planning Board Member: I've got a comment on the educational. They've been concerned over the last ten years that their population is reducing, reducing, reducing, and there's empty classrooms, empty classrooms, empty classrooms. I know that they're taken up some of those classrooms with special ed, but to readjust to what they have been asking... hoping from the public... bring more people into the area and increase the number of people in the schools... Well, suddenly, if the number of people is going to be increased going to the schools, that's what they've been asking for for the last ten years. I think they wouldn't have a problem with any type of adjustment, whether it's elementary, high middle school.”

“Planning Board Member: Their job is to educate. I was actually reading about how, for a facility of this size, with this many one- and two-bedroom units, how many kids would be expected to show up, and I think I came up with 15. Given the class size, normal students, the average students, distributed over all the grades, can

easily fit in without hiring a new teacher or breaking out a new classroom. Our school head counts are really small. But as Elizabeth said, one of the big concerns is special needs kids. But they can crop up anywhere.”

“Planning Board Member: It’s funny, because the Town had a relatively recent population increase that was greater than how this is going to increase the Town, and apparently the Town survived that without detrimental things to its schools or its fire department or its police department. So that might be something that Chris is talking about that goes into counteracting the moderate...”

Despite this inappropriate expedition into the minutiae of the School District’s finances and operations, in response to the Planning Board’s question during its December 19, 2025 meeting, the Applicant and its partner Hudson River Housing, Inc. (HRH) conducted research into housing developments HRH manages and estimates the proposed building to house approximately 15 to 18 school-age children. The School District can more than handle this sorely needed increase in enrollment.

We again urge the Planning Board to maintain its impartiality as it considers any potential community impacts to the Town as it conducts its environmental review of the Project. We also strongly encourage the Planning Board to revisit our letter dated September 17, 2025, countering the School District attorney’s baseless claims that the Project will have irreparable negative impact on the School District and outlining the confines of the Planning Board’s legal jurisdiction related to its SEQRA process. That letter is attached hereto for ease of reference.

Further, the Planning Board also seemed to support its “Yes” to Question 18 by arguing that even though the proposed building will be sited amongst the largest buildings in town and amongst the buildings with the most parking in town, the proposed building is inconsistent with community character because it will be “large” and will have “a lot of parking.” Certain questions in the FEAF Part 2, like this one, require a level of judgment and perspective left to the lead agency’s discretion. However, the Planning Board cannot reasonably conclude that because the proposed building is *slightly* taller and has *slightly* more parking than the other commercial buildings in this commercial center of the Town, that the Project is inconsistent with community character. Such conclusion goes far afield of reality. To be clear, the proposed building is within feet of the height, length, square footage, etc. of other similarly situated commercial and residential buildings in this area of the Town:

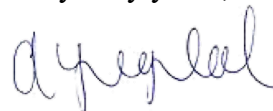
	Tilden Commons	Midtown Mall	Larabee	Valley Plaza	Tilden Mansion
Height	43 ft.	Approx. 28 ft.	Approx. 30 ft.	Unknown	Approx. 38 ft.
Stories	3	2	1	N/A	3
Length	291 ft.	Approx. 340 ft.	Approx. 265 ft.	Approx. 220 ft.	Approx. 105 ft.
Parking spaces	116	99	N/A	N/A	N/A
Square footage	55,430 sf.	Approx. 36,000 sf.	Unknown	Unknown	Unknown

Moreover, as previously submitted to the Planning Board, 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, Use Table. The residential portion of the Project, specifically, as a specially permitted use establishes a legislative determination by the Town Board that such land uses are “in harmony with the general zoning plan and will not adversely affect the neighborhood.” *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); *see also* Zoning Law § 205-4(B)(3) (the CC District “represents the ‘Town center’ of New Lebanon, having the densest 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.”); Comp Plan at 19 (“the Routes 20/22 corridor, which has been considered the “center of Town” for the last few decades.”).

Lastly, as previously discussed at length with the Planning Board at prior meetings, the proposed building has been specifically designed to complement the Town’s rural character and Shaker history. *See* Applicant’s Planning Board Architecture Memo, July 2, 2025 (“The proposed building is a traditional New England–style barn ... 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 ... come from the local classic vernacular agricultural architecture, whose buildings are often much larger than the proposed project.”). The building also intentionally 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”). Indeed, the Project is wholly consistent with the community character. The Planning Board should answer “No” to Question 18, or in the alternative, should check “No or small impact” to Items 18(b) and 18(e).

We appreciate your consideration of this letter. Please do not hesitate to contact me with any questions or concerns.

Very truly yours,



Alicia R. Legland

ARL

Enclosures

cc: Courtney Potter, *Clerk*, Town of New Lebanon Planning Board
Tilden Project LLC

Exhibit

Alicia R. Legland
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September 17, 2025

VIA ELECTRONIC MAIL/HAND DELIVERY

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

Re: Tilden Commons

To: Members of the Planning Board

Our firm represents Tilden Project LLC (Applicant) in connection with its efforts to develop Tilden Commons (the Project) on Route 20 in the Town of New Lebanon (Town). This letter is in response to the comments of Keane & Beane P.C., attorneys for the New Lebanon Central School District (District), dated September 10, 2025 (the Letter).

I. It is Not Legally Permissible for the Planning Board to Consider Potential Economic Impacts to the District, Real or Imagined, when reviewing the Full Environmental Assessment Form (FEAF) Part 2.

The District's attorney erroneously states that it is the Applicant's responsibility to provide a financial analysis of the potential fiscal impact on the District from the inclusion of additional students potentially residing at Tilden Commons, and that the Planning Board "must" consider this analysis when completing the FEAF Part 2. This is legally incorrect for several reasons.

1. Financial impacts to a school district are *not* environmental impacts to be reviewed as part of the FEAF Part 2 required under the State Environmental Quality Review Act (SEQRA).

The Planning Board, as Lead Agency under SEQRA, is required to determine the significance of the Project, which it will do by reviewing the FEAF Part I and preparing the FEAF Part 2. Section 617.7(c) of the SEQRA regulations provides the criteria for determining significance of a proposed action. Although this list is not exhaustive, it is critical that none of these criteria relate, *even remotely*, to fiscal impacts on a local school district. These criteria are:

- 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 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 impairment of the environmental characteristics of a Critical Environmental Area
- The creation of a material conflict with a community's current plans or goals as officially approved or adopted
- The impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character
- A major change in the use of either the quantity or type of energy
- The creation of a hazard to human health
- A substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses
- The 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
- The creation of a material demand for other actions that would result in one of the above consequences
- 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
- 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 [above] criteria

6 NYCRR § 617.7(c)(1) (emphasis added).

The New York State Department of Environmental Conservation's (NYSDEC's) SEQRA Handbook also specifically addresses this issue, in direct contradiction to the inaccurate claims of the District's attorney. The SEQRA Handbook states that a determination of significance may not be based on economic costs and social impacts, but instead, must be based on impacts to physical conditions. See NYS DEP'T OF ENVTL. CONSERV., *The SEQRA Handbook* (4th Ed. 2020) at 85 ("**34. May determinations of significance be based on economic costs and social impacts? No.** A determination of significance is based on the regulatory criteria relating to environmental significance as set out in 617.7(c). Also, the definition of 'environment' set out in 617.2(l) includes 'physical conditions' that will be affected by a proposed action. For instance, impacts to physical conditions related to community character would include noise, aesthetics, and traffic, and are properly 'environmental'. However, potential impacts relating to lowered real estate values, or net jobs created, would be considered economic alone, not environmental.") (emphasis added); see also *Valhalla Union Free School Dist. v. Bd. of Legislators of County of Westchester*, 183 A.D.2d 771 (2d Dep't 1992). Indeed, the Planning Board's basis of a determination of significance on the purported fiscal impacts to the District, whether accurate or not, would be impermissible per the NYSDEC's own SEQRA guidance.

Further, the District's attorney is also under the mistaken impression that because Subsection (b) to FEAF Part 2, Item 18 ("Consistency with Community Character") asks whether "[t]he proposed action may create a demand for additional community services (e.g. schools,

police and fire)[,]” that this allows the Planning Board to impermissibly consider financial impacts to the District. That is incorrect. First, the Project is fully consistent with the community character of this area of the Town, as described more fully in our letter to the Planning Board dated July 2, 2025. The Project is a specially permitted use under the local zoning law, which represents a legislative finding that the permitted use is in harmony with the Town’s zoning plans and will not negatively impact the neighborhood; the Project is proposed to be located in the commercial center of Town; the Project was intentionally designed to be consistent with the architectural style of the Town; and the Project fulfills the Town’s goals as stated in its Comprehensive Plan for a grocery store and affordable housing. The process for completing the FEAF Part 2 only requires answering the subsections where the lead agency answers “Yes” to the larger question. Here, the Planning Board would not reach this subsection because the Project is consistent with community character.

Second, even if the Planning Board answered “Yes,” and reached this subsection (b), fiscal impacts to the District would still not be a relevant consideration for the Planning Board. As stated, when making a determination of significance, the Planning Board must consider potential environmental impacts, *i.e.*, potential impacts to physical conditions from the Project, *not* solely economic or social impacts. This subsection (b) *could be* relevant in a situation where a proposed project requires the local fire department to expand its firehouse, or build a new one, to be able to support any fire response needs of the proposed project, thereby creating a potential tangible impact to the environment (*e.g.*, the new firehouse would need an additional water supply, it would increase the electric load, it would need a new ingress/egress point from the road, etc.). This subsection (b) would *not* be relevant in a situation where a proposed action would require the local fire department to hire an additional firefighter to meet the increased needs of the department from the proposed project. The District’s allegations that the Project would increase the number of students, thereby having a fiscal impact on the District, such as the need for more teachers, would fall into that second category. It is *not* creating an environmental impact, as there is no physical condition being impacted. The District does not need to build a new school, which would generate various physical impacts, because of the potential increase of students as a result of the Project. The District’s concerns are purely financial. Thus, if the Planning Board reaches this subsection (b), it would be required to check “No or small impact may occur.”

2. The Planning Board is not legally authorized under Article 16 of New York Town Law to consider financial impacts to the District, whether plausible or not.

New York Town Law Article 16, titled “Zoning and Planning,” is the State law that empowers municipalities to enact zoning laws and regulate land uses within the municipal boundaries. The State granted local town boards the authority to enact local laws to govern zoning and land use, including the authority to

regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts, and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes[.]

N.Y. Town Law § 261 (McKinney 2013) (emphasis added). Notably, there is nothing related to financial impacts of a school district within the ambit of this delegated zoning authority.

The State delegates this zoning power to local town boards, which in turn create other local boards, like planning boards and zoning boards of appeal. Once created, the town boards delegate this zoning power to such boards (*e.g.*, the authority to grant variances to a zoning board of appeals and the authority to grant special use permits to a planning board). As such, the Planning Board only has the authority enumerated under Article 16 of New York Town law, as delegated to it from the Town Board. *See* N.Y. Town Law § 271(1) (“The town board of each town is hereby authorized by local law or ordinance, to create a planning board ...”).

There is nothing in New York Town Law Article 16, or the local town code enacted by the Town of New Lebanon Town Board, that authorizes the Planning Board to consider fiscal impacts to the District when exercising its purely delegated authority to review applications for special use permits and site plan approval.

3. The District’s concerns stem from the possibility that the Applicant may seek a Payment in Lieu of Taxes (PILOT) agreement with the Town, which is far too speculative a concern upon which to base a determination of significance.

When determining significance of a proposed action, the lead agency should not address potential impacts that are too speculative. *See Village of Chestnut Ridge v. Town of Ramapo*, 99 A.D.3d 918 (2d Dep’t 2012) (holding that consideration of speculative environmental consequences is improper during SEQRA review); *Chinese Staff and Workers Ass’n v. Burden*, 88 A.D.3d 425, 433 (1st Dep’t 2011), *affd.* 19 N.Y.3d 922 (2012) (It is neither arbitrary and capricious nor a violation of environmental laws for a lead agency “to ignore speculative environmental consequences which might arise”); *see also* NYS DEP’T OF ENVTL. CONSERV., *The SEQRA Handbook* (4th Ed. 2020) at 5, 79-80 (“The court decisions have also stated that not every conceivable impact needs to be considered—*speculative impacts may be ignored* ... If a potential impact is too speculative, it should not be addressed ... an environmental assessment must be limited to impacts that are probable, not speculative ... As with direct impacts, assessment of cumulative impacts should be limited to consideration of reasonably foreseeable impacts, not speculative ones.”) (emphasis added).

As such, it would be impermissible under New York case law and the NYSDEC’s own SEQRA guidance to base its determination of significance on alleged financial impacts to the District from the Applicant seeking a PILOT, which is entirely speculative at this point.

II. Even if it was Appropriate for the Planning Board to Consider Economic Impacts to the District under SEQRA, which it is not, there are No Negative Impacts on the District that Will Result from the Project.

Although these considerations are not appropriate for the Planning Board to consider as part of its determination of significance under SEQRA, if the Planning Board insists on illegally analyzing the fiscal impact of the Project on the District, it must review the following facts.

1. The Applicant intends to pay its full property taxes, which would be calculated under Real Property Tax Law § 581-a, as required by law. And if the Applicant seeks a PILOT agreement with the Town, the PILOT payment would be commensurate with its projected annual property taxes.

Although it is subject to change based on a variety of factors, at present, the Applicant has an income capitalization pro forma that is projecting annual property taxes of \$51,193.97. The grocery store portion of the Project is also currently estimated to generate at least \$10,000.00 in annual property taxes. At over \$60,000.00 in total property taxes, this would make the Project the largest property taxpayer in the entire Town. And, if the Applicant seeks a PILOT, the PILOT payment would be close to, if not the same as, this property tax payment. Based on the Applicant's prior interactions with New York State Homes and Community Renewal (HCR), which will grant the funding for the Project, it is the Applicant's perspective that in a funding application where a PILOT is sought, the closer the proposed PILOT payment is to the calculated property tax payment, the more competitive the application is. Based on the Applicant's experience, HCR sometimes requires PILOTs as a way to provide certainty of the annual property tax expense, for both the project owner and local municipality, rather than a way to avoid paying property taxes or reduce the amount of revenue generated for the municipality. As such, although it is not yet known whether a PILOT will be sought for the Project, the Town can expect to receive a significant amount of annual revenue from the Project in the form of either property taxes or a PILOT payment. There is, therefore, no financial impact to the District.

2. The District was designed for a 13:1 student to teacher ratio, but currently operates with a 9:1 student to teacher ratio.

The District was designed with a 13:1 student to teacher ratio—the State average. Many years ago, the District had over 700 students with a 30:1 student teacher ratio. However, due to consistent decreases in enrollment over the last several years, the District only operates with a 9:1 student teacher ratio. Indeed, the infrastructure of this District exists to accommodate new students and it would be a benefit to a District that has experienced such significant decreased enrollment.

3. The Project could result in increased State aid for the District.

State aid to school districts is based on the average income of district residents, enrollment, and property values. The Town is a lower-than-average income community, but due to some very high-income individuals, the District has a high average income. This means that the District receives less State aid than it ordinarily would. But the Project presents the opportunity for lower income taxpayers to live in the Town, which will bring the average district income down, resulting in the possibility of more State aid to the District. Further, if the Project results in more students in the District, this will increase overall enrollment, thereby further attracting increased State aid for the District.

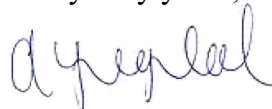
4. The District is invoking its recent budget vote, which did not pass, as evidence of some type of financial crisis that does not exist.

The defeated budget vote was evidence only of a local political problem. Unfortunately, the District has had consistently low turnout for its school budget votes over the last several years. This year, due to low turnout and other political factors, the effort to increase taxes by 15% lost by only a few votes. Realizing this, members of the community became concerned and got engaged, and efforts were made to inform voters about the importance of the District's budget. The second effort passed easily. School districts adapt to changes in enrollment and taxes every year. That is what they do. As a hypothetical, if all the households in town with no school age children moved out of Town, and those homes were replaced with households with school age children, the same increase of students would happen, but none of the Town's boards would have any involvement and the District would just have to adapt—as they are required to do. The District is more than capable of accommodating new students and in any case, they will receive adequate revenue from the Project either in the form of property taxes or a PILOT payment.

We strongly urge the Planning Board to think carefully about the comment letters it has received from the District's attorney. The first letter made grossly inaccurate claims about conflicts of interest that were blatantly incorrect, legally and factually, as no conflicts of interest exists at all. And now, the District's attorney is trying to inappropriately influence the Planning Board to weaponize its review of the potential *physical, environmental impacts* of the Project under SEQRA to pander to the unfounded concerns of the District about its own finances. None of this is appropriate. It appears the District is simply opposed to development in the Town that would bring any new students to its schools, which is a pretty odd stance for a struggling school district to take. One then wonders what the motivations of the District really are here.

We thank you for your consideration of this letter. Please contact me with any questions or concerns.

Very truly yours,



Alicia R. Legland

ARL

cc: Courtney Potter, *Planning Board Clerk*, Town of New Lebanon (*via email*)
Stephanie Ferradino, Esq., *Planning Board Attorney*, Town of New Lebanon (*via email*)
Town of New Lebanon Zoning Board of Appeals (*via email*)
Tilden Project LLC (*via email*)

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

Instructions for Completing Part 1

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

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

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

A. Project and Applicant/Sponsor Information.

Name of Action or Project:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
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:

B. Government Approvals

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

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees <input type="checkbox"/> Yes <input type="checkbox"/> No		
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources. <ul style="list-style-type: none"> i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input type="checkbox"/> No ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input type="checkbox"/> No 		

C. Planning and Zoning

C.1. Planning and zoning actions.

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

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

C.2. Adopted land use plans.

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

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

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? Yes No
 If Yes, identify the plan(s):

C.3. Zoning

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

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? _____

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

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

d. What parks serve the project site?

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)?

b. a. Total acreage of the site of the proposed action? _____ acres
 b. Total acreage to be physically disturbed? _____ acres
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 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.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

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

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ 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? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 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: _____ gallons/day

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

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

iii. Will line extension within an existing district be necessary to supply the project? Yes No
 If Yes:

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

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

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

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

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

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

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

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

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

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

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No • Will a line extension within an existing district be necessary to serve the project? <input type="checkbox"/> Yes <input type="checkbox"/> No <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ _____ _____ 	
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ 	
<p>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):</p> <p>_____</p> <p>_____</p>	
<p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____</p> <p>_____</p> <p>_____</p>	
<p>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? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p style="padding-left: 40px;">_____ Square feet or _____ acres (impervious surface)</p> <p style="padding-left: 40px;">_____ Square feet or _____ acres (parcel size)</p> <p>ii. Describe types of new point sources. _____</p> <p>_____</p> <p>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)?</p> <p>_____</p> <p>_____</p> <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ _____ • Will stormwater runoff flow to adjacent properties? <input type="checkbox"/> Yes <input type="checkbox"/> No 	
<p>iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>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? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)</p> <p>_____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)</p> <p>_____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)</p> <p>_____</p>	
<p>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? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>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) <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 	

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

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

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No
 If Yes:
i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.
ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____
iv. Does the proposed action include any shared use parking? Yes No
v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

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

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No
 If Yes:
i. Estimate annual electricity demand during operation of the proposed action: _____

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

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>i.</i> During Construction: <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<i>ii.</i> During Operations: <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
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<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>n. Will the proposed action have outdoor lighting? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p> <p>_____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ _____ • Operation: _____ _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ _____ • Operation: _____ _____ 	

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

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

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No
 If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.
 i. Check all uses that occur on, adjoining and near the project site.
 Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____
 ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

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

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

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

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

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

 iii. Describe any development constraints due to the prior solid waste activities: _____

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

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

 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): _____
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

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

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

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ 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: _____ %
 _____ %
 _____ %

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

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

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ % 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 _____ 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: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____	
n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Species and listing: _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, give a brief description of how the proposed action may affect that use: _____ _____	
E.3. <u>Designated Public Resources On or Near Project Site</u>	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on 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: _____
 iii. Brief description of attributes on which listing is based: _____

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

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No
 If Yes:
 i. Describe possible resource(s): _____
 ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No
 If Yes:
 i. Identify resource: _____
 ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____
 iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No
 If Yes:
 i. Identify the name of the river and its designation: _____
 ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

F. Additional Information

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

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

G. Verification

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

Applicant/Sponsor Name _____ Date _____

Signature  _____ Title _____

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

Project :

Date :

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

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

Tips for completing Part 2:

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

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

<p>2. Impact on Geological Features</p> <p>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) <input type="checkbox"/> NO <input type="checkbox"/> YES</p> <p><i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i></p>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

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

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater NO YES

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

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

5. Impact on Flooding NO YES

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2)
If "Yes", answer questions a - g. If "No", move on to Section 6.

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

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

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

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

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

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

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

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

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

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

13. Impact on Transportation The proposed action may result in a change to existing transportation systems. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.j) If "Yes", answer questions a - f. If "No", go to Section 14.			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy The proposed action may cause an increase in the use of any form of energy. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.k) If "Yes", answer questions a - e. If "No", go to Section 15.			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

15. Impact on Noise, Odor, and Light The proposed action may result in an increase in noise, odors, or outdoor lighting. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.m., n., and o.) If "Yes", answer questions a - f. If "No", go to Section 16.			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

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

16. Impact on Human Health			
The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) <i>If "Yes", answer questions a - m. If "No", go to Section 17.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

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

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

Revised Jan. 7, 2026

Proposed Environmental Assessment Form Part III Narrative

Tilden Commons

Town of New Lebanon Planning Board

Introduction

Tilden Project LLC (Applicant) proposes to develop 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 comprising a grocery store and multi-family residential space with 41 affordable apartment units, as well as green space. 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, began preparing the Full Environmental Assessment Form (FEAF) Part 2, and will prepare the FEAF Part 3.

To further assist the Planning Board in its environmental review, the Applicant has completed this proposed FEAF Part 3 narrative to indicate why any areas of concern identified by the Planning Board in the 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 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)
- Consistency with Community Plans (FEAF Part II, Item No. 17)
- Consistency with Community Character (FEAF Part II, Item No. 18)

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, as the work will be conducted in a fully enclosed building.

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 green space. 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 green space, 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 is abandoned and 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 not require a new water supply well. Moreover, based on the results of the 72-hour pump test, it was determined that the proposed building's use of water will not negatively affect any neighboring properties' wells or water supply. 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. This is not a case of large-scale development in a rural area with no suitable infrastructure. This area of the Town is fully served by wells and onsite septic tanks or fields. But in any case, the Property has a well that will fully satisfy the increased water supply demand. *See* response to Item 2.a, above. The proposed wastewater system for the building will also more than satisfy the anticipated amount of wastewater to be produced by the residents and commercial tenant.

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. The site wastewater is going to be treated to surface water discharge quality standards but will be discharged onsite to the subsurface to avoid creation of additional surface water on neighboring properties. Meaning, once the water is treated, it will be discharged to a subsurface stormwater dispersal structure to allow the wastewater to percolate into the existing site soils, similar to a leach field. *See* Water and Sanitary System Engineer's Report, dated Dec. 2, 2025. 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 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.

2.h) Other impact: existing well contamination.

The current onsite well was found to be contaminated with coliform, high iron, and other contaminants which would require treatment in addition to the chlorination that would be required to comply with New York State Department of Health and Columbia County Department of Health standards. Pending additional testing to verify the exact conditions, water treatment will either be provided using a greensand or reverse osmosis treatment system and necessary storage to meet the anticipated maximum demand of water for the Project. As such, given the additional treatment and storage that will be provided, 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 (which is across the road from the Project), 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 highway, U.S. 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.*

Further, the Applicant retained Creighton Manning Engineering & Surveying, PLLC (CM) to conduct a Traffic Assessment, dated November 25, 2025. After conducting a site survey, traffic data collection, and traffic modeling, CM concluded that the Project will generate

56 new vehicle trips during the AM peak hour, 133 new vehicle trips during the PM peak hour, and 160 new vehicle trips during the Saturday peak hour ... It is noted that the distribution of travel in and out of the site will result in a maximum increase of approximately 35 new trips on any one approach of the study area intersections. The level of service analysis indicates that the unsignalized study area intersections will operate at LOS C or better through Build conditions during the AM and PM peak hours with an increase in average vehicle delay less than two (2) seconds to any movement. No mitigation is recommended at these existing locations.

A review of expected queuing at the study area intersections indicates that construction of the Tilden Mixed-Use Development will not significantly increase queuing during the peak hours when compared to No-Build conditions. The SimTraffic simulation indicates that adequate traffic operations will be provided at the Site Driveway intersections on US Route 20 and Tilden Road. (emphasis added).

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. Further, the New York State Department of Transportation (NYSDOT) reviewed the Project plans and determined that "they are concurrent with NYSDOT regulations and requirements. At this point, the project has completed the technical review process and upon providing the contractor's insurance and bonding certificates, NYSDOT can issue a permit for the

project.” Ltr. from NYSDOT to Lamont Engineers, dated Nov. 24, 2025. Lastly, the Applicant is in the process of obtaining a permit from the Town Highway Department. 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.

Pursuant to the SEQRA guidance, “[t]ransit services or facilities” include “bus, taxi, train, park and ride lots, parking lots, and subways.” N.Y.S. DEP’T OF ENVTL. CONSERV., *Full Environmental Assessment (FEAF) Workbook, SEQR Environmental Assessment Form Guidance Documents* (“FEAF Workbook”) at 235. The Project will in no way degrade existing transit access. There are no transit services or facilities such as buses, taxis, trains, park and ride lots, or subways in the area that the Project will impact. The Project will also not impact access to existing roads, including U.S. Route 20 and Tilden Road. Rather, the Project will enhance this commercial center of Town by adding three vehicular access points to the Property as well as sufficient parking, which will allow all Town residents and other regional community members to access the grocery store and green space 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 U.S. Route 20, runs along Tilden Road for the length of the building, and then circumnavigates the green space. Meaning, anyone walking along U.S. Route 20 could enter the footpath and walk to the grocery store (though pedestrian use of U.S. Route 20 is quite limited at present, but that may change given the Town’s \$2.5M CRP Grant awarded for the proposed New Lebanon Walkable Downtown project. This will add 5-foot-wide stone dust sidewalks to sections of US Route 20, from New Lebanon High School to the New Lebanon Library and from Midtown Mall to the Roaring 20’s Brewery & Taphouse). 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 green space. 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.

Further, as discussed further above, the Applicant has provided a Traffic Study Report as well as a Traffic Assessment, indicating that the existing traffic conditions of US Route 20 can support the expected increase in traffic from the Project without significant degradation to local traffic operations and that the Project will not significantly increase queuing during the peak hours when compared to No-Build conditions.

V. Impact on Energy.

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

New York State Electric & Gas (NYSEG) will provide electricity service to the Property as the utility provider and there are three-phase power lines available at the Property already. The Project will require an upgrade to the existing nearby substation, as discussed with NYSEG (a copy of such correspondence has been provided to the Planning Board). Because the potential impact will be fully mitigated by the installing the requisite upgrade to the local substation, the Project will not create a significant adverse environmental impact in this regard. *See* FEAF Workbook at 282 (“For many proposed projects, many of the identified impacts can be or already are mitigated by changes or certain project components. Part 3 gives the reviewing agency an[] opportunity to examine the proposed project in relation to the potential impacts and identify if any mitigations have been included in the project plans ... It is feasible that the reviewing agency will identify a potential large, long-lasting, important impact that is likely to occur but the project includes features that mitigate those effects to the point where the impact is no longer a significant concern[.] Some projects include aspects that mitigate impacts partially or fully. This needs to be taken into consideration when determining significance of an impact.”). Moreover, the Applicant intends to utilize efficient appliances and heating and cooling systems to the extent practicable.

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. The Applicant estimates that a typical apartment in the building will use approximately 1,000 kilowatt-hours (KWh) per month based on similar facilities. This would equate to about 500 megawatt-hours (MWhs) annually for the residential portion (1,000 KWh x 41 units x 12 months = 492,000 KWh, which equates to approximately 500 MWh). The Applicant estimates that the commercial portion of the building will use 50 KWh per square foot annually, resulting in an additional estimated 500 MWh per year for the commercial portion. In total, the maximum anticipated annual electrical usage for the entire building would be 1,000 MWh per year, well below the 2,500-MWhr threshold. 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 55,430 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 of the Town of New Lebanon, New York (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 green space will also generate noise typical of any small, local green space—children playing, people talking, etc.—but given the robust landscaping around the green space, this potential noise, which will only be generated during daytime hours, will be largely buffered from surrounding properties. *See* Site Plan, L100-L200. And the green space will be closed during nighttime hours. *See* Tilden Commons Residential Tenant Policies. Regardless, the Project will not generate noise above ambient levels, as the Property is located in a commercial district, on a major 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. *See* FEAF Workbook at 282 (“For many proposed projects, many of the identified impacts can be or already are mitigated by changes or certain project components. Part 3 gives the reviewing agency an[] opportunity to examine the proposed project in relation to the potential impacts and identify if any mitigations have been included in the project plans ... It is feasible that the reviewing agency will identify a potential large, long-lasting, important impact that is likely to occur but the project includes features that mitigate those effects to the point where the impact is no longer a significant concern[.] Some projects include aspects that mitigate impacts partially or fully. This needs to be taken into consideration when determining significance of an impact.”).

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. *See id.* (“For many proposed projects, many of the identified impacts can be or already are mitigated by changes or certain project components. Part 3 gives the reviewing agency an[] opportunity to examine the proposed project in relation to the potential impacts and identify if any mitigations have been included in the project plans ... It is feasible that the reviewing agency will identify a potential large, long-lasting, important impact that is likely to occur but the project includes features that mitigate those effects to the point where the impact is no longer a significant concern[.] Some projects include aspects that mitigate impacts partially or fully. This needs to be taken into consideration when determining significance of an impact.”).

VII. Impact on Consistency with Community Plans.¹

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, 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).

17.a) The proposed action’s land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).

Item 17(a) focuses on land use – not the size and scale of the proposed development. The Project is directly adjacent to another apartment building and is surrounded by other commercial uses, including shopping centers, restaurants, stores, a barber shop, gas stations, etc., as well as community services, including the library and community center. The uses involved in the Project—multifamily residential and commercial—are the same uses of land surrounding the Property and which make up this central commercial area of the Town. As such, the use—a mixed-use building with 41 apartment units and a grocery store—is entirely consistent with the surrounding land use pattern.

As noted above, the Project is proposed to be located in the 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 densest 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 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. The Project is directly adjacent to another apartment building and is surrounded by other stores and other commercial uses, including

¹ Although it is the Applicant’s position that the proposed action will not result in any impact to consistency with community plans, the Planning Board checked “Yes” on Question 17 of its draft FEAF Part II prepared at its regular meeting on December 19, 2025, and as such, the Applicant has prepared this section of the proposed FEAF Part III Narrative.

restaurants, stores, a barber shop, gas stations, etc. Thus, the Project is indeed wholly consistent with the surrounding land use pattern.

17.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%.

The Project proposes 41 apartment units, with a mix of 21 one-bedroom apartments and 20 two-bedroom apartments. Ten apartments will be reserved for seniors aged 62 and up. Based on substantial previous experience with similar developments, the Applicant expects an average of 1.25 people across the one-bedroom apartments and an average of 3.0 people across the two-bedrooms apartments, resulting in full occupancy of approximately 86 people. This will not result in an increase in the permanent population of the Town by more than 5 percent. As such, there is no potential for a significant adverse environmental impact due to population growth.

17.c) The proposed action is inconsistent with local land use plans or zoning regulations.

As noted above, the use—a mixed-use building with 41 apartment units and a grocery store—is entirely consistent with the with the local land use plans and zoning regulations. the Project is wholly consistent with the Comp Plan and meets several of its stated goals. The Comp Plan states that one of the Town’s weaknesses is the lack of a grocery store and limited affordable rental housing, and that one of its 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 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 an expansion of an existing local business into a highly desired grocery store, and much needed affordable housing. The Project also includes a green space, which squarely fulfills the Town’s goal to “[e]xpand recreation opportunities[.]” *Id.* at 65. The Project is indeed wholly consistent with the Comp Plan.

The Project also furthers the goals of the Town Board as stated in the Pro-Housing Communities Pledge by providing affordable housing for the community, with a portion of the units specifically reserved for senior citizens. See Town Bd. Res., dated Oct. 10, 2023 (“the housing crisis has negative effects at regional and local levels ... we believe that supporting housing production of all kinds in our community will bring multiple benefits, including increasing housing access and choices for current and future residents, providing integrated accessible housing options that meet the needs of people with sensory and mobility disabilities, bringing economic opportunities and vitality to our communities, and allowing workers at all levels to improve their quality of life through living closer to their employment opportunities ... we believe that evidence showing that infill development that reduces sprawl and supports walkable

communities has significant environmental and public health benefits”). The Project will assist the Town in meeting its policy goals of expanding housing opportunities for the benefit of the Town and region.

Further, the Project is fully consistent with the Town’s plans for the CC District as stated in Section 205-4(B)(3) of the Zoning Law. The CC District serves as 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 densest 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.”) (emphasis added); *see also* Comp Plan at 19 (“the Routes 20/22 corridor, which has been considered the “center of Town” for the last few decades.”). 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 Zoning Law and Comp Plan.

Lastly, the Applicant has applied for an area variance from the Town of New Lebanon Zoning Board of Appeals (ZBA) requesting relief from the requirement in Zoning Law § 205-13(E)(10)(a) that multifamily dwellings be sited on property with a minimum lot size of 5,000 square feet per dwelling unit. However, after due consideration of the proposed project as well as a review of the five factors of the area variance test, the ZBA took a straw poll at its regular meeting in August 2025 indicating that it would grant the area variance. The ZBA is an involved agency in this SEQRA process and is the agency with the most relevant expertise related to the Applicant’s consistency with the requirements of the Zoning Law. In making an informal determination, the ZBA necessarily considered whether “an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance” and whether the “proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district,” and determined that, on balance, the benefit of the area variance outweighs any potential detriment to the neighborhood or community.² No design changes have occurred that would require a change to the requested area variance since this meeting, and as such, the ZBA will more than likely grant this area variance. As such, with the area variance, the Project is entirely consistent with the Zoning Law. The Project is therefore fully consistent with all adopted land use plans and the Zoning Law and there is no potential for a significant adverse environmental impact in this regard.

17.d) The proposed action is inconsistent with any County plans, or other regional land use

² Zoning Law § 205-12(C)(3)(b) (When considering an area variance application, the ZBA “shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the board shall also consider: (1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.”).

plans.

The Columbia County Planning Board (CCPB) reviewed the Project pursuant to New York General Municipal Law § 239-m and recommended that all requested town approvals be granted for the Project. *See* Ltr. from CCPB to the Planning Board and ZBA, dated Aug. 19, 2025 (“The CCPB finds that this proposed action will likely result in positive county-wide or intercommunity impacts in terms of increasing the amount of housing stock while catering to the growing demand for rental housing and shifting demographic. *This is consistent with Columbia County development policies.*”) (emphasis added). There are no other relevant County or regional land use plans. As such, there will be no significant adverse environmental impact in this regard.

17.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.

The Project will increase the density of the property – converting an abandoned property into a mixed-use building with 41 apartment units and a grocery store. However, this increase in density will be fully supported by existing infrastructure as well as the upgrades to the electrical infrastructure that the Applicant will provide. The SEQRA guidance states that this question “explores whether the proposed project will result in a change in density that will require new or expanded infrastructure[]” including “water, sewer, new or upgraded roads, sidewalks or paths, and solid waste facilities.” FEAF Workbook at 259. The Project will not require upgrades to any such facilities as the onsite well has been determined to fully support the anticipated water use for the building. The Applicant will also be installing a wastewater treatment system as part of the building construction which will fully support the anticipated wastewater production for the building. As noted above, there will be no significant impacts to local roads or sidewalks requiring any improvements thereto. Similarly, as noted above, the Applicant will provide for the requisite upgrades to the local substation to fully support the electrical needs of the Project. As such, the Project will be fully supported by all current infrastructure as well as the planned improvements to such infrastructure included in the Project design.

17.f) The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.

The Project is not located in an area of low-density development. As noted above, the Project is proposed to be located in the 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 densest 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* Comp Plan at 19 (“the Routes 20/22 corridor, which has been considered the “center of Town” for the last few decades.”). The Project does not require new or expanded infrastructure such as new roads, new water wells, new power lines, etc. As discussed, the Applicant will be upgrading the local substation to fully support the electrical needs of the new building. No other public infrastructure will be expanded or modified to accommodate the Project. As such, given the full mitigation (*i.e.*, upgrade of the substation), there will be no significant adverse environmental impact in this regard. *See* FEAF Workbook at 282 (“For many proposed projects, many of the identified impacts can be or already are mitigated by changes or certain project components. Part 3 gives the reviewing agency an[]

opportunity to examine the proposed project in relation to the potential impacts and identify if any mitigations have been included in the project plans ... It is feasible that the reviewing agency will identify a potential large, long-lasting, important impact that is likely to occur but the project includes features that mitigate those effects to the point where the impact is no longer a significant concern[.] Some projects include aspects that mitigate impacts partially or fully. This needs to be taken into consideration when determining significance of an impact.”).

17.g) The proposed may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action).

The Project will include 41 new apartments and a grocery store. This development is not likely to increase residential development, however, there may be an increase in commercial development – such as restaurants and stores – given the new residents will be new customers for such businesses. However, given that the Project will be located in the commercial center of Town, in the CC District, this area is perfectly suited to such new businesses (if they arise). As such, there will be no significant adverse environmental impact in this regard.

VIII. Impact on Consistency with Community Character.³

As noted above, 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, Use Table. The residential portion of the Project, specifically, as a specially permitted use establishes a legislative determination by the Town Board that such land uses are “in harmony with the general zoning plan and will not adversely affect the neighborhood.” *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). Moreover, the character of this area of the Town is defined by high-density development. The Zoning Law states that the CC District, “represents the ‘Town center’ of New Lebanon, having the densest 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* Comp Plan at 19 (“the Routes 20/22 corridor, which has been considered the “center of Town” for the last few decades.”). Indeed, the Project is wholly consistent with the character of this Town center community.

18.a) The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.

There are no existing facilities, structures, or areas of historic importance in this area of the Town. The Project site is not located in or adjacent to an area designated as sensitive for archaeological sites on the SHPO archaeological site inventory nor have any archaeological or historic sites or resources been identified on the Project site. *See* FEAF Part 1 § E.3.f-g. Further, the Property is near historic buildings eligible for listing (*i.e.*, the Abbott-Perry House, New Lebanon Railroad Depot (which is across the road from the Project), and New Lebanon District No. 8 School), however, SHPO reviewed the proposed Project in accordance with Section 106 of the National Historic Preservation Act of 1966, and found 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 will be no significant adverse environmental impact in this regard.

18.b) The proposed action may create a demand for additional community services (e.g. schools, police and fire).

The Project will not create a demand for additional community services that cannot be absorbed by such facilities and systems already in place. When making a determination of significance, the lead agency must consider potential environmental impacts, *i.e.*, potential impacts to physical conditions from the Project, not solely economic or social impacts. This FEAF Part 2, Item 18(b) could be relevant in a situation where a proposed project requires the local fire department to expand its firehouse, or build a new one, to be able to support any fire response needs of the proposed project, thereby creating a potential tangible impact to the environment (*e.g.*, the new firehouse would need an additional water supply, it would increase the electric load, it

³ Although it is the Applicant’s position that the proposed action will not result in any impact to consistency with community character, the Planning Board checked “Yes” on Question 18 of its draft FEAF Part II prepared at its regular meeting on December 19, 2025, and as such, the Applicant has prepared this section of the proposed FEAF Part III Narrative.

would need a new ingress/egress point from the road, etc.). This Item 18(b) would not be relevant in a situation where a proposed action would require the local fire department to hire an additional firefighter to meet the increased needs of the department from the proposed project. Moreover, here, although the Project *may* increase the number of students in the local school district, thereby having a potential fiscal impact on the district, such as the need for more teachers, it would fall into that second category. It is not creating an environmental impact, as there is no physical condition being impacted. The district does not need to build a new school, which would generate various physical impacts, because of the potential increase of students as a result of the Project.

In any event, even though such considerations are beyond the scope of this SEQRA review, the Applicant previously submitted that it intends to pay full property taxes, which is currently calculated to be approximately \$51,193.97 annually and the grocery store portion of the Project is also currently estimated to generate at least \$10,000.00 in annual property taxes. This would make the Project the largest property taxpayer in the entire Town. And, if the Applicant seeks a Payment in Lieu of Taxes (PILOT), the PILOT payment would be close to, if not the same as, this property tax payment. As such, the Town and local school district can expect to receive a significant amount of annual revenue from the Project in the form of either property taxes or a PILOT payment. There is, therefore, no financial impact to the school district. Further, the school district was designed with a 13:1 student to teacher ratio—the State average. However, due to consistent decreases in enrollment over the last several years, the school district only operates with a 9:1 student teacher ratio. The Applicant and its partner Hudson River Housing, Inc. (HRH) conducted research into housing developments HRH manages and estimates the proposed building to house approximately 15 to 18 school-age children. Indeed, the infrastructure of this school district exists to accommodate new students, and it would be a benefit to a district that has experienced such significant decrease in enrollment. The Project could also result in increased State aid for the school district, which is based on the average income of district residents, enrollment, and property values. The Town is a lower-than-average income community, but due to some very high-income individuals, the school district has a high average income, resulting in less State aid. The Project presents the opportunity for lower income taxpayers to live in the Town, which will bring the average district income down, resulting in the possibility of more State aid to the school district. Further, if the Project results in more students in the school district, this will increase overall enrollment, thereby further attracting increased State aid.

Therefore, the Project will not result in any physical environmental impacts related to increased use of community services. And as previously submitted to the Planning Board, the Project will not negatively impact the local school district (though the economic operation of the school district is beyond the scope of this SEQRA review).

18.c) The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.

The Project will not displace any affordable or low-income housing in the area. Quite the contrary, the Project proposes construction of a mixed-use building with 41 affordable housing apartments units. As such, there will be no significant adverse environmental impact in this regard.

18.d) The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.

The Project will not interfere with the use or enjoyment of any officially recognized or designated public resources as such resources are not located on or near the Property, which is privately owned. As such, the Project will not have a significant adverse environmental impact related to the use or enjoyment of officially recognized or designated public resources.

18.e) The proposed action is inconsistent with the predominant architectural scale and character.

As discussed herein, the Project will be in the CC District—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 densest 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* Comp Plan at 19 (“the Routes 20/22 corridor, which has been considered the “center of Town” for the last few decades.”). A grocery store is the exact type of business typically located in a “Town Center.” And 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. The Project is directly adjacent to another apartment building and is surrounded by other stores and other commercial uses, including restaurants, stores, a barber shop, gas stations, etc.

The building size is also consistent with other residential and commercial buildings in this area, such as the Midtown Mall, Valley Plaza, Larabee Heating building (former bowling alley), and Tilden Mansion (see below table) 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).

	Tilden Commons	Midtown Mall	Larabee	Valley Plaza	Tilden Mansion
Height	43 ft.	Approx. 28 ft.	Approx. 30 ft.	Unknown	Approx. 38 ft.
Stories	3	2	1	N/A	3
Length	291 ft.	Approx. 340 ft.	Approx. 265 ft.	Approx. 220 ft.	Approx. 105 ft.
Parking spaces	116	99	N/A	N/A	N/A
Square footage	55,430 sf.	Approx. 36,000 sf.	Unknown	Unknown	Unknown

Thus, the Project is indeed wholly consistent with the surrounding land use pattern.

Further, 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 ... 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 ... 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”). Thus, the Project is wholly consistent with the predominant architectural scale and character of this area, negating any potential for a significant adverse environmental impact in this regard.

18.f) Proposed action is inconsistent with the character of the existing natural landscape.

The Project will be sited in the CC District, specifically in the Town’s commercial center. The Project site is an abandoned commercial building and property. There is no existing natural landscape on the Property nor in the area, beyond the typical tree screening between various properties. The Project will be developed with a green space and robust landscaping, creating a sense of natural landscape. As such, the Project will not have a significant adverse environmental impact related to consistency with the character of the existing natural landscape.

IX. Impact on Disadvantaged Communities.⁴

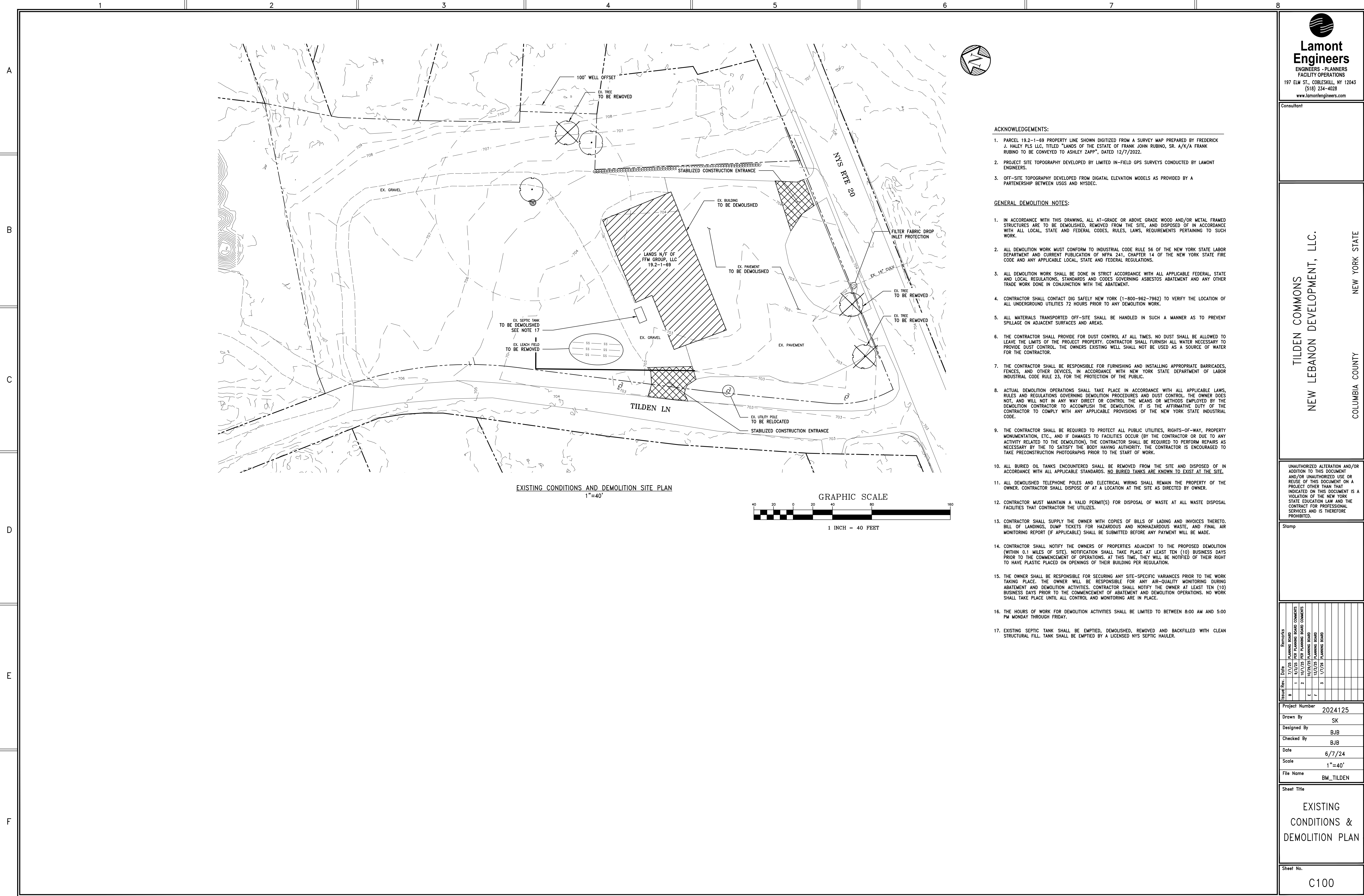
In an abundance of caution, the Applicant reviewed the NYSDEC's Disadvantaged Community Assessment Tool (DACAT) to determine whether the Property is within or near a Disadvantaged Community (DAC). The Property is not within or near any DAC. As such, if the NYSDEC's proposed FEAF Part 2 were currently in place, the answer to Item 19 ("The proposed project may impact a disadvantaged community") would be marked "No."

⁴ As part of an amendment to the SEQRA regulations following passage of the Environmental Justice Siting Law, the NYSDEC has proposed updates to the FEAFs Part 1, 2, and 3 that will review the impact of a proposed action on Disadvantaged Communities. Such updated forms have not yet been adopted. As such, the Applicant has prepared this brief section of the Proposed FEAF Part 3 Narrative.

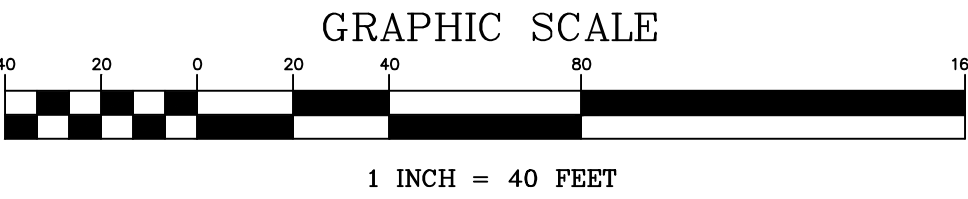
Conclusion

The Town of New Lebanon Planning Board has carefully considered the facts, analysis, and conclusions set forth in the Full Environmental Assessment Form (FEAF) Part 1, site plans, architectural and landscape drawings, Traffic Study Report, Traffic Assessment, Water and Sanitary System Engineer's Report, soils report, lighting plan, Aquatic Resource Delineation Report, SWPPP, NYSDEC wetland jurisdictional determination, Hydrogeologic Evaluation Report, correspondence with NYSDOT, NYSEG, and NYSDEC, and other supplemental information. Based upon its review of the entire environmental record, the Town of New Lebanon Planning Board has determined that the Action will not have a significant adverse environmental impact, and a Negative Declaration can be issued under SEQRA.

The Proposed Action will allow for redevelopment of an abandoned property in the Town Center, consisting of a mixed-use building, with sorely needed affordable apartment units, a grocery store, and a green space. The Action has been evaluated for compatibility with existing and future land uses within close proximity of the Project site, and consistency with applicable zoning ordinances and other public policy documents. There are moderate to large impacts noted in the FEAF Part 2, however, the foregoing details these potential impacts and the mitigation measures that will be implemented to minimize any resulting environmental impact. As a result of this analysis, the Town of New Lebanon Planning Board has determined that there will be no significant adverse environmental impact from the Action and issues a Negative Declaration.



EXISTING CONDITIONS AND DEMOLITION SITE PLAN
1"=40'



ACKNOWLEDGEMENTS:

1. PARCEL 19.2-1-69 PROPERTY LINE SHOWN DIGITIZED FROM A SURVEY MAP PREPARED BY FREDERICK J. HALEY PLS LLC, TITLED "LANDS OF THE ESTATE OF FRANK JOHN RUBINO, SR. A/K/A FRANK RUBINO TO BE CONVEYED TO ASHLEY ZAPP", DATED 12/7/2022.
2. PROJECT SITE TOPOGRAPHY DEVELOPED BY LIMITED IN-FIELD GPS SURVEYS CONDUCTED BY LAMONT ENGINEERS.
3. OFF-SITE TOPOGRAPHY DEVELOPED FROM DIGITAL ELEVATION MODELS AS PROVIDED BY A PARTNERSHIP BETWEEN USGS AND NYSDEC.

GENERAL DEMOLITION NOTES:

1. IN ACCORDANCE WITH THIS DRAWING, ALL AT-GRADE OR ABOVE GRADE WOOD AND/OR METAL FRAMED STRUCTURES ARE TO BE DEMOLISHED, REMOVED FROM THE SITE, AND DISPOSED OF IN ACCORDANCE WITH ALL LOCAL, STATE AND FEDERAL CODES, RULES, LAWS, REQUIREMENTS PERTAINING TO SUCH WORK.
2. ALL DEMOLITION WORK MUST CONFORM TO INDUSTRIAL CODE RULE 56 OF THE NEW YORK STATE LABOR DEPARTMENT AND CURRENT PUBLICATION OF NYPE 241, CHAPTER 14 OF THE NEW YORK STATE FIRE CODE AND ANY APPLICABLE LOCAL, STATE AND FEDERAL REGULATIONS.
3. ALL DEMOLITION WORK SHALL BE DONE IN STRICT ACCORDANCE WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL REGULATIONS, STANDARDS AND CODES GOVERNING ASBESTOS ABATEMENT AND ANY OTHER TRADE WORK DONE IN CONJUNCTION WITH THE ABATEMENT.
4. CONTRACTOR SHALL CONTACT DIG SAFELY NEW YORK (1-800-962-7962) TO VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES 72 HOURS PRIOR TO ANY DEMOLITION WORK.
5. ALL MATERIALS TRANSPORTED OFF-SITE SHALL BE HANDLED IN SUCH A MANNER AS TO PREVENT SPILLAGE ON ADJACENT SURFACES AND AREAS.
6. THE CONTRACTOR SHALL PROVIDE FOR DUST CONTROL AT ALL TIMES. NO DUST SHALL BE ALLOWED TO LEAVE THE LIMITS OF THE PROJECT PROPERTY. CONTRACTOR SHALL FURNISH ALL WATER NECESSARY TO PROVIDE DUST CONTROL. THE OWNERS EXISTING WELL SHALL NOT BE USED AS A SOURCE OF WATER FOR THE CONTRACTOR.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR FURNISHING AND INSTALLING APPROPRIATE BARRICADES, FENCES, AND OTHER DEVICES, IN ACCORDANCE WITH NEW YORK STATE DEPARTMENT OF LABOR INDUSTRIAL CODE RULE 23, FOR THE PROTECTION OF THE PUBLIC.
8. ACTUAL DEMOLITION OPERATIONS SHALL TAKE PLACE IN ACCORDANCE WITH ALL APPLICABLE LAWS, RULES AND REGULATIONS GOVERNING DEMOLITION PROCEDURES AND DUST CONTROL. THE OWNER DOES NOT, AND WILL NOT IN ANY WAY DIRECT OR CONTROL THE MEANS OR METHODS EMPLOYED BY THE DEMOLITION CONTRACTOR TO ACCOMPLISH THE DEMOLITION. IT IS THE AFFIRMATIVE DUTY OF THE CONTRACTOR TO COMPLY WITH ANY APPLICABLE PROVISIONS OF THE NEW YORK STATE INDUSTRIAL CODE.
9. THE CONTRACTOR SHALL BE REQUIRED TO PROTECT ALL PUBLIC UTILITIES, RIGHTS-OF-WAY, PROPERTY MONUMENTATION, ETC., AND IF DAMAGES TO FACILITIES OCCUR (BY THE CONTRACTOR OR DUE TO ANY ACTIVITY RELATED TO THE DEMOLITION), THE CONTRACTOR SHALL BE REQUIRED TO PERFORM REPAIRS AS NECESSARY BY THE TO SATISFY THE BODY HAVING AUTHORITY. THE CONTRACTOR IS ENCOURAGED TO TAKE PRECONSTRUCTION PHOTOGRAPHS PRIOR TO THE START OF WORK.
10. ALL BURIED OIL TANKS ENCOUNTERED SHALL BE REMOVED FROM THE SITE AND DISPOSED OF IN ACCORDANCE WITH ALL APPLICABLE STANDARDS. NO BURIED TANKS ARE KNOWN TO EXIST AT THE SITE.
11. ALL DEMOLISHED TELEPHONE POLES AND ELECTRICAL WIRING SHALL REMAIN THE PROPERTY OF THE OWNER. CONTRACTOR SHALL DISPOSE OF AT A LOCATION AT THE SITE AS DIRECTED BY OWNER.
12. CONTRACTOR MUST MAINTAIN A VALID PERMIT(S) FOR DISPOSAL OF WASTE AT ALL WASTE DISPOSAL FACILITIES THAT CONTRACTOR THE UTILIZES.
13. CONTRACTOR SHALL SUPPLY THE OWNER WITH COPIES OF BILLS OF LADING AND INVOICES THERETO. BILL OF LADING, DUMP TICKETS FOR HAZARDOUS AND NONHAZARDOUS WASTE, AND FINAL AIR MONITORING REPORT (IF APPLICABLE) SHALL BE SUBMITTED BEFORE ANY PAYMENT WILL BE MADE.
14. CONTRACTOR SHALL NOTIFY THE OWNERS OF PROPERTIES ADJACENT TO THE PROPOSED DEMOLITION (WITHIN 0.1 MILES OF SITE). NOTIFICATION SHALL TAKE PLACE AT LEAST TEN (10) BUSINESS DAYS PRIOR TO THE COMMENCEMENT OF OPERATIONS. AT THIS TIME, THEY WILL BE NOTIFIED OF THEIR RIGHT TO HAVE PLASTIC PLACED ON OPENINGS OF THEIR BUILDING PER REGULATION.
15. THE OWNER SHALL BE RESPONSIBLE FOR SECURING ANY SITE-SPECIFIC VARIANCES PRIOR TO THE WORK TAKING PLACE. THE OWNER WILL BE RESPONSIBLE FOR ANY AIR-QUALITY MONITORING DURING ABATEMENT AND DEMOLITION ACTIVITIES. CONTRACTOR SHALL NOTIFY THE OWNER AT LEAST TEN (10) BUSINESS DAYS PRIOR TO THE COMMENCEMENT OF ABATEMENT AND DEMOLITION OPERATIONS. NO WORK SHALL TAKE PLACE UNTIL ALL CONTROL AND MONITORING ARE IN PLACE.
16. THE HOURS OF WORK FOR DEMOLITION ACTIVITIES SHALL BE LIMITED TO BETWEEN 8:00 AM AND 5:00 PM MONDAY THROUGH FRIDAY.
17. EXISTING SEPTIC TANK SHALL BE EMPTIED, DEMOLISHED, REMOVED AND BACKFILLED WITH CLEAN STRUCTURAL FILL. TANK SHALL BE EMPTIED BY A LICENSED NYS SEPTIC HAULER.

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Consultant

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Stamp

Issue/Rev.	Date	Remarks
B	7/7/25	PLANNING BOARD COMMENTS
L	10/7/25	FOR PLANNING BOARD COMMENTS
L	10/29/25	PLANNING BOARD
L	12/2/25	PLANNING BOARD
L	1/7/26	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
EXISTING CONDITIONS & DEMOLITION PLAN

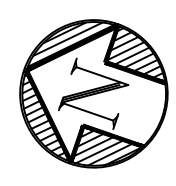
Sheet No. C100

Issue/Rev.	Date	Remarks
A	6/2/25	15% ZONING REVIEW
B	6/17/25	FOR PLANNING BOARD COMMENTS
C	6/17/25	FOR PLANNING BOARD COMMENTS
D	6/17/25	FOR PLANNING BOARD
E	6/17/25	FOR PLANNING BOARD
F	6/17/25	FOR PLANNING BOARD

Project Number 2024125
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SITE PLAN

Sheet No. C110



LEGEND	
---	PROPERTY LINE
- - - -	EX. CONTOURS
○	EX. WELL
□	EX. CULVERT & CATCH BASIN
—	PROPOSED CONTOURS
— v — v —	PROPOSED WATER LINE
—	PROPOSED SEWER LINE
—	PROPOSED CULVERT & CATCH BASIN
—	PROPOSED DRAINAGE DITCH
—	PROPOSED ELECTRICAL
—	SILT FENCE

SITE PLAN NOTES:

- SEE SHEET C100 AND SECTION 02100 FOR CLEARING AND GRUBBING REQUIREMENTS AND LIMITATIONS.
- ALL EARTHWORK SHALL BE SMOOTHLY AND EVENLY BLENDED INTO EXISTING CONDITIONS.
- PERFORM EXCAVATION AND GRADING WORK IN ACCORDANCE WITH SECTIONS 02218, 02222, 02223 & 02225.
- ALL DISTURBED AREAS NOT RECEIVING ASPHALT OR CRUSHED STONE WEARING SURFACES SHALL BE TOPSOILED AND SEEDED. ADDITIONALLY, SOME AREAS REQUIRE PREPARATORY SOIL RESTORATION.
- 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.
- 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.
- 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.
- PRIOR TO CONSTRUCTION THE CONTRACTOR IS RESPONSIBLE FOR NOTIFYING DIG SAFE NEW YORK AND ANY REGIONAL UTILITIES TO LOCATE ALL RELATED UTILITIES.
- 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.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AND INCURRING THE COST OF ALL REQUIRED PERMITS, INSPECTIONS, CERTIFICATIONS, ETC.
- 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.
- 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.
- ALL SUITABLE TOPSOIL TO BE TEMPORARILY STOCKPILED (AS APPLICABLE) FOR REUSE.
- ALL MATERIALS TRANSPORTED OFF-SITE SHALL BE HANDLED IN SUCH A MANNER AS TO PREVENT SPILLAGE ON ADJACENT SURFACES AND AREAS.
- 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.
- BUILDING DIMENSIONS TO BE TAKEN FROM BUILDING CONSTRUCTION PLANS.
- ALL AREAS WITHIN THE LIMIT OF DISTURBANCE (SEE SHEET C100) MAY BE USED FOR STOCKPILED, EQUIPMENT STORAGE, AND FIELD OFFICES. ADDITIONAL SEDIMENT AND EROSION CONTROL PRACTICES MAY BE NEEDED TO PROTECT SENSITIVE AREAS. COORDINATE WITH ENGINEER.
- SEE ELECTRICAL DRAWINGS FOR ON-SITE ELECTRICAL, CONTROLS, AND INTERNET WIRING.

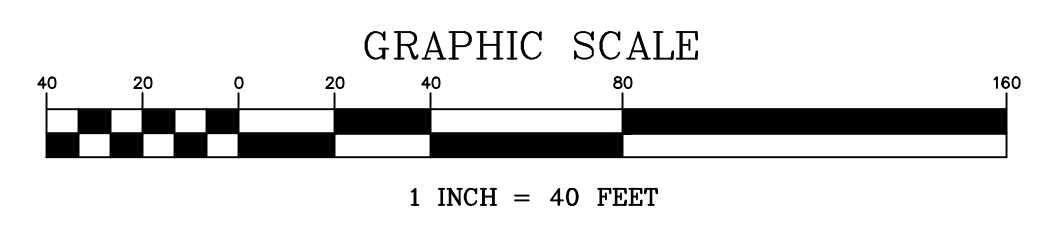
PARKING:

TOTAL SPACES: 116
 GROCERY: 37
 APARTMENTS: 79
 ACCESSIBLE: 5

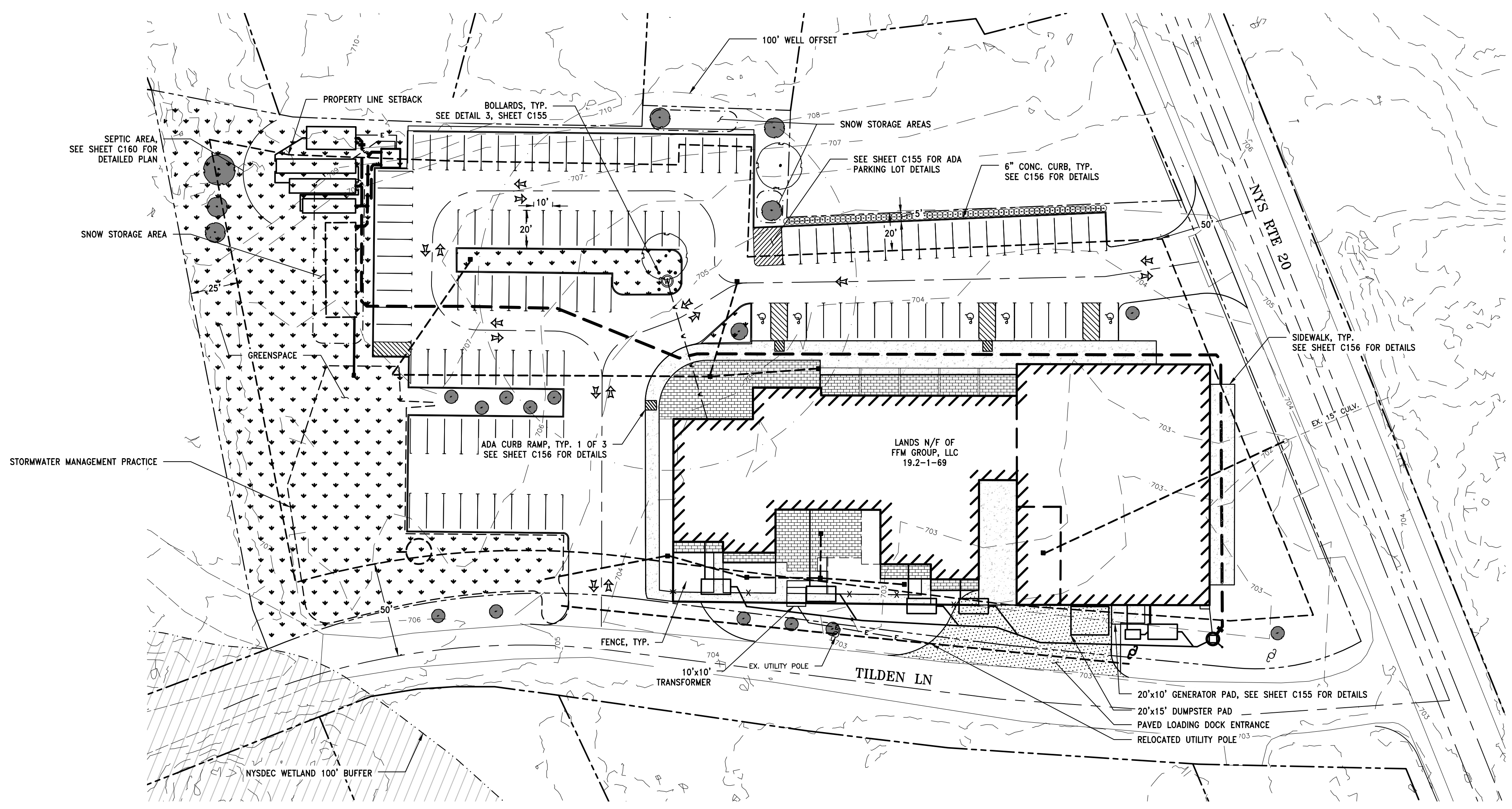
REFUGE CALCULATIONS:

RESIDENTIAL:
 41 APTS x 2 x 30GAL. / 7.48 / 27 = 12 YARDS
 GROCERY:
 8 YARDS
 TOTAL AREA NEEDED: 20 YARDS
 20'x15' REFUGE AREA WILL FIT 3 - 8 YARD DUMPSTERS
 TOTAL AREA PROVIDED: 24 YARDS

REQUIRED AREA								
DISTRICT	MIN. LOT REQUIREMENTS		MINIMUM YARD DIMENSIONS			MAX. STORIES	MAX. BUILDING HEIGHT	MIN. ROAD FOOTAGE
	AREA	MAX. BLDG COVERAGE	SETBACK CL	REAR	SIDE			
GENERAL COMMERCIAL	30,000 SQ. FT.	75% OF LOT	50'	25'	20'	3	40'	100'



OVERALL SITE PLAN
 1"=40'



A
B
C
D
E
F

1 2 3 4 5 6 7 8

1 2 3 4 5 6 7 8

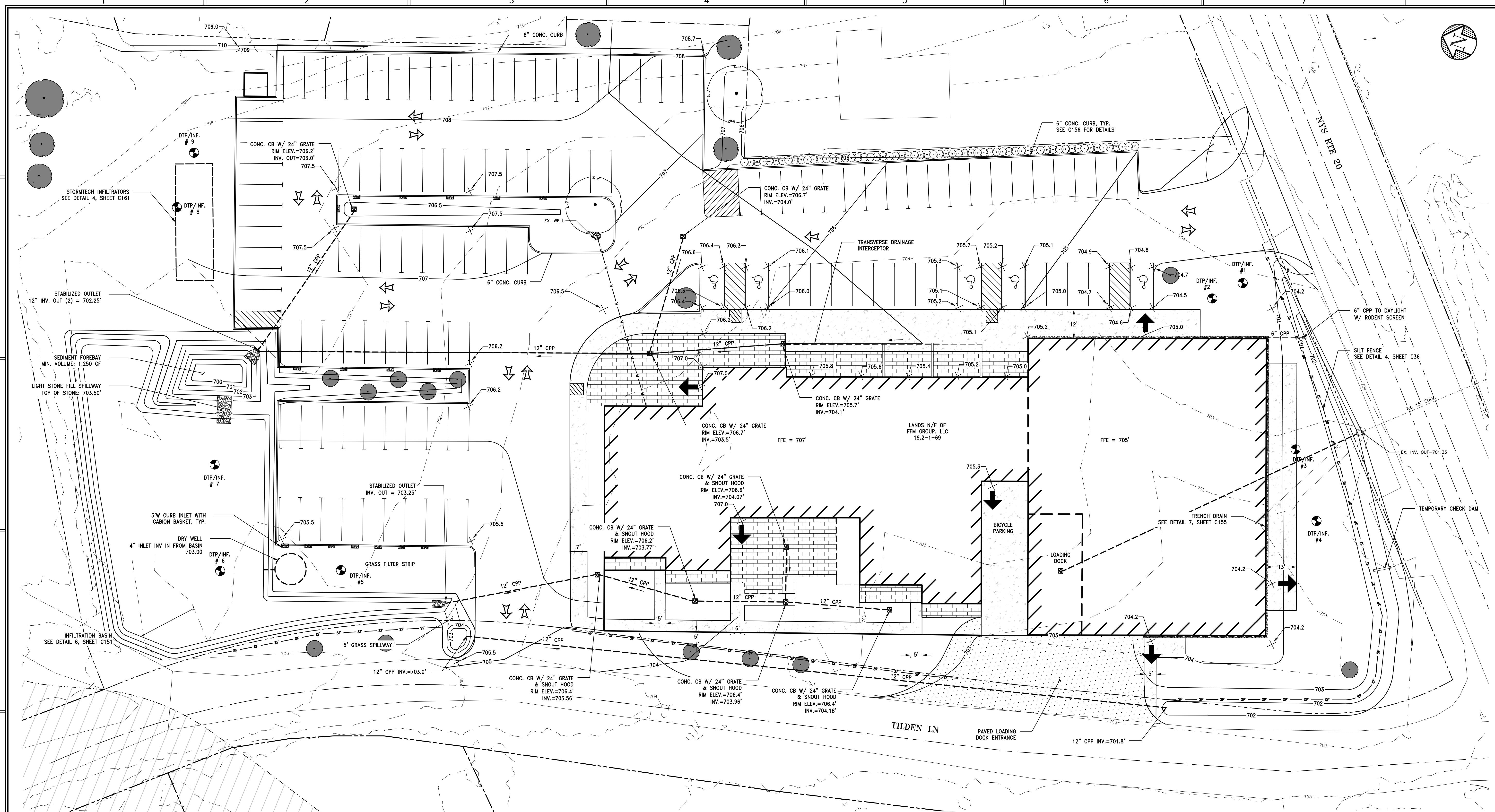
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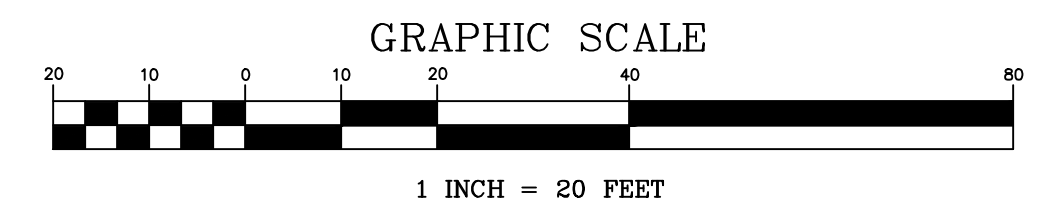
Issue/Rev.	Date	Remarks
1	7/7/25	PLANNING BOARD COMMENTS
2	8/7/25	PER PLANNING BOARD COMMENTS
3	10/9/25	PLANNING BOARD
4	11/27/25	PLANNING BOARD
5	1/7/26	PLANNING BOARD

Project Number 2024125
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 Date 6/30/25
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GRADING & STORMWATER PLAN



GRADING AND STORMWATER PLAN
1"=20'



GRAVELLY LOAM 34"	GRAVELLY LOAM 34"	GRAVELLY LOAM 34"	GRAVELLY LOAM 30"	BROWN GRAVELLY LOAM BRICKS, METAL FILL MATERIAL 48"	BROWN GRAVELLY LOAM BRICKS, METAL 24"	BROWN GRAVELLY LOAM 24"	BROWN GRAVELLY LOAM 24"	BROWN GRAVELLY LOAM 24"
BROWN GRAVELLY LOAM 42"	BROWN GRAVELLY LOAM 42"	BROWN GRAVELLY LOAM 42"	BROWN GRAVELLY LOAM 42"	GRAVELLY LOAM 96"	GRAVELLY LOAM 84"	GRAVELLY LOAM 84"	GRAVELLY LOAM 84"	GRAVELLY LOAM 84"
VERY GRAVELLY LOAM 96"	VERY GRAVELLY LOAM 96"	VERY GRAVELLY LOAM 96"	VERY GRAVELLY LOAM 96"					

NOTE: ROOTS @ 10" WATER AT 7.5" NO BEDROCK MOTTLING AT 6"	NOTE: ROOTS @ 10" WATER AT 7.5" NO BEDROCK MOTTLING AT 6"	NOTE: ROOTS @ 10" WATER AT 7.5" NO BEDROCK MOTTLING AT 5'5"	NOTE: ROOTS @ 10" WATER AT 7.5" NO BEDROCK MOTTLING AT 5'4"	NOTE: ROOTS @ 10" NO WATER NO BEDROCK MOTTLING AT 6'3"	NOTE: ROOTS @ 10" NO WATER NO BEDROCK NO MOTTLING	NOTE: ROOTS @ 10" NO WATER NO BEDROCK NO MOTTLING	NOTE: ROOTS @ 10" NO WATER NO BEDROCK NO MOTTLING	NOTE: ROOTS @ 10" NO WATER NO BEDROCK NO MOTTLING
DEEP TEST PIT NO. 1 SCALE: N.T.S.	DEEP TEST PIT NO. 2 SCALE: N.T.S.	DEEP TEST PIT NO. 3 SCALE: N.T.S.	DEEP TEST PIT NO. 4 SCALE: N.T.S.	DEEP TEST HOLE NO. 5 SCALE: N.T.S.	DEEP TEST PIT NO. 6 SCALE: N.T.S.	DEEP TEST HOLE NO. 7 SCALE: N.T.S.	DEEP TEST PIT NO. 8 SCALE: N.T.S.	DEEP TEST PIT NO. 9 SCALE: N.T.S.
9:29, 11:56, 19:37, 20:14 20:14 MIN/SEC PER INCH ±3 INCHES PER HOUR	9:04, 11:31, 25:39, 26:12 26:12 MIN/SEC PER INCH ±2.3 INCHES PER HOUR	4:04, 9:33, 11:39, 16:20, 29:57, 30:42 30:42 MIN/SEC PER INCH ±1.9 INCHES PER HOUR	2:00, 2:18, 4:18, 4:15, 5:18, 5:57 5:57 MIN/SEC PER INCH ±10.1 INCHES PER HOUR	0:10, 0:10, 0:10, 0:10 0:10 MIN/SEC PER INCH ±10 INCHES PER HOUR	0:33, 4:11, 4:51, 6:20, 8:38, 9:24 9:24 MIN/SEC PER INCH ±6.4 INCHES PER HOUR	0:35, 1:35, 4:43, 6:15, 7:30, 7:24 7:24 MIN/SEC PER INCH ±8.1 INCHES PER HOUR	2:41, 2:46, 2:35, 2:49, 3:38, 4:38, 5:31 5:31 MIN/SEC PER INCH ±10.9 INCHES PER HOUR	0:33, 1:28, 2:33, 2:57, 3:58 5:35, 7:15, 8:02 8:02 MIN/SEC PER INCH ±7.5 INCHES PER HOUR
INFILTRATION TEST NO. 1	INFILTRATION TEST NO. 2	INFILTRATION TEST NO. 3	INFILTRATION TEST NO. 4	INFILTRATION TEST NO. 5	INFILTRATION TEST NO. 6	INFILTRATION TEST NO. 7	INFILTRATION TEST NO. 8	INFILTRATION TEST NO. 9

LEGEND

- PROPERY LINE
- EX. CONTOURS
- EX. WELL
- EX. CULVERT & CATCH BASIN
- PROPOSED CONTOURS
- PROPOSED WATER LINE
- PROPOSED CULVERT & CATCH BASIN
- SILT FENCE
- DEEP TEST PIT/INFILTRATION SOIL TEST SITE
- SPOT ELEVATION

- NOTES:**
- SOILS INVESTIGATIONS AND INFILTRATION TESTING CONDUCTED ON 9/26/25 BY LAMONT ENGINEERS.
 - INFILTRATION TESTING AND DEEP TEST HOLE OBSERVATIONS SHALL BE RE-EVALUATED DURING SPRING HIGH GROUNDWATER CONDITIONS TO VERIFY DEPTH TO SEASONAL HIGH GROUNDWATER AND CONFIRM THE SUITABILITY OF THE PROPOSED INFILTRATION AND BIORETENTION PRACTICES PRIOR TO CONSTRUCTION. ALL SUCH TESTING SHALL BE WITNESSED BY THE TOWN OR ITS DESIGNATED REPRESENTATIVE. (ADD PLAN NOTE.)
 - INFILTRATION BASIN DESIGN INFILTRATION RATE: 6 INCHES PER HOUR.
 - STORMTECH INFILTRATOR DESIGN INFILTRATION RATE: 7.5 INCHES PER HOUR.



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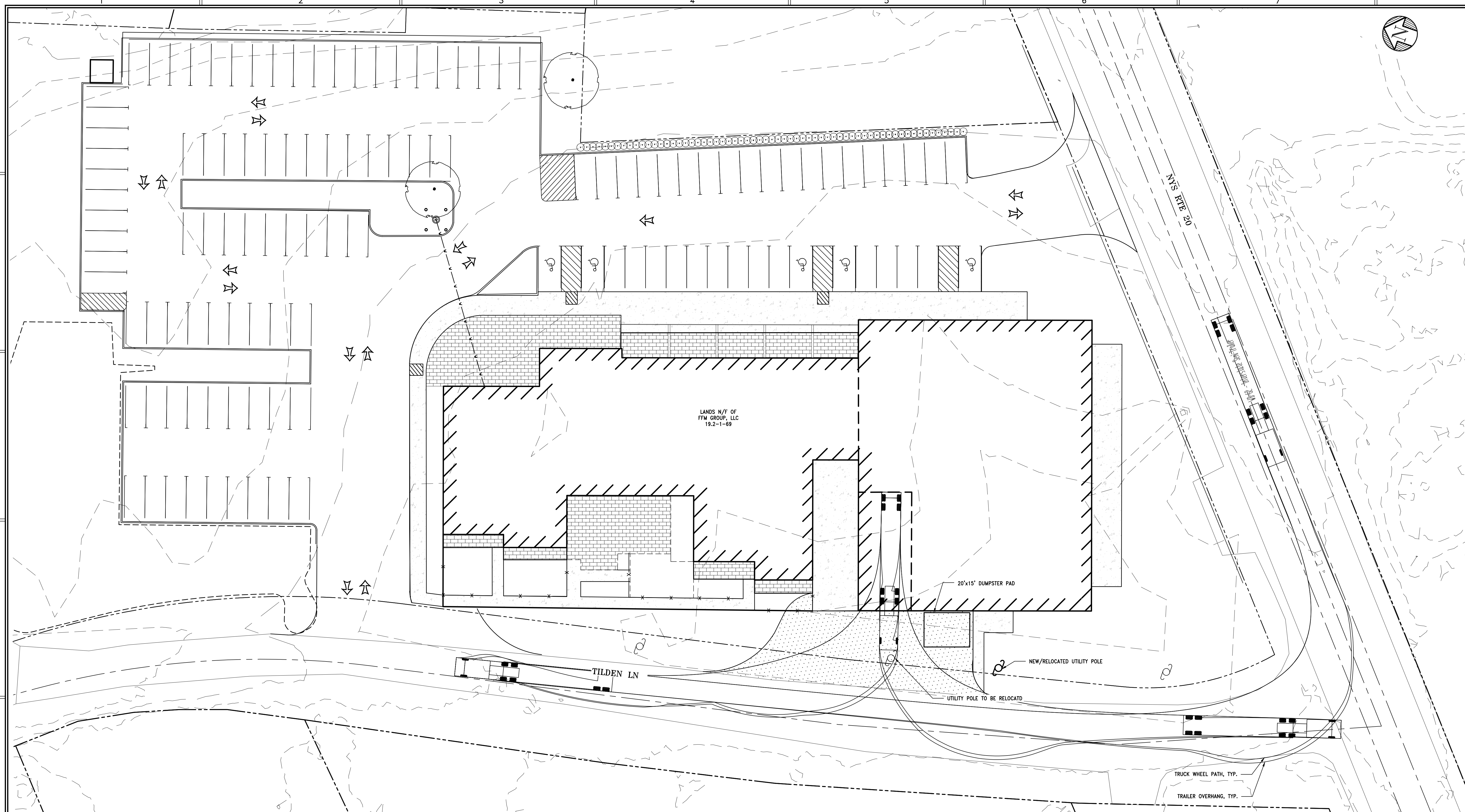
Stamp

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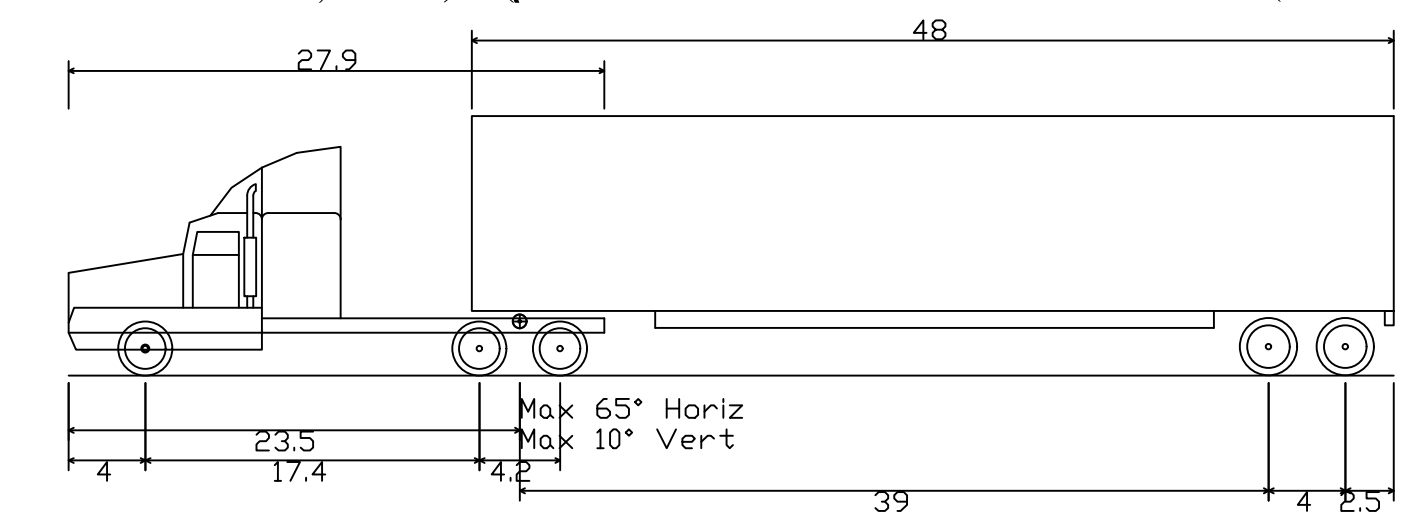
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 File Name BM_TILDEN

Sheet Title
TURNING RADIUS PLAN

Sheet No.
C120A



TURNING RADIUS PLAN
1"=20'



WB-62 - Interstate Semi-Trailer
 Overall Length 69.00ft
 Overall Width 8.50ft
 Overall Body Height 13.50ft
 Min Body Ground Clearance 1.334ft
 Max Track Width 8.50ft
 Lock-to-lock time 6.00s
 Max Steering Angle (Virtual) 28.40°



Consultant

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

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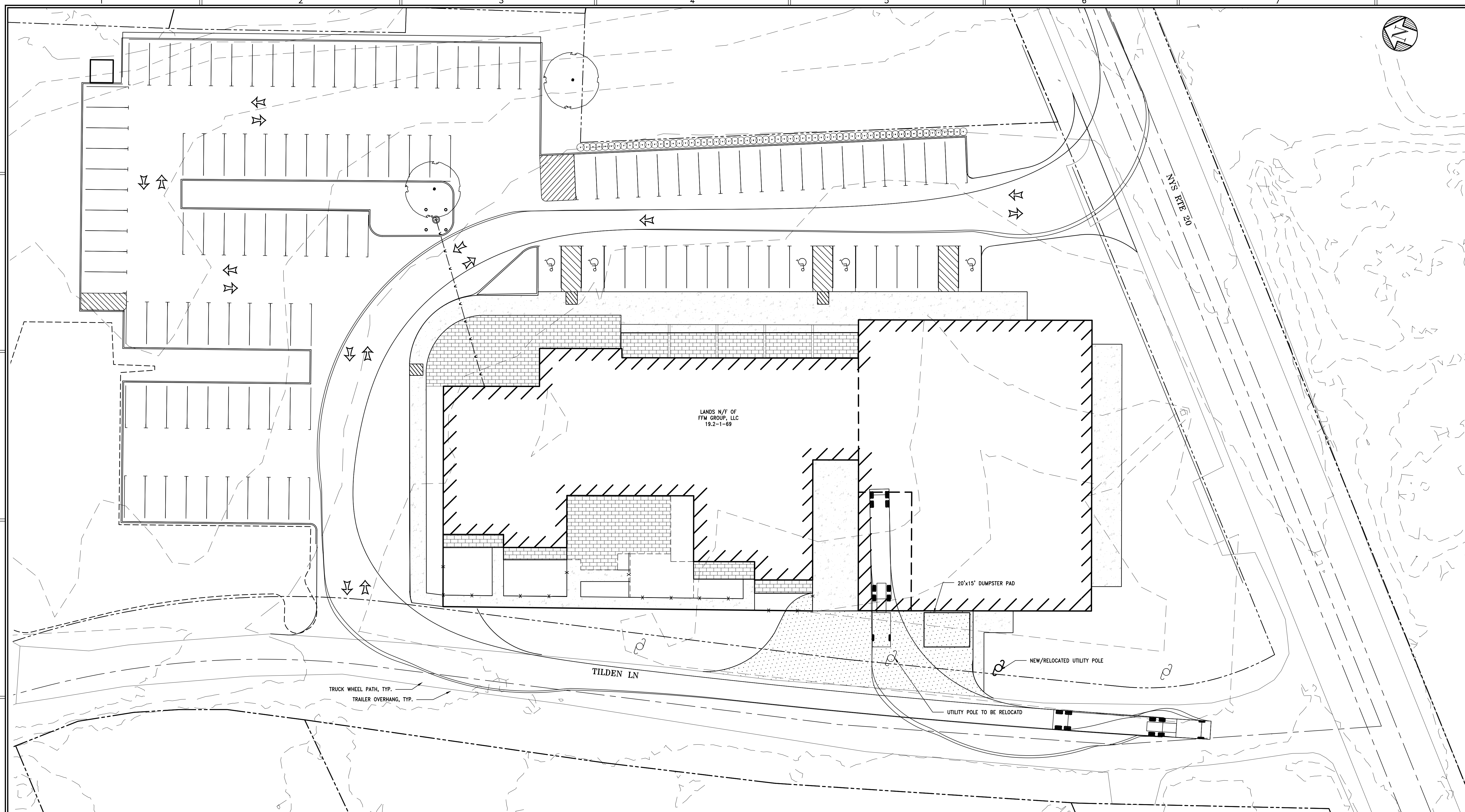
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Issue/Rev.	Date	Remarks
1	7/7/25	PLANNING BOARD COMMENTS
2	8/7/25	FOR PLANNING BOARD COMMENTS
3	10/9/25	FOR PLANNING BOARD COMMENTS
4	11/2/25	FOR PLANNING BOARD COMMENTS
5	1/7/26	FOR PLANNING BOARD COMMENTS

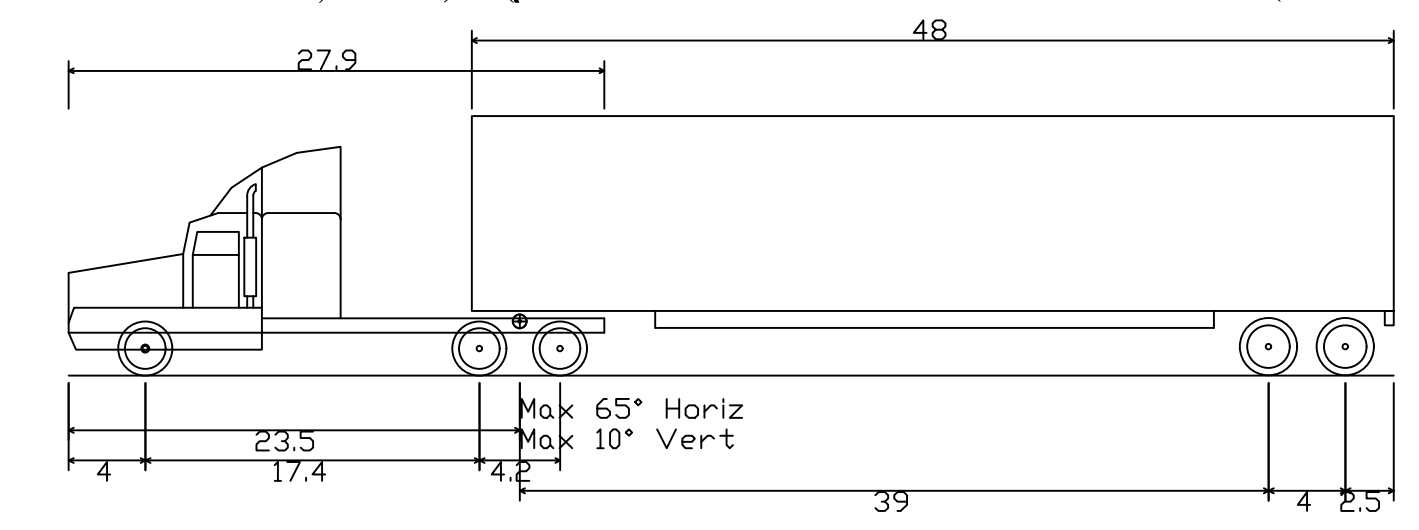
Project Number 2024125
 Drawn By SK
 Designed By BJB
 Checked By BJB
 Date 6/30/25
 Scale AS SHOWN
 File Name BM_TILDEN

TURNING RADIUS PLAN

Sheet No. C120



TURNING RADIUS PLAN
1"=20'

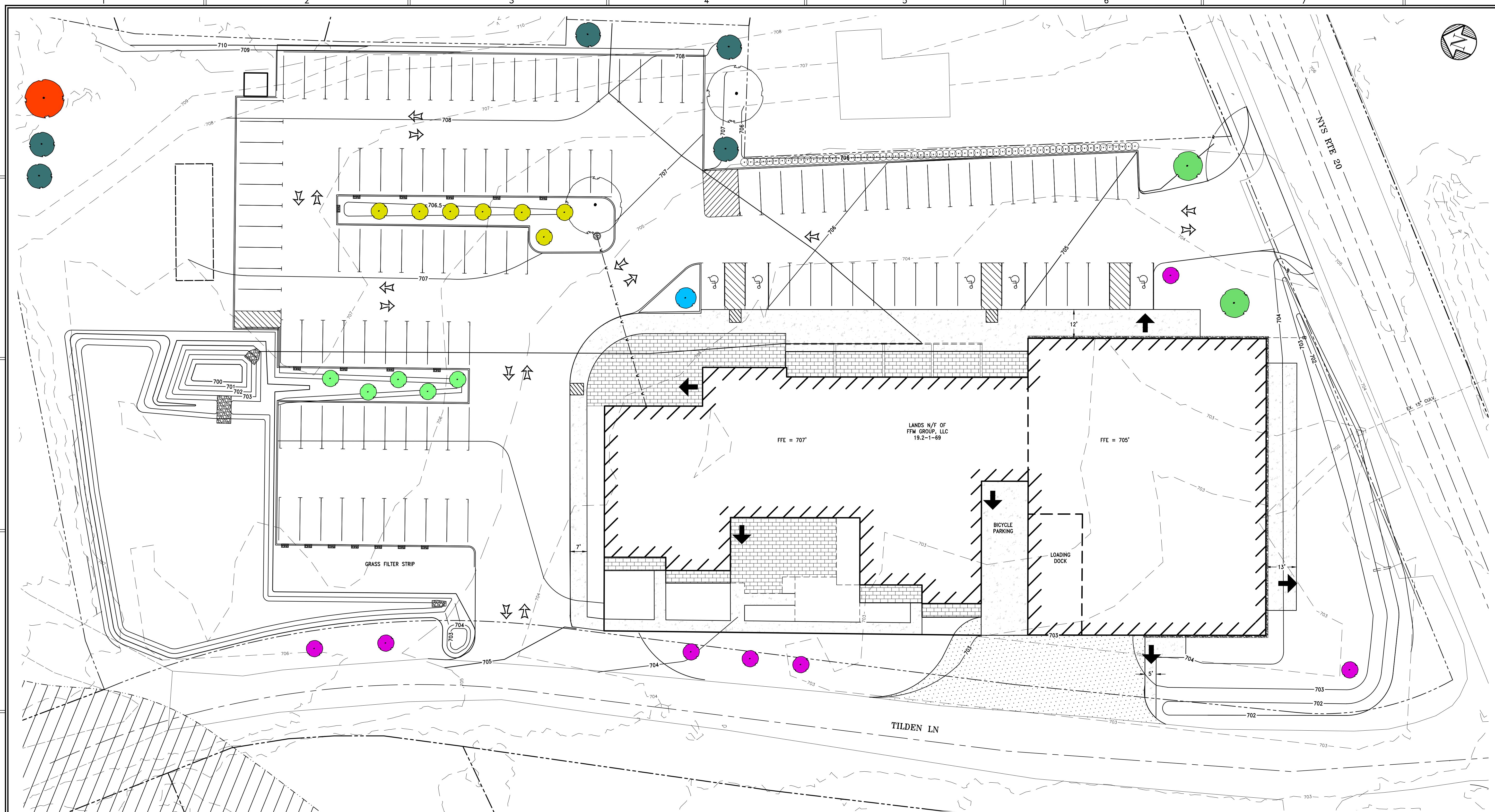


WB-62 - Interstate Semi-Trailer
 Overall Length 69.000ft
 Overall Width 8.500ft
 Overall Body Height 13.500ft
 Min Body Ground Clearance 1.334ft
 Max Track Width 8.500ft
 Lock-to-lock time 6.00s
 Max Steering Angle (Virtual) 28.40°

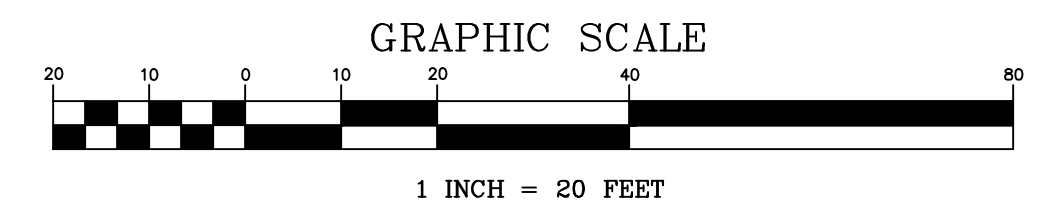
Issue/Rev.	Date	Remarks
B	7/7/25	PLANNING BOARD COMMENTS
C	8/7/25	FOR PLANNING BOARD COMMENTS
L	10/9/25	PLANNING BOARD
L	12/7/25	PLANNING BOARD
L	1/7/26	PLANNING BOARD

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	

LANDSCAPING PLAN



LANDSCAPING PLAN 1"=20'



LANDSCAPING LEGEND	
	OAK
	MAPLE
	NATIVE EVERGREEN TREE
	MULTISTEM BIRCH
	NATIVE SHRUB
	SINGLE STEM BIRCH
	NATIVE FLOWERING TREE
	EVERGREEN HEDGE
	PAVERS
	SIDEWALK

LEGEND	
	PROPERTY LINE
	EX. CONTOURS
	EX. WELL
	EX. CULVERT & CATCH BASIN
	PROPOSED CONTOURS
	PROPOSED WATER LINE
	PROPOSED CULVERT & CATCH BASIN
	SILT FENCE
	DTP/INF. #1
	SPOT ELEVATION

- NOTES:**
- SOILS INVESTIGATIONS AND INFILTRATION TESTING CONDUCTED ON 9/26/25 BY LAMONT ENGINEERS.
 - INFILTRATION TESTING AND DEEP TEST HOLE OBSERVATIONS SHALL BE RE-EVALUATED DURING SPRING HIGH GROUNDWATER CONDITIONS TO VERIFY DEPTH TO SEASONAL HIGH GROUNDWATER AND CONFIRM THE SUITABILITY OF THE PROPOSED INFILTRATION AND BIORETENTION PRACTICES PRIOR TO CONSTRUCTION. ALL SUCH TESTING SHALL BE WITNESSED BY THE TOWN OR ITS DESIGNATED REPRESENTATIVE. (ADD PLAN NOTE.)
 - INFILTRATION BASIN DESIGN INFILTRATION RATE: 6 INCHES PER HOUR.
 - STORMTECH INFILTRATOR DESIGN INFILTRATION RATE: 7.5 INCHES PER HOUR.

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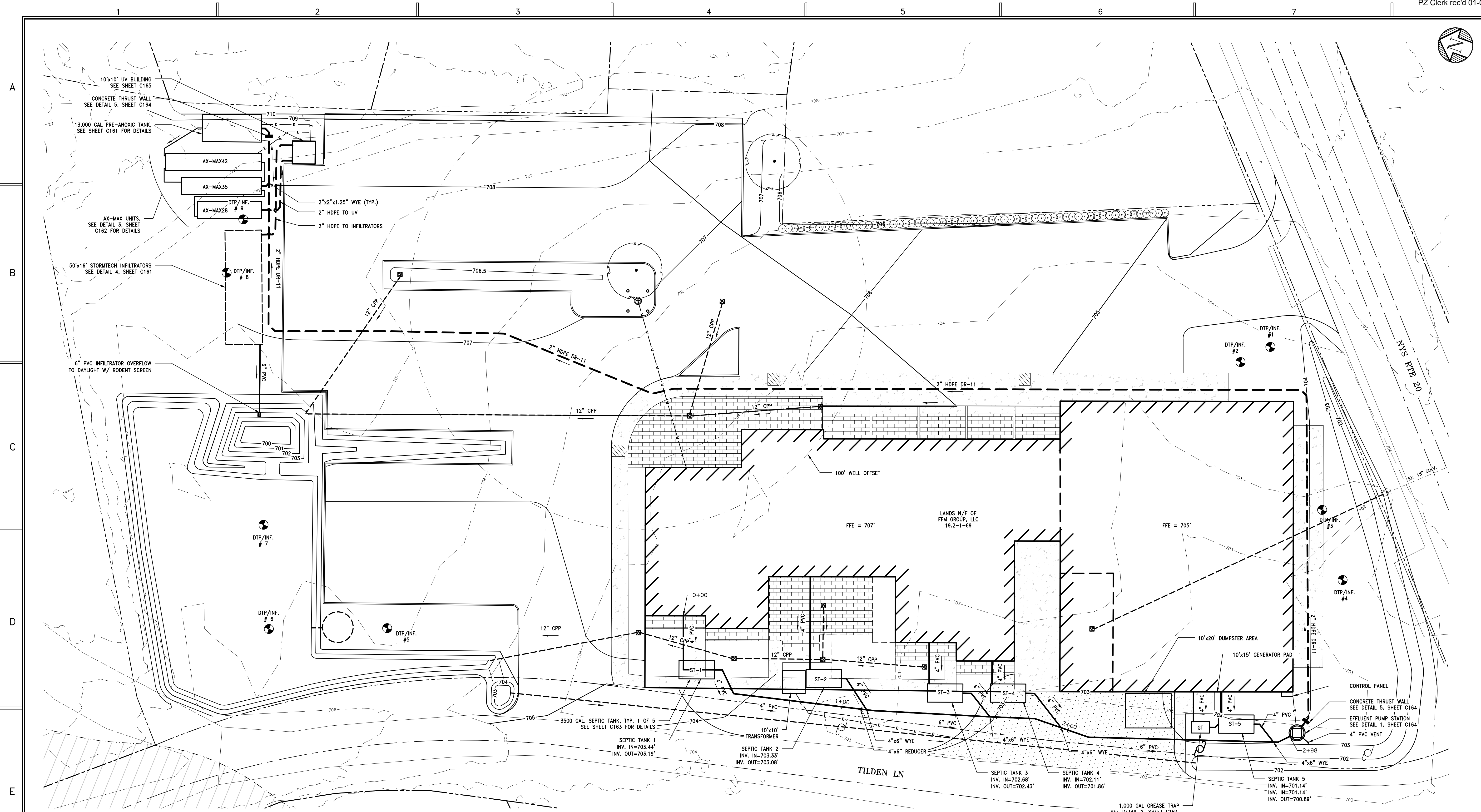
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Issue/Rev.	Date	Remarks
B	7/7/25	PLANNING BOARD COMMENTS
C	8/7/25	FOR PLANNING BOARD COMMENTS
D	10/16/25	FOR DEC REVIEW
L	10/29/25	PLANNING BOARD
M	11/27/25	PLANNING BOARD

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
SEPTIC PLAN

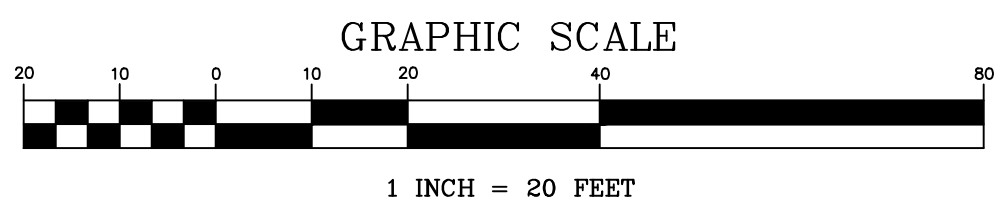
Sheet No.
C160



SEPTIC PLAN
1"=20'

LEGEND

---	PROPERTY LINE
- - -	EX. CONTOURS
700	700
⊙	EX. WELL
— v — v — v	PROPOSED WATER LINE
- - -	PROPOSED CONTOURS
▒	PROPOSED CULVERT & CATCH BASIN
—	PROPOSED GRAVITY SEWER
—	PROPOSED SEWER FORCEMAIN
- - -	PROPOSED ELECTRICAL
⊙	DTP/INF. #1 DEEP TEST PIT/INFILTRATION SOIL TEST SITE



- UTILITY NOTES:**
- CONTRACTOR SHALL INSTALL ALL GRAVITY SEWER LINES WITH A MINIMUM 1.0% POSITIVE DRAINAGE.
 - CONTRACTOR SHALL MAINTAIN ALL MINIMUM WELL OFFSETS TO NYSDOH & NYSDEC STANDARDS.
 - ALL NEW MANHOLES CONSTRUCTED WITHIN PAVED AREAS SHALL HAVE THE TOPS SET FLUSH WITH THE EXISTING PAVEMENT GRADE. IN LANDSCAPED AREAS, ALL FRAMES SHALL BE 0.1' ABOVE GRADE.
 - PROVIDE TWO (2) 45° BENDS INSTEAD OF ONE (1) 90° BEND AT ALL "RIGHT-ANGLE" BENDS IN GRAVITY FLOW PIPING (UNLESS OTHERWISE NOTED) -- PROVIDE WYES WITH 45° BENDS AT ALL "T-TYPE" JUNCTIONS IN GRAVITY FLOW PIPING.
 - AT LEAST 2 DAYS PRIOR TO START OF CONSTRUCTION, CONTRACTOR SHALL CONTACT ENGINEER IN ORDER TO SCHEDULE INSPECTIONS. IF CONSTRUCTION CEASES FOR MORE THAN 7 DAYS ENGINEER WILL BE RE-CONTACTED AT LEAST 2 DAYS PRIOR TO RESTART OF CONSTRUCTION. ENGINEER SHALL BE NOTIFIED 1 BUSINESS DAY BEFORE BURYING ANY COMPONENT OF THE APPROVED DESIGN.
 - SEE SHEET C110 FOR STORMTECH INFILTRATOR SYSTEM LOCATION. SEE DETAIL 2, SHEET C161 FOR DETAILS.
 - SEE SHEET C161 FOR SEWER PROFILE.
 - TABLE OF SEPTIC TANK VOLUMES ON TABLE C163.

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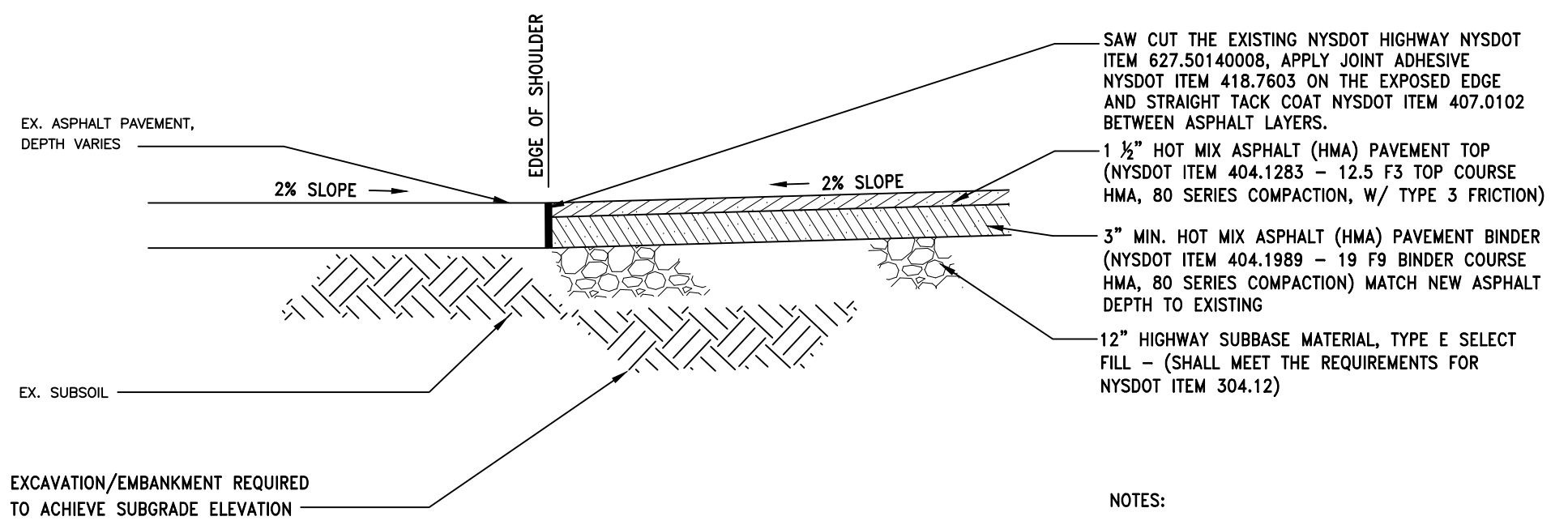
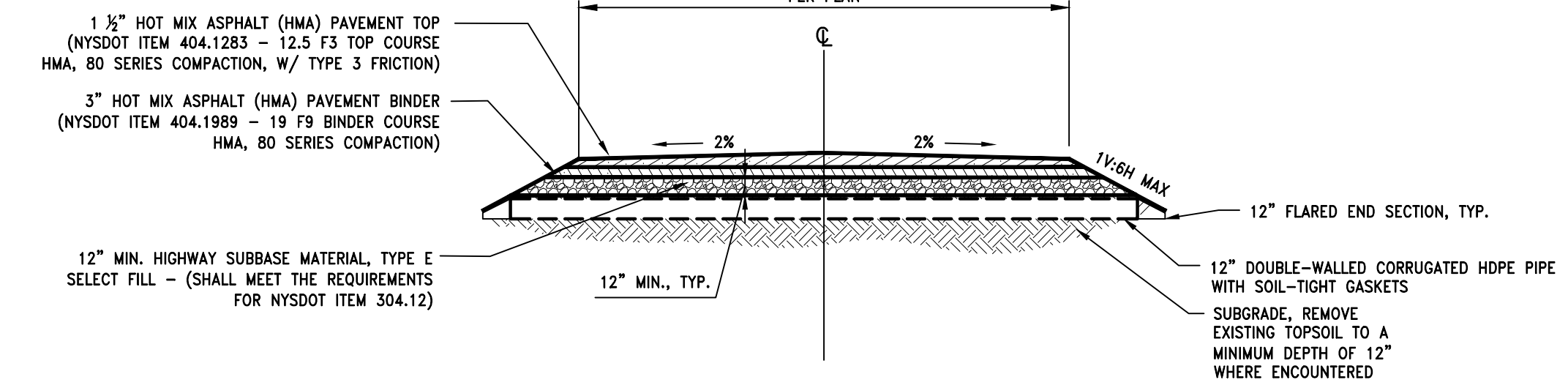
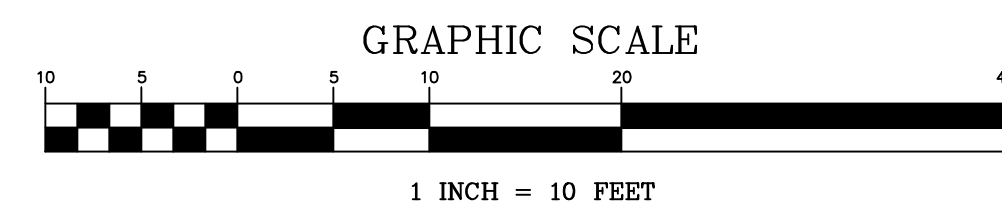
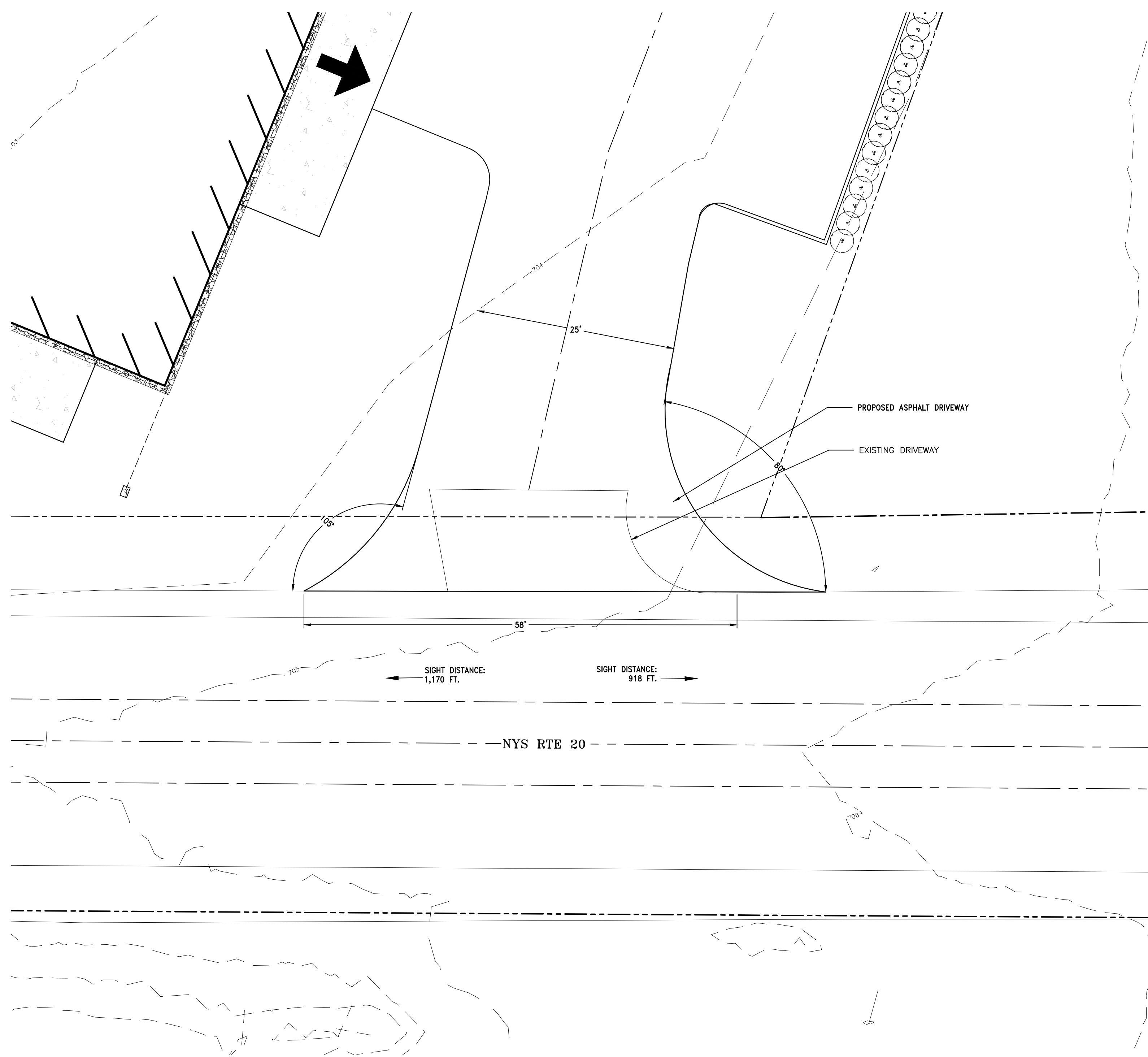
Stamp

Issue/Rev.	Date	Remarks
A	6/7/24	15% 20% REVIEW
B	6/7/24	1 FOR PLANNING BOARD COMMENTS
C	6/7/24	2 FOR PLANNING BOARD COMMENTS
D	6/7/24	3 FOR PLANNING BOARD COMMENTS
E	6/7/24	4 FOR PLANNING BOARD COMMENTS
F	6/7/24	5 FOR PLANNING BOARD COMMENTS

Project Number 2024125
 Drawn By JW
 Designed By BJB
 Checked By BJB
 Date 6/7/24
 Scale AS NOTED
 File Name BM_TILDEN

Sheet Title
**DOT
ENTRANCE
PLAN & DETAILS**

Sheet No.
C130



- NYSDOT NOTES:**
1. NYSDOT HIGHWAY WORK PERMIT SHALL BE ISSUED AND PRESENT AT THE JOB LOCATION AT ALL TIMES, WITH THE STAMPED NYSDOT APPROVED PLANS. CONTRACTOR SHALL COMPLY WITH ALL REQUIREMENTS AND CONDITIONS ATTACHED TO THE NYSDOT WORK PERMIT.
 2. DETAILS ARE INTENDED TO SHOW FINAL DESIGN. MODIFICATIONS MAY BE REQUIRED TO SUIT EXISTING FIELD DIMENSIONS OR CONDITIONS, AND SUCH MODIFICATIONS SHALL BE INCLUDED AS PART OF THE REQUIRED WORK.
 3. DRIVEWAY ENTRANCE SHALL CONFORM TO NYSDOT STANDARD SHEETS 608-03.
 4. THE MINIMUM PAVING LIMIT SHALL BE 30' FROM THE EDGE OF THE TRAVEL LANE OR TO THE R.O.W., WHICHEVER IS GREATER.
 5. ALL WORK WITHIN THE NYSDOT RIGHT-OF-WAY OR WORK THAT MAY IMPACT IT SHALL BE CONSTRUCTED TO THE CURRENT NYSDOT STANDARDS AND SPECIFICATIONS.
 6. THE WORK ZONE TRAFFIC CONTROL PLAN IS A VERY CRITICAL PART OF THE WORK PERMIT AND SHALL BE PROVIDED IN ACCORDANCE WITH THE CURRENT 619 NYSDOT STANDARD SERIES SPECIFICATION, THE NATIONAL MANUAL OF TRAFFIC CONTROL DEVICES, AND THE NYS SUPPLEMENT.
 7. THE NYSDOT RIGHT-OF-WAY IS NOT TO BE USED FOR MATERIAL AND/OR EQUIPMENT STAGING.
 8. A ROADWORK REPORTING FORM SHALL BE PROVIDED 7 DAYS PRIOR TO ANY WORK WITHIN THE NYSDOT RIGHT-OF-WAY.
 9. NO WORK SHALL OCCUR WITHIN THE NYSDOT RIGHT-OF-WAY DURING ACTIVE SNOW & ICE REMOVAL OPERATIONS.
 10. AS-BUILT PLANS SHALL BE SUPPLIED TO THE REGIONAL PERMITTING OFFICE.
 11. THE NYSDOT RESERVES THE RIGHT TO CANCEL ANY WORK OPERATIONS AT ANY POINT DURING THE PROJECT.
 12. CONTRACTOR SHALL COORDINATE WITH THE RESIDENCY:
COLUMBIA RESIDENCY
RESIDENT ENGINEER - DARRIN MORET
EMAIL - DARRIN.MORRET@DOT.NY.GOV

NOTES:
1. REFERENCE NYSDOT STANDARD DETAIL SHEETS 608-03, SHEET 5 FOR RECONSTRUCTION DETAILS

Issue Dates

#	Description	Date
1	Revision 1	Date 1

STAMPS:

NORTH:



PROJECT:

Tilden Commons

Drawing Title:

EXTERIOR ELEVATIONS

Date: 01/07/2025

Scale: 1/8" = 1'-0"

Seal/Signature:

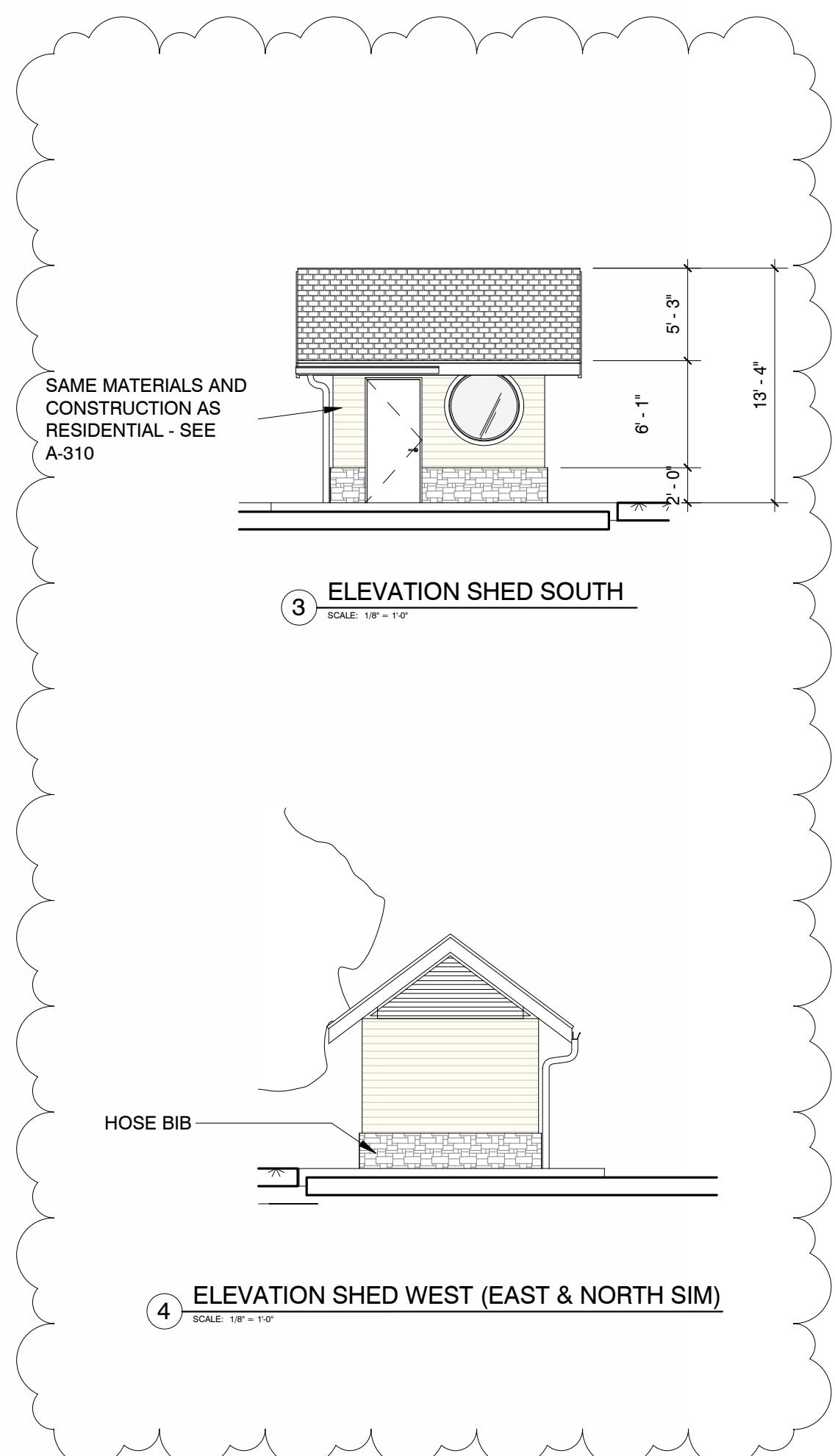
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A-202

Sheet #: of

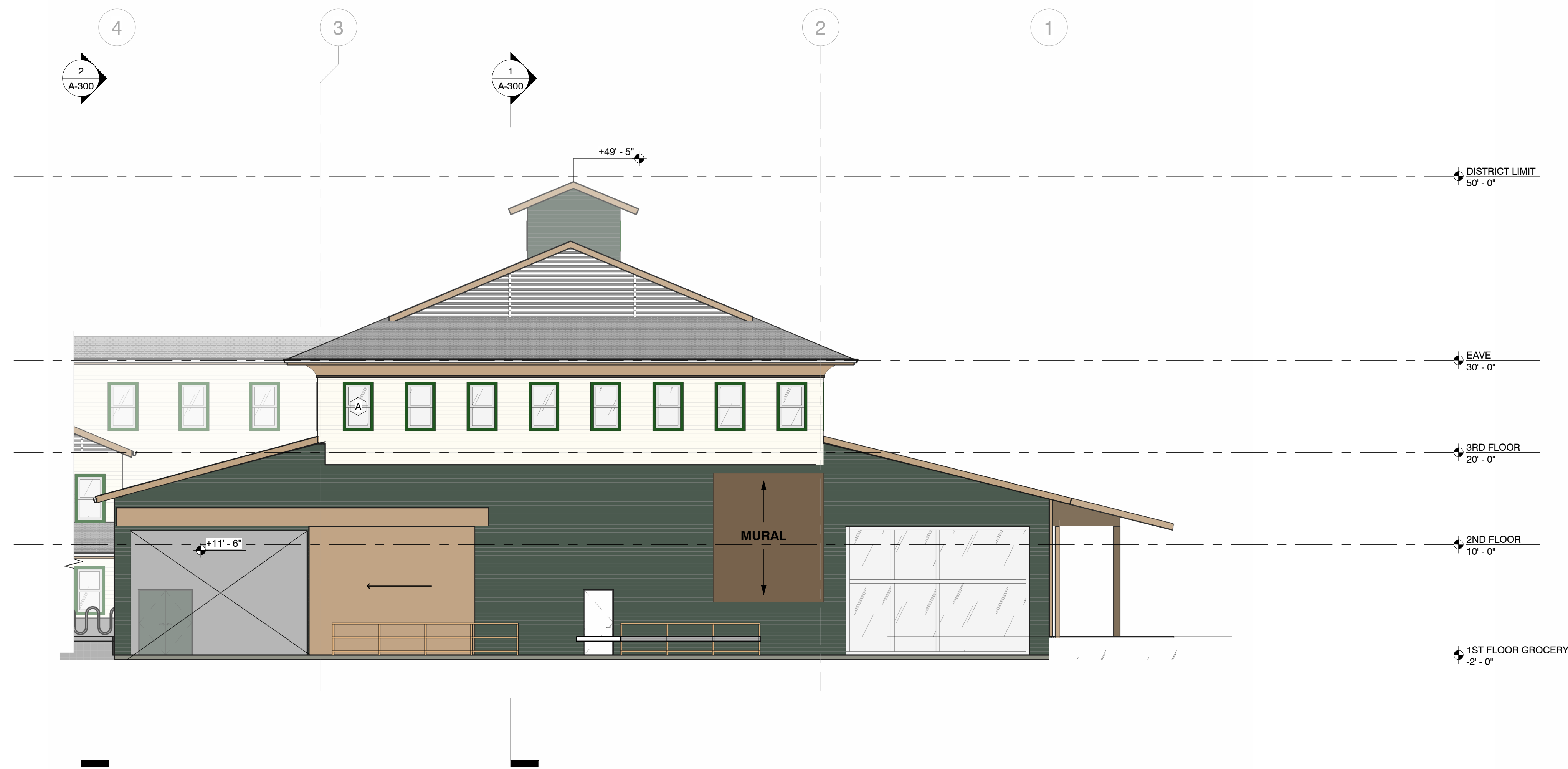


1 EXTERIOR WEST ELEVATION (RESIDENTIAL)
 SCALE: 1/8" = 1'-0"

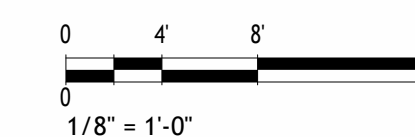


3 ELEVATION SHED SOUTH
 SCALE: 1/8" = 1'-0"

4 ELEVATION SHED WEST (EAST & NORTH SIM)
 SCALE: 1/8" = 1'-0"



2 EXTERIOR WEST ELEVATION (MIXED USE)
 SCALE: 1/8" = 1'-0"



NOT FOR CONSTRUCTION