

**TOWN OF NISKAYUNA**  
***Planning Board and Zoning Commission***

**Agenda**  
**September 11, 2023**  
**7:00 PM**

**REGULAR AGENDA MEETING**

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. APPROVAL OF MINUTES**
  - 1. Aug 28, 2023
- IV. PUBLIC HEARINGS**
- V. PRIVILEGE OF THE FLOOR**
- VI. UNFINISHED BUSINESS**
- VII. NEW BUSINESS**
  - 1. RESOLUTION: 2023 – 19: A Resolution for site plan approval for a 55-unit apartment building containing 2,000 sq. ft. of mixed-use commercial space and a 3,000 sq. ft. commercial space outbuilding at 2837 Aqueduct Rd. – Rivers Ledge Sr. Center.
  - 2. RECOMMENDATION TO ZBA: 1900 Union St. / 1854 union St. – A Recommendation to the ZBA for a lot line adjustment between 1900 Union St. and 1854 Union St. requiring area variances for a 6’ high fence and accessory structure (garage) in the front yard of 1854 Union St.
- VIII. DISCUSSION ITEMS**
  - 1. 2890 River Rd. – A sketch plan application for a 4-lot subdivision
- IX. REPORTS**
- X. COMMISSION BUSINESS**
- XI. ADJOURNMENT**

**NEXT MEETING: Oct. 2, 2023 at 7 PM**  
To be Held in the Town Board Room  
& via Remote Software

**TOWN OF NISKAYUNA**  
***Planning and Zoning Commission***  
***Hybrid Meeting***  
**Meeting Minutes**  
**August 28, 2023**

**Members Present:**

Kevin Walsh, Chairman  
Chris LaFlamme  
Genghis Khan  
Patrick McPartlon  
David D'Arpino  
Leslie Gold  
Nancy Strang  
Joseph Drescher

**Also Present:**

Laura Robertson, Town Planner  
Alaina Finan, Town Attorney  
Clark Henry, Assistant Planner (virtual)  
Trisha Bergami, Planning Department

**I. CALL TO ORDER**

Chairman Walsh called the hybrid meeting to order at 7:00 P.M.

**II. ROLL CALL**

Mr. Skrebutenas was absent/excused.

**III. MINUTES**

1. August 14, 2023

Mr. D'Arpino made a motion to approve the Minutes from the 8/14/23 meeting. Ms. Strang seconded. All were in favor.

**IV. PUBLIC HEARINGS**

No public hearings tonight.

**V. PRIVILEGE OF THE FLOOR**

Ms. Tiberio of 8 Seneca Road stated that she has lived in Niskayuna for 49 years. She said she wanted to discuss drainage problems and the proposed project on Seneca and River Road. Ms. Tiberio stated her disapproval of any additional houses being added to this area until the current drainage problems have been resolved.

Mr. Horowitz of 1223 Ruffner Road wanted to make sure he emphasized that the Environmental Review for Mohawk Golf Club should take into consideration the entire years weather and soil conditions, not just one specific point in time.

38 Mr. Foreman of 1900 Union Street spoke about not having the ability to have a driveway onto Route 7  
39 and therefore felt his property and the lot line adjustment proposed should not be considered to have two  
40 front yards.

41 Chairman Walsh, hearing and seeing no one else, stated privilege of the floor was closed

42 **VI. UNFINISHED BUSINESS**

43 No unfinished business

44

45 **VII. NEW BUSINESS**

46 No new business

47 **VIII. DISCUSSION ITEMS**

48

49 1. 2861 Troy – Schenectady Rd. – Brookdale Sr. Living -- An application for a 10' x 12'  
50 storage shed.

51 Mr. LaFlamme was project lead. Mr. LaFlamme did a walkthrough of the site and had some concerns  
52 about the quality of the shed the applicant had chosen. The suggestion was made to the applicant to get a  
53 shed that was made of wood and it should be more in harmony with the original building. The shed  
54 should be put near the dumpsters. The applicant was not in attendance and has not responded to the  
55 suggested changes.

56 Chairman Walsh asked to have a letter sent to the applicant and to try and get agreement on the project.

57 2. 2837 Aqueduct Rd. – Rivers Ledge Sr. Center – A site plan application for a 55-unit  
58 apartment building containing 2,000 sq. ft. of mixed-use commercial space and a 3,000 sq.  
59 ft. commercial space outbuilding.

60 Mr. Pafundi, representing Rivers Ledge, said they wanted to get back in front of the Board to go over all  
61 that has been completed and see what they still needed to complete.

62 Mr. Khan stated that they received the DEC permit so he verified that they are looking for the final  
63 approval on the building. Mr. Khan said there are still some open items listed on the agenda.

64 Mr. Pafundi said they have someone lined up to do a restaurant and it will be a retro themed diner.

65 Mr. Pafundi said they are showing the bus stop location on the map. He stated that they still need to  
66 speak with CDTA and is hoping the Planning Department might be able to help with the bus stop  
67 addition.

68 There was much discussion on changing the parking island sizes and parking spaces. It was decided to  
69 leave them the same.

70 Mr. Pafundi said they are at the required amount of parking coverage and stated he feels putting hotel  
71 style walkway coverage takes away from the look of the buildings. He said a widened corridor has been  
72 added to fit carts that will be provided for residents to unload their groceries and bring them in the  
73 building.

74 It was suggested to put a 15 minute drop off in the front of the building near the corridors.

75 Mr. Pafundi stated that he believes the setbacks for the garages relative to the property lines are within the  
76 original approval.

77 Mr. Pafundi feels the suggestions from the ARB to change the roof lines would cheapen the appearance of  
78 the garages.

79 Mr. D'Arpino suggested adding windows on the backside of the garages facing the bike path - for some  
80 natural light and to break up the plain backside of the garages.

81 Mr. Khan stated doing that does make the garages a little more vulnerable to vandalism from the bike  
82 path.

83 Mr. McPartlon asked about the use of the bike path by current residents of Rivers Ledge.

84 Mr. Pafundi stated it is definitely used by the residents to get from point a to point b but it is also highly  
85 used by non-residents regularly.

86 There was much discussion about lighting the Mohawk Hudson bike path in that section. Mr. Pafundi did  
87 state he believes that stretch of the bike path is governed by New York State Parks & Rec and they have  
88 the final say on the lighting. Ms. Robertson agreed the State has the final say.

89 Mr. McPartlon inquired about the rec building.

90 Mr. Pafundi stated its done and they went from being 80% rented to 95% with the completion of the rec  
91 building.

92 Chairman Walsh asked if the Board was ready for a resolution at the next meeting. It was the feeling of  
93 the majority of the Board that they were ready. Chairman Walsh stated that they will have a tentative  
94 resolution at the next meeting.

95 Ms. Robertson asked about the water valve installation on Balltown Road.

96 Mr. Pafundi stated that the pressure reducing valve on Balltown Road from Phase I will be nighttime  
97 work done in October. He stated a crane is needed to move the vault and it is a lot of coordination with  
98 NYSDOT.

99 Ms. Robertson said there is still a home on Aqueduct Road that needs top soil and grass seed that the  
100 applicant needs to attend to immediately. Also there is supposed to be a sidewalk along Aqueduct Road  
101 from where the bike path crosses east to the property line – but decorative stone has been installed there  
102 instead. These items are both from Phase I and need to be addressed. Ms. Robertson also reminded Mr.  
103 Pafundi that there is a piece of sidewalk connects Rivers Ledge to the Aqueduct Park along aqueduct  
104 Road that is required to be built for Phase II.

105 Mr. Pafundi said he will get it done and included in the plans.

106 3. 2890 River Rd. -- An application for Sketch Plan Approval – 4 Lots or Less for a 4-lot  
107 subdivision

108 Mr. Michael Roman, applicant's architect, presented the plan and said they are proposing to remove the  
109 existing house and build three houses that are accessed from River Road and one house that will be  
110 coming off the cul-de-sac on Seneca Road. He also stated that wetland delineation has been done and  
111 they are aware of the drainage issues but are confident they can be addressed by their Civil Engineer.

112 There was discussion on the culvert underneath Seneca Road and whether or not it was being taken care  
113 of and if it could be part of the drainage problems if the Town is not keeping it clean. Mr. Robertson  
114 stated the Town cleans the culvert regularly – maintenance of the culvert is not the issue,

115 There was discussion that the wetlands / water channel through this channel may need to be cleaned /  
116 maintained. Ms. Robertson clarified that this area is private property and the Town does not have any  
117 ability to maintain a drainage channel through private property.



Ms. Robertson also stated that an engineering study needs to be done to show how the water is coming to the parcel, how it is moving through the parcel and then how it is exiting the parcel in order to be able to propose a way to mediate the issues.

Mr. Khan asked on what basis would they be able to entertain an application for a subdivision in an area that is historically known to have water issues.

Ms. Robertson stated there are a few codes that explain the responsibilities that a developer has in dealing with drainage, flooding and lands subject to drainage problems. She read the code (Town Code Section 189-20) and stated the developer would need to study how the water is getting to the parcel, how the water is moving through the parcel, and how the water is exiting the parcel to be able to propose ways that address the problems.

The Board discussed the responsibility of studying upstream and downstream drainage with the owner, Ryan Lucey and his engineer with Engineering Ventures PC. Chairman Walsh stated the applicant had their work cut out for them with the drainage issues.

Chairman Walsh stated that the lots that are left in Niskayuna are limited and they are getting tougher and tougher to develop because of water and access. Chairman Walsh also informed the applicants that once they submit a plan it would need to be sent to a Town designated engineer at the cost of the developer to get reviewed.

Mr. McPartlon said not including the water issue the present sketch plan looks good as far as lot sizes and locations. He asked what the plans were for the small parcel on the other side of the wetlands and if they would consider putting a conservation easement on it.

Mr. Roman said he doesn't think he would be opposed to that. Mr. Roman felt this could be a way to correct some of the water issues in that area and make it easier to maintain the infrastructure.

Ms. Gold agreed that the subdivision could result in improvement of that area. She also stated that this will be a major focus in the review.

Chairman Walsh let the applicant know he would like to do a site walk on the property. Chairman Walsh also asked for a volunteer to be site lead on this project.

## **IX. REPORTS**

1. 1851 Union St / 1245 Ruffner Road – Mohawk Golf Club – An UPDATE on the State Environmental Quality Review (SEQR) process and an application for sketch plan approval including a Special Use Permit for a 22-lot Average Density Development (ADD) subdivision consisting of 10 single-family detached homes and 12 townhomes.

Mr. Henry went over the application / permit process, including the SEQR process, which was included in the meeting packet. Mr. Henry stated that the Town Board made a positive SEQR determination so it cannot act on the special use permit until the full SEQR process is complete including all the DEC requirements as outlined. Mr. Henry summarized that there is no time limit on the applicant getting the scoping document back to the Town but once it is received by the Town, the Town has 60 days to act on it. He stated that is where the Mohawk Golf Club project currently stands.

Ms. Strang asked if there is some sort of expiration date on the scoping document, it shouldn't be allowed to go on for any number of years.

Ms. Finan asked if there is anything in the Town's code that creates a timeline.

Ms. Robertson said she believes they need to get guidance from the DEC for clarification on Town timelines for application versus DEC timelines.

Ms. Finan stated that there can't be any movement until the proposed paper street access points are approved, which can also take a long time.

162     **COMMISSION BUSINESS**

163     Mr. McPartlon asked about 1900 Union Street and if he the applicant had considered withholding a sliver  
164     of land to create a buffer to route seven and preserve the rear property line.

165     Ms. Robertson said the Planning Board discussed that option but didn't think it was ideal because it  
166     creates an usually shaped parcel that can cause problems in the future. However, that would protect the  
167     1854 Union St property owner from having two front yards. Ms. Robertson said Mr. Forman and Mr.  
168     Conboy has a good argument to go to the Zoning Board for a variance as to why there is a hardship to the  
169     areas being qualified as front yard, but he would need to do that each time he wanted to put something in  
170     his backyard.

171     It was stated that Mr. Forman needs to do an application to the ZBA before anything else can take place  
172     on the proposal that is currently before the Board.

173     **X.     ADJOURNMENT**

174     Chairman Walsh made a motion to adjourn the meeting, Ms. Strang seconded the motion. All were in  
175     favor. The meeting was adjourned at 9:27 pm.

176     *The video recording for this meeting can be found at: <https://www.youtube.com/watch?v=WavdKoPslA4&list>*



# TOWN OF NISKAYUNA

## PLANNING BOARD AND ZONING COMMISSION

### AGENDA STATEMENT

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AGENDA ITEM NO. VII. 1

MEETING DATE: 9/11/2023

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**ITEM TITLE:** RESOLUTION: 2023-19: A resolution for site plan app for a 55-unit senior apartment building containing 2,000 sq. ft. of mixed-use commercial space and a 3,000 sq. ft. commercial space outbuilding at 2837 Aqueduct Rd. -- Rivers Ledge.

**PROJECT LEAD:** Genghis Khan & Chris LaFlamme

**APPLICANT:** Chuck Pafundi, agent for the owner

**SUBMITTED BY:** Laura Robertson, Town Planner

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**REVIEWED BY:**

☒ Conservation Advisory Council (CAC) ☒ Zoning Board of Appeals (ZBA) ☐ Town Board  
☒ OTHER: ARB (in process)

**ATTACHMENTS:**

☒ Resolution ☒ Site Plan ☐ Map ☐ Report ☐ Other:

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**SUMMARY STATEMENT:**

Chuck Pafundi, Project Manager for the River's Ledge development project, submitted an Application for Site Plan Review for a Rivers Ledge Senior Center building. The design includes a building containing 55 senior apartment units and 2,000 sq. ft. of mixed-use commercial space near the west end of the River's Ledge Phase I property line and a second 3,000 sq. ft. commercial building located approximately 380' to the east at the River's Ledge site off of Aqueduct Road. The originally proposed underground parking has been replaced with several detached parking garages.

Mr. Pafundi attended the 8/28/23 Planning Board meeting and provided a comprehensive update on the project. The open action item list was reviewed and the Board called for a tentative resolution for site plan approval for the 9/11/23 meeting. A resolution and updated list of action items is included in the meeting packet.

**BACKGROUND INFORMATION**

The lot at 2837 Aqueduct Road, known as Rivers Ledge of Niskayuna, received approval as a Planned Unit Development with 2 phases – the first phase was the 16 ten-unit apartment buildings and club house (& Rec Center) that is under construction now and the second phase was 100 senior living apartments and commercial space.

**Phase 2 – Revision 1**

The initial, Rev 1, version of a proposed Senior Center building is included in a drawing entitled "Overall Layout Plan 2837 Aqueduct Road" by Arico Associates dated January 2017 with a most

recent revision status of 1 dated 4/14/17. The specific details of the 100 unit proposed building are not included on the above referenced drawing however the water and wastewater impact of the Senior Center were included in relevant design calculations.

## **Phase 2 – Revision 2**

The Rev 2 proposal includes a building containing 60 senior apartment units and 2,000 sq. ft. of mixed-use commercial space with 60 below grade garage parking spaces and 65 outdoor parking spaces. A proposed standalone 3,000 sq. ft. commercial building including 11 parking spaces is also included.

The Rev 2 version of the design was reviewed at the 11/3/21 Architectural Review Board (ARB) meeting, the 11/3/21 Conservation Advisory Council (CAC) meeting and the 11/8/21 Planning Board (PB) meeting. A brief summary of salient points from those meetings is included below.

11/3/21 Architectural Review Board (ARB) – The Planning Office presented the initial version of the site plan drawing and elevation drawing for the proposed buildings. A very general overview of the project was provided and it was noted that a more formal review will be held at a future meeting.

11/3/21 Conservation Advisory Council (CAC) – The Planning Office presented the initial version of the site plan drawing and elevation drawing for the proposed buildings. It was noted that the building was proposed as a 100-unit apartment building during the initial approval process for the Planned Utility District (PUD) but the presence of wetlands necessitated the reduction in the size of the building to its current size. Army Corps of Engineers approval will be required. The visibility of this building from Aqueduct Road was acknowledged and the need for appropriate facades and screening is required to keep the rural character of Aqueduct Road.

11/8/22 Planning Board (PB) meeting -- Staff's initial thoughts are the reduction in disturbance to the wetlands is good, and a standalone commercial building could lend itself to a sit down restaurant or something that can complement the Mohawk Hudson bike hike trail's recreational use – but the height of the mixed use building is a problem and the mixed use commercial space could benefit from facing the bike path and having an outdoor seating and tables feature (originally discussed in the PUD concept). Niskayuna zoning code Section 220-17 Height Regulations does not allow buildings over 35 feet high. As proposed, the 3-story apartment building is 44' 4". Therefore, a variance of 9' 4" ( $44' 4" - 35' = 9' 4"$ ) would be required from the Zoning Board of Appeals. The rural character of the road is not incorporated into the façade, the public parking has been reduced, and the sidewalk connection is not yet shown.

## **Phase 2 – Revision 3**

A Rev 3 version of a proposed Rivers Ledge Senior Center was submitted to the Planning Office on 5/19/22. This version includes a building containing 66 senior apartments and 2,000 sq. ft. of mixed-use commercial space. The plan includes 66 below grade and 78 grade level parking spaces. A small parking area containing 7 parking spaces is also included to provide access to nearby Aqueduct Park. A second building consisting of 3,000 sq. ft. of commercial space with 11 nearby parking spaces is also included.

The following documents were provided as part of the Rev 3 proposal.

1. A 12-page drawing set entitled "Overall Plan – Phase 2" by Brett L. Steenburgh, P.E., PLLC dated 5/11/22 with no further revisions.
2. A 24-page drawing set intended for the Niskayuna Architectural Review Board (ARB) with the first page entitled "Exterior Perspective – View from Aqueduct Road" by HCP Architects dated 5/3/22 with no subsequent revisions.
3. A 1-page drawing entitled "First Floor Plan – East Wing" by HCP Architects dated 5/11/22 with no subsequent revisions.
4. A 144 page "Sewer Report" entitled "Addendum to the Project Narrative for Sanitary Sewer District #1 Extension #123" by Brett L. Steenburgh, P.E. PLLC dated February 3, 2020 with no subsequent revisions.
5. A 706-page "SWPPP Report" entitled Storm water Pollution Prevention Plan for the Development of Rivers Ledge of Niskayuna" by Arico Associates Engineers, Land Planners & Consultants dated April 2017 with a most recent revision of January 2018.
6. A 59-page "Water Report" entitled "Addendum to the Engineers Report Sanitary Water District #1 Extension #168" by Brett L. Steenburgh, P.E. PLLC dated December 11, 2020 with no subsequent revisions.

### **SUMMARY FROM THE PLANNED UNIT DEVELOPMENT SITE PLAN APPROVAL**

**Condition 3 of the Rivers Ledge Planned Unit Development Site Plan Approval (last amended 9/27/2021 via PB Resolution 2021-31) required the following:**

*The following general site plan improvements and requirements shall be addressed for Phase II of Rivers Ledge of Niskayuna.*

- a) *The Developer shall work to preserve and protect the rural character of Aqueduct Road through the facades and landscaping of the properties along Aqueduct Road. The building designs shall remain the same height and character as those renderings presented to the Conservation Advisory Council on May 3, 2017.*
- b) *A landscaping design should be established to mitigate the loss of any wetlands and forests, with special attention to the Aqueduct Road corridor. The Tree Council shall survey the trees to be removed and approve the replanting plan. The developer shall work with the Town to preserve the Northern Long-Eared Bat habitat trees wherever possible, and replace and replant similar species if they must be removed.*
- c) *Where applicable, the Developer shall work with the Planning Board to reduce impacts to wetlands wherever possible. Mitigation for the wetlands shall be local first, in place and in kind and the Developer shall go to great lengths in a good faith effort to mitigate any wetland impacts within the local watershed area.*
- d) *The applicant shall be responsible for the construction of a public parking area between Aqueduct Road and the Mohawk Hudson Hike Bike Trail. Prior to final PUD approval, all access easements necessary for the public parking shall be granted to the Town of Niskayuna.*
- e) *Phase II includes the construction of senior living apartments. Transit has not been addressed in the previous site plans. The Developer shall contact CDTA and explore the possibility of extending service to Phase II of the Rivers Ledge PUD.*
- f) *The Developer shall be responsible for the parkland, sewer trunk and water trunk fees as outlined on a per unit cost in Town Board Resolution #2016-218.*

- g) *The applicant shall strive to meet the objectives of the Planned Unit Development Code, Section 220-34 and all multi-family dwelling regulations outlined in Chapter 220-26 of the Town of Niskayuna Zoning Code.*
- h) *The applicant shall install a sidewalk from the edge of the Rivers Ledge of Niskayuna property line down Aqueduct Road to the entrance to the Aqueduct Park on Aqueduct Road.*

5/23/22 Planning Board (PB) meeting – Mr. Pafundi attended the meeting and presented the Rev 3 version of the proposed Senior Center. He noted that since they last appeared before the PB (11/8/21) their design team completely redesigned their approach. One of their primary goals was to break up the long length of the building with the use of a row house look and a variety of façade depths, colors, etc. He noted that they were able to maintain the requirement of 1 parking space for each apartment unit in the building. PB members noticed and commented on the height of the building being 41' (35' is max. allowed per zoning code) and would therefore still require a variance. The PB suggested that Mr. Pafundi utilize a mixture of roof lines – dormers, gable, mansard roof, etc. to soften the building appearance.

Mr. Pafundi stated that he can have his architects and civil engineers work together to create a rendering of how the building will appear with the existing trees and vegetation around it. Mr. Pafundi noted that he is working with the Army Corps of Engineers regarding wetlands.

The PB established the following action items.

- Applicant – work with design team regarding the PB's façade comments
  - Create a rendering showing proposed building with exiting trees around it to help w/scale
  - Explore ways to shorten the height of the building and also make it appear shorter
- PO – schedule a review with the ARB
- PO – provide pictures of Notts Landing to Mr. Pafundi

On Monday June 6, 2022 Mr. Pafundi emailed the Planning Office stating that he and his design team evaluated the following 3 design options.

1. Reduce the height of the building to comply with the 35' maximum zoning code height.
2. Employ design features such as dormers, gable roofs, mansard roofs, etc. to reduce the visual impact of a building that is taller than 35'. (Make the building appear <= 35').
3. Proceed with the design as it was presented at the 5/23/22 PB meeting and request a variance for building height from the Zoning Board of Appeals (ZBA).

In the email Mr. Pafundi stated that they would like to proceed with option 3. A scaled rendering of the 41' high building and the surrounding trees was also provided.

6/8/22 Conservation Advisory Council (CAC) meeting – the Planning Office described the details of the Rev 3 version of the proposed Senior Center Building to the CAC. After an engaged discussion the CAC members concurred on offering the following suggestions.

- They would like to see what a 2-story rendition would like that complies with the 35' height requirement because they are concerned about the height.
- They asked for green energy practices to be utilized – solar, EV charging stations, etc.
- They asked the Planning Board to require pesticide free maintenance of the building grounds, especially with all the wetland around

- They asked for a path or walkway to connect all of the buildings, including the small commercial building, to the bike path.
- They requested outdoor seating and outdoor recreation space for the senior center building and outdoor seating for the commercial building.
- They appreciated the reduction in wetland impacts.

6/13/22 Planning Board (PB) meeting – Mr. Pafundi attended the meeting and explained that the developer would like to pursue approval of the 41' high building as shown in the "Rev 3" design. He noted that their design team believes the extra 6' ( $41 - 35 = 6$ ) of building height allows for a more residential looking pitched roof design. He requested that the Planning Board proceed with the "Rev 3" design and make a recommendation either for or against the design so that he could pursue an area variance for 6 additional feet of building height with the ZBA. Ms. Robertson displayed the colored rendering that was included in the PB meeting packet that showed a scaled side elevation view of the building including the nearby trees. After discussion the PB requested the following additional detail for the 7/11/22 PB meeting and agreed to make a recommendation on the ZBA application at that meeting.

6/15/22 Architectural Review Board (ARB) meeting – the ARB reviewed the most recent images of the building and discussed the upcoming ZBA meeting.

7/6/22 Conservation Advisory Council (CAC) meeting – Mr. Pafundi attended the meeting and repeated the presentation he made to the Planning Board at their 6/13/22 meeting. He responded to each of the CAC's requests from their 6/8/22 meeting and explained why some could be implemented and why others could not. Mr. Pafundi and the CAC discussed several potential additions to the site plan including the following.

- Add a sidewalk and cross walk that connects the small commercial building that is part of the Senior Center site plan to the bike path.
- Add an outdoor seating and potentially dining area between the Senior Center and River Run Drive.
- Add more landscape screening between the Senior Center building and Aqueduct Road
  - Utilize a mixture of evergreen and deciduous trees
  - Retain as many existing trees as possible
- Utilize pesticide free landscaping practices

Mr. Pafundi noted that he is working with his team to produce architectural renderings of the Senior Center as viewed from the Rexford side of the Mohawk River. The Planning Board previously asked for renderings that show where the air conditioning units will be located on the buildings.

7/11/22 Planning Board (PB) meeting – Mr. Pafundi attended the meeting and addressed the questions that were raised at the 6/13/22 PB meeting. He confirmed that the HVAC units will not be visible from the sidewalks, streets or anywhere outside and around the building. He noted that the design team is still working on preparing renderings of how the proposed Senior Center building will appear when viewed from the Alplaus side of the Mohawk River. He expected to have the renderings in time for the 8/24/22 ZBA meeting. He also noted that the final package has been submitted to the Army Corps of Engineers and that the first comments from the Town's TDE were received on 7/7/22. The PB inquired about how the "barbell" ends of the building connect with the main building roofline. Mr. D'Arpino requested an aerial roof plan. Mr. Pafundi agreed to provide the plan. The PB discussed the effect on the comprehensive plan, the suitability of use and then recommended with a vote of 7-0 that the ZBA grant the requested area variance for building height.

8/3/22 Schenectady County Planning and Zoning Coordination Referral – The Commissioner of Economic Development and Planning received the Town’s referral and approved the proposal on 8/3/22.

8/17/22 Architectural Review Board (ARB) – The ARB reviewed the most recent documents and renderings of the proposed Senior Center at their 8/17/22 meeting. The Planning Office had prepared a Power Point presentation of several existing “row house” type buildings in the Capital District for reference. The presentation includes buildings in Ballston Spa, Saratoga, Green Island as well as generic “row house images” that were obtained with a simple Goggle search. The ARB still has concerns regarding the mass and scaling of the buildings. They agreed that a roofline plan is necessary to assess how the building would be constructed and how it would appear from various viewing angles. The ARB agreed to schedule a follow up working session with Mr. Pafundi and HCP Architects.

8/24/22 ZBA meeting – The Zoning Board of Appeals reviewed the application for an area variance for 6 additional feet of building height and granted the variance at their 8/24/22 meeting. They requested that the applicant work with the Planning Board to remove white siding from the proposed new building (per Alplaus resident request at meeting).

8/29/22 Planning Board (PB) meeting – Mr. Pafundi was not able to attend the 8/29/22 PB meeting. Chairman Walsh and Ms. Robertson updated the Board regarding the ZBA’s granting of the area variance for building height. The PO and PB discussed the next steps for the project and the outstanding action items from the 7/11/22 PB meeting.

Mr. Pafundi and his engineer Mr. Steenburgh submitted a “site section view” drawing to the Planning Office on 9/8/22. The drawing shows a cross section view of an elevation view of the Alplaus side of the Mohawk River, the Mohawk River, and the Niskayuna side of the Mohawk River. The drawing shows the general elevation differences between the homes on the Alplaus side of the river and the Rivers Ledge site. The Planning Office reviewed their notes from previous meetings and compiled the following list of open action items for review at the 9/12/22 meeting.

1. Add a sidewalk and cross walk that connects the small commercial building to the existing bike path.
2. Add outdoor seating / dining area between the Sr. Center and River Run Drive.
3. Add more landscape screening between the Sr. Center building and Aqueduct Rd.
  - a. Utilize a mixture of evergreen and deciduous trees.
  - b. Retain as many existing trees as possible.
4. Per resolution 2021-31 Condition 3 (h) install a sidewalk from the edge of the Rivers Ledge of Niskayuna property line down Aqueduct Road to the entrance to the Aqueduct Park on Aqueduct Road.
5. Remove white siding from the proposed buildings.
6. Provide a roof plan for the Sr. Center building.
7. Meet with the ARB to continue to refine the façade design of the building.

9/12/22 Planning Board (PB) meeting – Mr. Steenburgh attended the meeting on behalf of the applicant. Ms. Robertson informed the PB that the area variance for a building height of 41’ (6’ variance) was approved by the ZBA at their 8/24/22 meeting. Ms. Robertson noted that nearby residents had requested that white siding not be used on the Senior Center building due to the high level of reflectiveness and brightness. Mr. Steenburgh agreed. He also noted that a roof plan will be provided for the 10/3/22 meeting.



A roof plan drawing was received and is included in the meeting packet.

10/3/22 Planning Board (PB) meeting – There were no representatives on behalf of the applicant at the meeting. The PB briefly discussed the roof plan. Mr. D’Arpino explained how the HVAC system will be stored and concealed. The Planning Office noted that the Weston and Sampson engineering firm has been selected as the TDE for the project. The PB requested additional information and details for the smaller 3,000 sq. ft. building.

On 1/10/23 Mr. Steenburgh emailed the Planning Office stating that construction costs associated with the underground parking have made the project cost prohibitive. The email includes a revised sketch plan that includes 55 car port parking spaces to meet the one covered space per unit as required in the Town zoning code. The revision status of the drawing was not changed but a hard copy version is stamped “Received Jan 10 2023 Planning Office Niskayuna, NY” and saved in the paper folder archives. The sketch plan now includes 55 covered parking spaces and 69 uncovered parking spaces.

A new 23-page design package entitled “Exterior Perspective – View from Aqueduct Road, Rivers Ledge Development Senior Building, Aqueduct Road, Niskayuna, NY 12309 by HCP Architects dated 12/12/22 was also included with the email. The design package includes renderings of the exterior of the revised building, window and siding specifications, interior floor plans and manufacturer’s spec. sheets for several other key components of the proposed design.

While the Planning Office does not object to changing the parking to above ground, the Board should explore the visual change/impact to the Mohawk Hudson Bike Hike Trail, what the materials for the proposed garages would be, whether the main building height can be lowered as a result of the loss of the underground parking, what the impact is to landscaping and screening. The PO notes the conditions for Phase 2 of the PUD includes:

1. Preserving and protected the rural character of Aqueduct Road
2. Mitigate the loss of wetlands with landscaping and protect northern long-eared bat trees
3. Reduce impacts to wetlands (as proposed one building reduces impacts)
4. Construct a public parking lot (shown in proposed plan)
5. Explore transit opportunities / bus stop on premises
6. Meet multi-family dwelling regulations wherever possible
7. Install a sidewalk from the edge of Rivers Ledge property line down Aqueduct Road to the entrance to Aqueduct Park on Aqueduct Road (not shown)

The Board should review and discuss the revised design.

2/23/2023 Planning Board (PB) meeting – Mr. Steenburgh, engineer for the applicant, attended the meeting and presented the new design on the applicant’s behalf. The Board expressed dismay that the underground parking that was included in the original proposal was not included as part of the most recent proposal for the senior center building and asked the applicant to look into several alternative designs to keep the feel of the PUD. Some of the considerations were:

1. Look at underground parking again
2. Look at moving underground parking adjacent to building
3. Look at breaking up the sea of asphalt around this building
4. Consider less covered parking – only covered parking to one side of building

5. Consider inside of building – entrances and exits are not conducive to walking to covered parking – consider covered entry or walkway to parking

2/27/2023 Planning Board (PB) meeting – Mr. Chuck Pafundi, applicant for the project and Project Manager for the Rivers Ledge development, attended the meeting to discuss some of their findings following the last Planning Board meeting and discuss options to pursue for approval. The Planning Board discussed that if the project had to move to detached garages, they would want to ensure one covered space per unit (55 total). They requested the following information:

1. Renderings of the garages to review the aesthetics
2. An elevation profile of the site which included the garages and their relation to Aqueduct Road, the main building and the bike path.
3. Setbacks labeled for the garages
4. Height dimensions for the garages
5. Landscape buffering to bike path
6. A reconfiguration of the building with entrances that face the parking garages

3/1/23 Conservation Advisory Council (CAC) meeting – The project was a Discussion Item at the 3/1/23 CAC meeting. The CAC discussed that it would be difficult for residents to have to clean the snow of their cars without a covered spot.

3/3/2023 Complete Streets – The Complete Streets recommended the applicant incorporate covered bike racks for the commercial area (as well as bike rack storage or outside covered storage bike rack for residents) into this proposal and locate a free bike maintenance station similar to several that have been installed in nearby communities. They also requested that since more trees and brush were being removed along the bike path – more should be put back to screen the garages. They did not want the garages to look like a long wall along the bike path.

3/9/2023 Tree Council – Tree Council briefly reviewed the site plan changes and agreed to be ready to review additional landscaping plans and screenings.

Mr. Pafundi provided the Planning Office with colored renderings of proposed garages on 3/7/23 and asked to be on the agenda for the 3/13/23 PB meeting.

3/13/23 Planning Board (PB) meeting – Chuck Pafundi attended the meeting on behalf of the developer and presented and explained the new site plan drawing and colored renderings of the proposed parking garages to the Board. The Board discussed the project and requested the following additional items.

- A relative height rendering showing the Senior Center building, the garages and grade level for Aqueduct Rd, the bike path, the Mohawk River and the bank of the river.
- A rendering of the back entrance of the Sr. Center building.

The Board also commented on a few design aspects of the proposed parking garages and requested that the ARB review and provide feedback on them.

8/13/23 – Brett Steenburgh P.E., engineer for the developer, provided the Planning Office with an updated site plan drawing for the Senior Center dated 8/2/23, a 3-page photo rendering package consisting of a relative height rendering requested by the Board dated 3/21/23 and colored renderings of the proposed parking garages dated 3/20/23.

8/16/23 Architectural Review Board (ARB) meeting – The ARB reviewed the new files and documents. They were pleased with the overall appearance of the buildings and the surrounding landscaping. They provided Mr. Steenburgh with a marked up rendering and recommended removing the courses of shingles under the gable roof portion of the garage. They also recommended that the gable feature be carried over to the back of the building.

The PB should carefully review the new site plan drawing and photo renderings relative to the design requests that have been made by the PB, CAC and ARB at previous board meetings that include but are not limited to the following.

1. Add an outdoor seating / dining area – possibly between the Sr. Center Building and River Run Drive.
2. Explore transit opportunities / bus stop on premises.
3. Break up the sea of asphalt around the Sr. Center building
4. Show that the inside includes entrances and exits that are conducive to walking to the covered parking garages. Consider covered walkways from the building to the garages.
5. Include setback dimensions from the proposed garages to the property lines.

8/28/23 Planning Board (PB) meeting – Chuck Pafundi attended the meeting and provided the Board with an update on the status of the project. He presented and explained the updated drawings and renderings that were provided on 8/13/23. He noted that they have received their wetland permit from the Army Corps of Engineers and have signed the proprietor of “Buds on Jay” in Schenectady to operate a coffee shop in the commercial space within the Senior Center Building. Genghis Khan asked Chairman Walsh to read the list of open action items in the agenda statement and asked Mr. Pafundi to provide the Board with a short update.

- Bus stop
  - Chuck stated they have begun discussions with CDTA
  - He added that a bus stop is included in the site plan drawing
- Breaking up the sea of asphalt
  - Doubling the size of the existing 1 parking space sized green areas was discussed
  - Chuck mentioned they are proposing including an ice cream parlor in the commercial space which would require parking spaces & they may not want to sacrifice parking spaces for additional green area.
- Show entrances and exits in the building to get to the parking garages
  - Chuck explained the “shopping cart” system they use at one of their other developments to transfer groceries, etc. from the garage area to the main building.
  - The PB suggested a “loading & unloading / drop off spot” near the main building
  - Chuck agreed to add designated loading areas on the site plan
- Include setback dimensions on the site plan drawings
  - Chuck stated that their design complied with all setback dimensions
  - He agreed to add the dimensions to the drawings
- Garage renderings
  - The renderings of the proposed garages were discussed
  - The PB requested a more accurate rendering of what mature trees behind the garage will look like
  - The PB requested a rendering of the front of the garages without the two rows of shingles
- Pedestrian connections

- It was noted that residents will regularly utilize the bike path as a sidewalk to travel between buildings
- Potentially lighting the bike path in this area was discussed
- Ms. Robertson noted that a few additional items still need to be addressed by the developer
  - The pressure reducing valve needs to be installed for Phase 1
  - The lawn of a home on Aqueduct Rd needs to be repaired from damage done by Rivers Ledge contractors
  - The sidewalk needs to be added to the east Property line (for Phase 1) and down to Aqueduct Park (for Phase 2)

Chairman Walsh called for a tentative resolution for the 9/11/23 PB meeting and summarized the following action items for Mr. Pafundi to work on.

1. Add at least 1 pick up area in the front and back of the main building
2. Include setback dimensions on the site plan drawing
3. Provide a more accurate rendering of the bike path and back of the garage area
  - a. Show what it would look like with mature trees
  - b. Add lights along the bike path
4. Provide a rendering of the front of the garage without the two rows of shingles
5. Repair the damaged lawn on Aqueduct Rd.
6. Complete the installation of the required sidewalk (Phase 1) and design the additional sidewalk for installation during Phase 2
7. Install the pressure reducing valve (Phase 1)

9/6/23 Conservation Advisory (CAC) meeting – At their regularly scheduled meeting the CAC reviewed Part I and completed Part II of the EAF for the proposed Senior Center. The applicant was unable to attend but this project has been reviewed at many Planning Board meetings so Ms. Robertson and Mr. Henry of the Planning Office were able to explain the project in great detail. Key comments from the CAC's discussion included concern about the lighting, incorporating green energy practices, and deed restricting the remaining wetland habitat. They also were concerned about the long lines of planted evergreens and wanted this to be more varied/clumped to increase the natural look of the area. The conditions of the SEQR recommendation are:

1. Increase tree and shrub plantings to protect and preserve the rural character of the road and increase the natural feel of the project.
2. Applicant should sign the Town of Niskayuna pesticide free pledge: as shown in question 3(j) and 7(i) of Part 1 of the LEAF, the applicant is indicating no pesticide or herbicide use on the property (as requested).
3. The mitigation for relocating the stream includes site improvements at the Maple Avenue Animal Shelter. All changes to existing drainage patterns should accommodate the increase in rainfall intensity that comes with the warming climate.
4. Remaining areas that are not proposed for development shall be deed restricted to protect the remaining habitat from future development.
5. No invasive species are allowed in the replanting / landscaping plans.
6. Tree plantings should avoid long lines of single species planting which do not appear natural and be planting in natural clumps along the retaining wall and in the back of the garage buildings. Trees should be large in stature to provide shade and habitat along the bike path. Natural materials should be used for the retaining wall (Aqueduct stones on public property are encouraged).

7. The CDTA bus stop is encouraged as well as bike racks along public spaces and for bike racks for residents of the building.
8. Solar panels should be incorporated wherever possible to reduce energy net energy consumption on the site – including on the garage roofs, main building roof, parking lot and shade structures. The possibility of solar shingles and geothermal should be explored along with their potential rebates.
9. Install EV charging stations for residents.
10. Lighting on the site shall be directional and shine down, the color temperature of the lights should be warm, there should be no lights high up on the building façade, the applicant should explore dark-sky certified lighting, and the lighting should be screened by landscaping.
11. The façade is important to the community character and additional clumps of planted trees will increase the natural look of the site over time.
12. The CAC encourages onsite composting to apartment residents at this property

After a thorough review and discussion, the CAC voted unanimously to recommend a Negative SEQR determination for the project with the conditions noted above (EAFs attached).

A tentative resolution for site plan approval is included in the meeting packet.

RESOLUTION NO. 2023-19

AT A REGULAR MEETING OF THE PLANNING BOARD AND ZONING COMMISSION OF THE TOWN OF NISKAYUNA DULY CALLED AND HELD ON THE 11TH DAY OF SEPTEMBER 2023 AT THE NISKAYUNA TOWN OFFICE BUILDING, ONE NISKAYUNA CIRCLE, IN SAID TOWN AT 7:00 P.M., THE FOLLOWING MEMBERS WERE PRESENT VIRTUALLY OR IN PERSON:

HONORABLE: KEVIN A. WALSH, CHAIRMAN  
GENGHIS KHAN  
MICHAEL A. SKREBUTENAS  
CHRIS LAFLAMME  
PATRICK MCPARTLON  
DAVID D'ARPINO  
LESLIE GOLD  
NANCY STRANG  
JOSEPH DRESCHER

One of the purposes of the meeting was to take action on an application for Phase II site plan approval for the Rivers Ledge Planned Unit Development (PUD).

The meeting was duly called to order by the Chairman.

The following resolution was offered by \_\_\_\_\_,  
whom moved its adoption, and seconded by \_\_\_\_\_.

WHEREAS, Chuck Pafundi, representing the owner of Rivers Ledge of Niskayuna, submitted a site plan for Phase II of the Planned Unit Development (PUD) covering certain lands off of Aqueduct Road more particularly described as tax map parcel numbers 31.-1-24, 31.-1-22.1, 31.-1-23.1 and 31.-1-26 and known collectively as 2837 Aqueduct Road or Rivers Ledge of Niskayuna, and

WHEREAS, the building improvements are shown in a 13-page drawing package entitled "Phase 2 - Rivers Ledge of Niskayuna, 2837 Aqueduct Road" by Brett Steenburgh, PE PLLC, dated May 11, 2022 and last revised August 2, 2023, and,

WHEREAS, the zoning classification of the property is R-2 Medium Density Residential zoning district and it is within a Planned Unit Development area, and

WHEREAS, the property was granted preliminary approval for a 260-Unit Planned Unit Development by the Town Board of the Town of Niskayuna on August 23, 2016 via Resolution No. 2016-218 with conditions, and

WHEREAS, under section 220-36 G of the Zoning Code of the Town of Niskayuna, the Planning Board has the authority to review changes in the site plan development if elements that have been tentatively approved by the Town Board are unfeasible and in need of modification, and

WHEREAS, site plan approval for Phase I of Rivers Ledge of Niskayuna was granted by the Planning Board via Resolution 2017-30 dated December 11, 2017 and subsequently amended by the Planning Board via Resolution 2018-19 dated October 1, 2018, Resolution 2021-31 dated September 27, 2021, and

WHEREAS, the first amendment (2018-19) was to replace the gravity sewer main with a low-pressure sewer main and remove the requirement to install a public lift station, and

WHEREAS, the second amendment (2021-31) was to add a 3,300 sf recreation center to the existing approved PUD “Rivers Ledge” along the southwestern entrance of the property, adjacent to the Mohawk Hudson Bike Hike Trail, and

WHEREAS, Phase II of the preliminary PUD included two 2-story senior living apartment buildings with 50 residential units each (100 total), associated recreation space and two internal publicly accessible commercial spaces, and

WHEREAS, in an effort to comply with the Town’s State Environmental Quality Review (SEQR) findings and Army Corps of Engineers wetland permit requirements, the applicant reduced the number of senior living building to one, condensed it into a 3 story building with 55 residential units, kept one publicly accessible commercial space within the residential building and proposed one publicly accessible commercial space in a free standing building east of Ledge Drive, and

WHEREAS, the Planning Department referred the Phase II site plan to the Town’s Superintendent of Water, Sewer and Engineering, the Fire District Chief and the Chief of Police, and

WHEREAS, the Conservation Advisory Council (CAC) reviewed the application at their regularly scheduled meeting on September 6, 2023 and recommended the Planning Board make a Negative SEQR Determination with the following conditions:

1. Increase tree and shrub plantings to protect and preserve the rural character of the road and increase the natural feel of the project.
2. Applicant should sign the Town of Niskayuna pesticide free pledge: as shown in question 3(j) and 7(i) of Part 1 of the LEAF, the applicant is indicating no pesticide or herbicide use on the property (as requested).
3. The mitigation for relocating the stream includes site improvements at the Maple Avenue Animal Shelter. All changes to existing drainage patterns should

accommodate the increase in rainfall intensity that comes with the warming climate.

4. Remaining areas that are not proposed for development shall be deed restricted to protect the remaining habitat from future development.
5. No invasive species are allowed in the replanting / landscaping plans.
6. Tree plantings should avoid long lines of single species planting which do not appear natural and be planting in natural clumps along the retaining wall and in the back of the garage buildings. Trees should be large in stature to provide shade and habitat along the bike path. Natural materials should be used for the retaining wall (Aqueduct stones on public property are encouraged).
7. The CDTA bus stop is encouraged as well as bike racks along public spaces and for bike racks for residents of the building.
8. Solar panels should be incorporated wherever possible to reduce energy net energy consumption on the site – including on the garage roofs, main building roof, parking lot and shade structures. The possibility of solar shingles and geothermal should be explored along with their potential rebates.
9. Install EV charging stations for residents.
10. Lighting on the site shall be directional and shine down, the color temperature of the lights should be warm, there should be no lights high up on the building façade, the applicant should explore dark-sky certified lighting, and the lighting should be screened by landscaping.
11. The façade is important to the community character and additional clumps of planted trees will increase the natural look of the site over time.
12. The CAC encourages onsite composting to apartment residents at this property

, and

WHEREAS the Planning Board, acting in accordance with the State Environmental Quality Review (SEQR) regulations and local law, has assumed the position of lead agency for Phase II of the site plan review, and

WHEREAS, the Planning Board has carefully reviewed the application and determined that the plans are in keeping with the intent of the PUD resolution, and

WHEREAS, the Planning Board shall notify the Town Board of the outcome of the application and by this resolution does set forth its decision hereon,

NOW, THEREFORE, be it hereby

RESOLVED, that the Planning Board and Zoning Commission hereby determined that this project will not have a significant effect on the environment and hereby directs the Town Planner to file a negative SEQR declaration with the following comments from the CAC findings:



1. Increase tree and shrub plantings and make them more clumped and natural looking on the site.
2. Due to proximity to wetlands and Mohawk River – sign the pesticide free pledge
3. Deed restrict remaining wetlands for no further development.
4. Add bus stop, bike racks, shade structures, solar, geothermal, EV Charging stations, dark-sky lighting and composting as site allows.

RESOLVED, that this Planning Board does hereby grant to the Rivers Ledge of Niskayuna Planned Unit Development Phase II site plan approval, with the following conditions:

1. This resolution shall be incorporated into any deed of sale for this Planned Unit Development (PUD), and the conditions of this resolution shall be binding on the applicant, the owner if different than the applicant, their successors, assigns or transferees.
2. The Planned Unit Development cannot return to the Town Board for final PUD approval until both Phase I and Phase II are completed.
3. The following general site plan improvements and requirements for Phase II of Rivers Ledge of Niskayuna were required via Planning Board resolution 2017-30, 2018-19 and 2021-31:
  - a. The Developer shall work to preserve and protect the rural character of Aqueduct Road through the facades and landscaping of the properties along Aqueduct Road. The building designs shall remain the same height and character as those renderings presented to the Conservation Advisory Council on May 3, 2017.
  - b. A landscaping design should be established to mitigate the loss of any wetlands and forests, with special attention to the Aqueduct Road corridor. The Tree Council shall survey the trees to be removed and approve the replanting plan. The developer shall work with the Town to preserve the Northern Long-Eared Bat habitat trees wherever possible, and replace and replant similar species if they must be removed.
  - c. Where applicable, the Developer shall work with the Planning Board to reduce impacts to wetlands wherever possible. Mitigation for the wetlands shall be local first, in place and in kind and the Developer shall go to great lengths in a good faith effort to mitigate any wetland impacts within the local watershed area.
  - d. The applicant shall be responsible for the construction of a public parking area between Aqueduct Road and the Mohawk Hudson Hike Bike Trail. Prior to final PUD approval, all access easements necessary for the public parking shall be granted to the Town of Niskayuna.

- e. Phase II includes the construction of senior living apartments. Transit has not been addressed in the previous site plans. The Developer shall contact CDTA and explore the possibility of extending service to Phase II of the Rivers Ledge PUD.
  - f. The Developer shall be responsible for the parkland, sewer trunk and water trunk fees as outlined on a per unit cost in Town Board Resolution #2016-218.
  - g. The applicant shall strive to meet the objectives of the Planned Unit Development Code, Section 220-34 and all multi-family dwelling regulations outlined in Chapter 220-26 of the Town of Niskayuna Zoning Code.
  - h. The applicant shall install a sidewalk from the edge of the Rivers Ledge of Niskayuna property line down Aqueduct Road to the entrance to the Aqueduct Park on Aqueduct Road.
4. Prior to site disturbance, the applicant shall participate in a preconstruction meeting with the Town of Niskayuna and TDE and shall address any concerns raised by the Town.
5. Prior to the preconstruction meeting, the developer shall address the following:
- a. The Developer shall address all necessary permits from the NYS Office of Parks Recreation and Historic Preservation.
  - b. The developer shall address all necessary permits from the Army Corps of Engineers for wetlands disturbance and mitigation for Phase II.
  - c. The applicant will be required to provide parkland fees of \$27,500 to the Town of Niskayuna (55 units x \$500) as agreed upon in Town Board Resolution No. 2016-218.
  - d. The applicant will be required to provide sewer trunk fees of \$27,500 to the Town of Niskayuna (55 units x \$500) as agreed upon in Town Board Resolution No. 2016-218.
  - e. The applicant will be required to provide water trunk fees of \$27,500 to the Town of Niskayuna (55 units x \$500) as agreed upon in Town Board Resolution No. 2016-218.
  - f. Any engineering and drainage concerns will be addressed to the satisfaction of the Town Superintendent of Water, Sewer and Engineering.
  - g. Any questions or concerns raised by the Town Designated Engineer will be addressed by the applicant in a formal letter to the Town.
  - h. Any minor changes to the final site plans will be addressed to the satisfaction of the Town Planning Department, including:
    - i. Adding a pickup/dropoff area for residents by the corridor entrances to the apartment units.
    - ii. Adding setback dimensions to the site plan drawings

- iii. Exploring pedestrian scale lighting along the bike path
  - i. The applicant shall submit a site development permit application and fee.
- 6. Prior to site disturbance, the Phase II site plan maps shall be modified to reflect agreed upon decisions of the preconstruction meeting, if any, and distributed as required to the Town and to all involved contractors. Final site plans shall be submitted to the Town labeled "For Construction."
- 7. Prior to site disturbance, confirmation by the applicant from the Department of Public Works that material specifications and site details, including road and utility plan/profiles, meet Town standards.
- 8. Prior to site disturbance, the applicant will submit a final tree planting and landscaping plan to the Town Planning Department for review and approval by the Tree Council.
  - a. Native species should be used wherever possible, with attention to landscaping species that provide food and habitat to surrounding wildlife.
  - b. The developer should go to great lengths to retain any existing native woody vegetation that has a reasonable chance for survival after development, especially the white pine trees and oaks along the limits of clearing.
  - c. There should be thick vegetative buffers along the Mohawk Hudson Bike Hike Trail and along the property lines.
- 9. Prior to site disturbance the applicant must secure any necessary approvals from the NYS Dept. of Environmental Conservation and the Schenectady County Department of Health.
- 10. Wetland boundaries shall be recorded and shown on any plot plan of the building lot containing the wetlands. Wetlands may not be disturbed, drained or physically altered in any way without first contacting the Army Corps of Engineers. Additionally, the Town of Niskayuna requires that no land can be disturbed within a twenty-five (25) foot buffer from the boundary of the wetland.
- 11. Should the garage floor elevation (GFE) for individual buildings deviate by more than six inches from the elevations approved for construction by the Planning Board and Zoning Commission or the Building Department, then revised grading plans shall be submitted immediately to the Town's Engineering office for their review and approval. Depending on the impact to driveway slopes or drainage features such as swales and berms, the revised grading plan may need to extend into the full site plan grading plan to ensure impacts to adjacent buildings and lots are accounted for.

12. The applicant shall not receive a certificate of occupancy for any building in the Rivers Ledge PUD until such time that the public parking and public infrastructure is completed and accepted by the Town, or security acceptable to the Town and the Public Works Department is given to the Town to cover the full cost of improvements.
13. Prior to public improvements acceptance, the applicant shall provide all deeds and easements to the Town Attorney for their review and approval. All conveyances shall be approved by the Town Attorney and filed in the Schenectady County recorder's office at the applicant's expense.
14. If applicable, the applicant will submit to the NYS Dept. of Environmental Conservation a "Notice of Intent for storm water discharges associated with construction activity under State Pollutant Discharge Elimination System (SPDES) General Permit Number GP-0-15-002". The applicant will provide a copy of the permit to the Town prior to site disturbance.
15. In accordance with Chapter 180 of the Soil Erosion and Sediment Control Ordinance of the Town of Niskayuna, the applicant shall put in place soil erosion and sediment control measures sufficient to stabilize disturbed areas. These measures shall be satisfactory to the Superintendent of Water, Sewer, and Engineering and shall remain in place until such time as natural vegetation has been successfully established.
16. Any HVAC/Heating equipment is required to be screened and monitored for visual and noise impacts to the Mohawk Hudson Bike Hike Trail
17. The applicant must additionally comply with any other requirements of the PUD prior to the Town Board's acceptance of the final PUD, including but not limited to:
  - a. Repairing the damaged lawn on Aqueduct Road
  - b. Completing the installation of the onsite multi-use path and offsite sidewalk improvements
  - c. Installing the water pressure reducing valve on Balltown Road
  - d. Combining the 3 separate parcels into a single lot on south side of the Mohawk Hudson Bike Hike Trail.

Upon roll call the foregoing resolution was adopted by the following vote:

KEVIN A. WALSH, CHAIRMAN  
GENGHIS KHAN  
MICHAEL A. SKREBUTENAS

CHRIS LAFLAMME  
PATRICK MCPARTLON  
DAVID D'ARPINO  
LESLIE GOLD  
NANCY STRANG  
JOSEPH DRESCHER

The Chairman declared the same \_\_\_\_\_.

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

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

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

**Reasons Supporting This Determination:**

To complete this section:

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

SEE ATTACHED SHEET

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

SEQR Status: ☒ Type 1 ☐ Unlisted

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

**Full Environmental Assessment Form**

**PART 3 – Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance**

Impact on Land (1) - Construction occurs in wetlands (a), construction occurs over a year (e), More than an acre of disturbance to forest (h) : Mitigated by more tree plantings and preserving and protecting the rural character of the road - the site should look natural.

Impact on Surface Water (3) - Construction close to undisturbed wetlands (e) - turbidity should not impact wetlands, Soil erosion (h) - SWPPP should protect from this - patch any existing erosion channels onsite or in adjacent park, Application of pesticides and herbicides should not apply (j) - applicant is committing to pesticide free maintenance of the property, Impact of stream being re-routed (l) - large impact - mitigation proposed at Maple Ave animal shelter - mitigation on site should maintain natural stream flow as much as possible.

Impact on Flooding (5) - Proposed action modifies existing drainage patterns (d) - project should plan for higher intensity, shorter duration rainfalls. Climate change is increasing rainfall intensity - changes to existing drainage patterns should plan and accommodate these increases.

Impact on Plants and Animals (7) - may interfere with nesting/breeding/over-wintering habitat for predominant species (g) - mitigate by providing pollinator friendly habitat - conserve remaining area for no further development to protect remaining habitat, application of pesticides and herbicides should not apply (i) - applicant is committing to pesticide free maintenance of the property, Remaining area should be deed restricted (j) - no invasive should be used in replanting / landscaping.

Impact on Aesthetic Resources (9) Visible from public vantage points seasonally and year round (c) for routine travel and tourism (d) - mitigate impact on aesthetics by planting in natural clumps along retaining wall and along back of building, use trees that are large in stature to provide shade and habitat to bike path over time (oaks, maples, natural mix of large forest trees). Use natural materials for retaining wall - try to make it look natural and old - the CAC encourages the use of the Aqueduct Stones on public property.

Impact of Open Space and Recreation (11) No negative impact - the applicant is providing additional parking and access to the Empire Trail / MHBHT as well as providing additional amenities to public users of the trail (and enhancing existing park space)

Impact on Transportation (13) - the traffic impacts are substantial but reviewed in totality under the PUD and approved. The CAC encourages the addition of the CDTA bus stop and would like to see bike racks added to public spaces and to the residential buildings - improving the area for bikes should offset some vehicle trips.

Impact on Energy (14) - Solar should be incorporated into this project (e) - the applicant should look at parking spaces, apartment roofs, garage roofs, or incorporate solar into shade and bench structures (in balance with aesthetics of the building). Explore the possibility of solar shingles or geothermal.

Impact on Noise, Odor, and Light (15) - the proposed action may result in light shining onto adjacent properties (d) and create brighter than existing area conditions (e) – all light fixtures should direct light down, the color temperature of the lights should be warm, there shouldn't be lights high up on the building, the applicant should explore dark-sky certified lighting fixtures, the lighting should be screened by landscaping and plantings and any bike path lighting should be pedestrian scale only

Consistency with Community Character (18) - other (g)- the building went from 2 stories to 3 stories and lost the underground parking, which made it harder to maintain the rural character of the neighborhood. The façade was development to break up the length of the building and look more natural to minimize impacts, landscaping was added to break up the façade, and addition tree plantings, in clumps, will make the site look more natural and enhance the screening.

NOTE: To reduce the amount of solid waste that is hauled offsite – the CAC encourages the developer to offer onsite composting to apartment residents and can put them in touch with Schenectady County Cornell Cooperative to help them set this up.

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

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

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

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

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

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

Name of Action: Rivers Ledge of Niskayuna Planned Unit Development (PUD) Phase II

Name of Lead Agency: Planning Board

Name of Responsible Officer in Lead Agency: Kevin Walsh

Title of Responsible Officer: Planning Board Chairman

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

**For Further Information:**

Contact Person: Laura Robertson

Address: 1 Niskayuna Circle, Niskayuna, NY 12309

Telephone Number: (518) 386-4531

E-mail: laurarobertson42@gmail.com

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

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

Applicant (if any)

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



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

<b>Agency Use Only [If applicable]</b>
Project : <span style="border: 1px solid black; padding: 0 5px;">Rivers Ledge Phase 2</span>
Date : <span style="border: 1px solid black; padding: 0 5px;">9/6/2023</span>

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

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

**Tips for completing Part 2:**

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

<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i> <div style="text-align: right; padding-right: 20px;"> <input type="checkbox"/> NO      <input checked="" type="checkbox"/> YES         </div>			
	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 checked="" type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: More than an acre of disturbance to forest, disturbance to wetlands, CA requiring more trees and preserve and protect rural nature - want the site to look natural		<input type="checkbox"/>	<input type="checkbox"/>

Deed restrict remaining undeveloped land and wetlands

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

<b>3. Impacts on Surface Water</b> The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may create a new water body.	D2b, D1h	<input checked="" 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 checked="" 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 checked="" 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 checked="" 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. <b>Turbidity should not impact undisturbed wetlands</b>	D2a, D2h	<input checked="" 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 checked="" 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 checked="" 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. <b>SWPPP should protect from this - patch any existing erosion channels</b>	D2e	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body. <b>Committing to Pesticide Free maintenance of property</b>	D2q, E2h	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>

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

<b>5. Impact on Flooding</b> The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in development in a designated floodway.	E2i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input checked="" 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 checked="" type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: Plan for higher intensity shorter duration rainfalls - climate change is increasing rainfall intensity - changes to existing drainage should accommodate this _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>6. Impacts on Air</b> The proposed action may include a state regulated air emission source. (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 checked="" 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 <sub>2</sub> )	D2g	<input type="checkbox"/>	<input type="checkbox"/>		
ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O)	D2g	<input type="checkbox"/>	<input type="checkbox"/>		
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	<input type="checkbox"/>	<input type="checkbox"/>		
iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> )	D2g	<input type="checkbox"/>	<input type="checkbox"/>		
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	<input type="checkbox"/>	<input type="checkbox"/>		
vi. 43 tons/year or more of methane	D2h	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>		
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>		
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>		
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>		

<b>7. Impact on Plants and Animals</b> The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>				<input type="checkbox"/> NO	<input checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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. <del>Provide pollinator friendly habitat - habitat is being affected</del>	E2m	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides. <b>Applicant using Pesticide Free practices on property</b>	D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: Remaining area should be deed restricted - no invasive species used in replanting / landscaping _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>8. Impact on Agricultural Resources</b> The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) <input checked="" 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"/>

<b>9. Impact on Aesthetic Resources</b> The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		<input type="checkbox"/> NO	<input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/> <input checked="" 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 checked="" type="checkbox"/> <input checked="" type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: Does impact aesthetics but mitigated by natural clumps for planting and use trees that are large in stature to provide future shade and habitat (oak, maples, nat mix _____ <i>Use natural materials for retaining wall - encourage use of Aqueduct Stones</i>		<input type="checkbox"/>	<input type="checkbox"/>

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

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

<b>11. Impact on Open Space and Recreation</b> The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. <b>Providing additional parking and access to Empire Trail as well as providing additional amenities to users of the trail (and enhancing existing park space)</b> (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 checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in an impairment of natural functions, or “ecosystem services”, provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

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



**13. Impact on Transportation**

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

☐ NO

☒ YES

(See Part 1. D.2.j)

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: Previously reviewed under the PUD - encourage CDTA to add bus stop - add bike racks to public spaces and residential building - improvements for bikes		<input type="checkbox"/>	<input type="checkbox"/>

**14. Impact on Energy**

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

☐ NO

☒ YES

(See Part 1. D.2.k)

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: Incorporate solar into project - look at garages, apartment roofs, garage roofs, or incorporate into shade and bench structures -in balance with aesthetic of building		<input type="checkbox"/>	<input type="checkbox"/>

~~Explore possibility of solar shingles and explore geothermal~~

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

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

☐ NO

☒ YES

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

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>



d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Other impacts: Light shine down directly, color temperature warm, don't have lights high up on the building, look at darksky certified lighting, screen lighting w/ more landscaping		<input type="checkbox"/>	<input type="checkbox"/>

any bike path lighting should be pedestrian scale only

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

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

<b>18. Consistency with Community Character</b> The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: <u>worked with develop on facade to minimize impacts - add landscaping - tree plantings to look more natural - screening</u>		<input type="checkbox"/>	<input checked="" type="checkbox"/>

Encourage offering composting onsite to apartment residents

**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 Counsel, 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.		
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):

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

If Yes, identify the plan(s):

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### 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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> 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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes,	
i. Purpose of the impoundment: _____ ii. If a water impoundment, the principal source of the water: <span style="float: right;"><input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify:</span> _____ iii. If other than water, identify the type of impounded/contained liquids and their source. _____ iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> (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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If yes, describe. _____ _____ v. What is the total area to be dredged or excavated? _____ acres vi. What is the maximum area to be worked at any one time? _____ acres vii. What would be the maximum depth of excavation or dredging? _____ feet viii. Will the excavation require blasting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> ix. Summarize site reclamation goals and plan: _____ _____ _____	

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

*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: \_\_\_\_\_

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*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.

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

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

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

\_\_\_\_\_

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

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

<ul style="list-style-type: none"> <li>• Do existing sewer lines serve the project site? _____</li> <li>• Will a line extension within an existing district be necessary to serve the project? _____</li> </ul> <p>If Yes:</p> <ul style="list-style-type: none"> <li>• Describe extensions or capacity expansions proposed to serve this project: _____          _____          _____</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____</p> <p>If Yes:</p> <ul style="list-style-type: none"> <li>• Applicant/sponsor for new district: _____</li> <li>• Date application submitted or anticipated: _____</li> <li>• What is the receiving water for the wastewater discharge? _____</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<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>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____          _____          _____</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? _____</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: 20px;">_____ Square feet or _____ acres (impervious surface)</p> <p style="padding-left: 20px;">_____ Square feet or _____ acres (parcel size)</p> <p>ii. Describe types of new point sources. _____          _____</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> <ul style="list-style-type: none"> <li>• If to surface waters, identify receiving water bodies or wetlands: _____          _____</li> <li>• Will stormwater runoff flow to adjacent properties? _____</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <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? _____</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? _____</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<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? _____</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) _____</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> <li>• _____ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)</li> <li>• _____ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)</li> <li>• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)</li> <li>• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)</li> <li>• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)</li> <li>• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)</li> </ul>		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No



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

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

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No  
 If Yes:  
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month  
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No  
 If Yes: provide name and location of facility: \_\_\_\_\_  
 \_\_\_\_\_  
 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:  
 \_\_\_\_\_  
 \_\_\_\_\_

## E. Site and Setting of Proposed Action

<b>E.1. Land uses on and surrounding the project site</b>			
a. Existing land uses. i. Check all uses that occur on, adjoining and near the project site. <input type="checkbox"/> Urban <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Rural (non-farm) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ ii. If mix of uses, generally describe: _____ _____			
b. Land uses and coverytypes on the project site.			
Land use or Coverytype	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: _____ _____			

<p>c. Is the project site presently used by members of the community for public recreation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>i. If Yes: explain: _____</p>	
<p>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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes,</p> <p>i. Identify Facilities: _____</p> <p>_____</p>	
<p>e. Does the project site contain an existing dam? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Dimensions of the dam and impoundment:</p> <ul style="list-style-type: none"> <li>• Dam height: _____ feet</li> <li>• Dam length: _____ feet</li> <li>• Surface area: _____ acres</li> <li>• Volume impounded: _____ gallons OR acre-feet</li> </ul> <p>ii. Dam's existing hazard classification: _____</p> <p>iii. Provide date and summarize results of last inspection: _____</p> <p>_____</p>	
<p>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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Has the facility been formally closed? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <ul style="list-style-type: none"> <li>• If yes, cite sources/documentation: _____</li> </ul> <p>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____</p> <p>_____</p> <p>iii. Describe any development constraints due to the prior solid waste activities: _____</p> <p>_____</p>	
<p>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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____</p> <p>_____</p>	
<p>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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Yes – Spills Incidents database  <input type="checkbox"/> Yes – Environmental Site Remediation database  <input type="checkbox"/> Neither database         </div> <div>           Provide DEC ID number(s): _____            Provide DEC ID number(s): _____         </div> </div> <p>ii. If site has been subject of RCRA corrective activities, describe control measures: _____</p> <p>_____</p> <p>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes, provide DEC ID number(s): _____</p> <p>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____</p> <p>_____</p>	

v. Is the project site subject to an institutional control limiting property uses? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> <ul style="list-style-type: none"> <li>• If yes, DEC site ID number: _____</li> <li>• Describe the type of institutional control (e.g., deed restriction or easement): _____</li> <li>• Describe any use limitations: _____</li> <li>• Describe any engineering controls: _____</li> <li>• Will the project affect the institutional or engineering controls in place? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>• Explain: _____            _____            _____</li> </ul>												
<b>E.2. Natural Resources On or Near Project Site</b>												
a. What is the average depth to bedrock on the project site? _____ feet												
b. Are there bedrock outcroppings on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %												
c. Predominant soil type(s) present on project site: <table style="width: 100%; border: none;"> <tr> <td style="border-bottom: 1px solid black; width: 60%;"></td> <td style="border-bottom: 1px solid black; width: 10%; text-align: right;">%</td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black; text-align: right;">%</td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black; text-align: right;">%</td> </tr> </table>		%		%		%						
	%											
	%											
	%											
d. What is the average depth to the water table on the project site? Average: _____ feet												
e. Drainage status of project site soils: <table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> Well Drained:</td> <td style="border-bottom: 1px solid black; width: 10%; text-align: right;">%</td> <td style="text-align: right;">of site</td> </tr> <tr> <td><input type="checkbox"/> Moderately Well Drained:</td> <td style="border-bottom: 1px solid black; text-align: right;">%</td> <td style="text-align: right;">of site</td> </tr> <tr> <td><input type="checkbox"/> Poorly Drained</td> <td style="border-bottom: 1px solid black; text-align: right;">%</td> <td style="text-align: right;">of site</td> </tr> </table>	<input type="checkbox"/> Well Drained:	%	of site	<input type="checkbox"/> Moderately Well Drained:	%	of site	<input type="checkbox"/> Poorly Drained	%	of site			
<input type="checkbox"/> Well Drained:	%	of site										
<input type="checkbox"/> Moderately Well Drained:	%	of site										
<input type="checkbox"/> Poorly Drained	%	of site										
f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> 0-10%:</td> <td style="border-bottom: 1px solid black; width: 10%; text-align: right;">%</td> <td style="text-align: right;">of site</td> </tr> <tr> <td><input type="checkbox"/> 10-15%:</td> <td style="border-bottom: 1px solid black; text-align: right;">%</td> <td style="text-align: right;">of site</td> </tr> <tr> <td><input type="checkbox"/> 15% or greater:</td> <td style="border-bottom: 1px solid black; text-align: right;">%</td> <td style="text-align: right;">of site</td> </tr> </table>	<input type="checkbox"/> 0-10%:	%	of site	<input type="checkbox"/> 10-15%:	%	of site	<input type="checkbox"/> 15% or greater:	%	of site			
<input type="checkbox"/> 0-10%:	%	of site										
<input type="checkbox"/> 10-15%:	%	of site										
<input type="checkbox"/> 15% or greater:	%	of site										
g. Are there any unique geologic features on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, describe: _____ _____												
h. Surface water features. <ul style="list-style-type: none"> <li>i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>ii. Do any wetlands or other waterbodies adjoin the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> </ul> If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i. <ul style="list-style-type: none"> <li>iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>iv. For each identified regulated wetland and waterbody on the project site, provide the following information:             <table style="width: 100%; border: none;"> <tr> <td>• Streams:</td> <td style="border-bottom: 1px solid black; width: 30%;">Name</td> <td style="border-bottom: 1px solid black; width: 30%;">Classification</td> </tr> <tr> <td>• Lakes or Ponds:</td> <td style="border-bottom: 1px solid black;">Name</td> <td style="border-bottom: 1px solid black;">Classification</td> </tr> <tr> <td>• Wetlands:</td> <td style="border-bottom: 1px solid black;">Name</td> <td style="border-bottom: 1px solid black;">Approximate Size</td> </tr> <tr> <td>• Wetland No. (if regulated by DEC)</td> <td colspan="2" style="border-bottom: 1px solid black;"></td> </tr> </table> </li> </ul>	• Streams:	Name	Classification	• Lakes or Ponds:	Name	Classification	• Wetlands:	Name	Approximate Size	• Wetland No. (if regulated by DEC)		
• 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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If yes, name of impaired water body/bodies and basis for listing as impaired: _____ _____												
i. Is the project site in a designated Floodway? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>												
j. Is the project site in the 100-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>												
k. Is the project site in the 500-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>												
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <ul style="list-style-type: none"> <li>i. Name of aquifer: _____</li> </ul>												

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>_____</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____</p> <p>_____</p> <p>_____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p> <p>_____</p>	
<p><b>E.3. Designated Public Resources On or Near Project Site</b></p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <span style="margin-left: 20px;"><input type="checkbox"/> Biological Community</span> <span style="margin-left: 20px;"><input type="checkbox"/> Geological Feature</span></p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> 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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>
g. Have additional archaeological or historic site(s) or resources been identified on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> 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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> 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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> 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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>

#### F. Additional Information

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

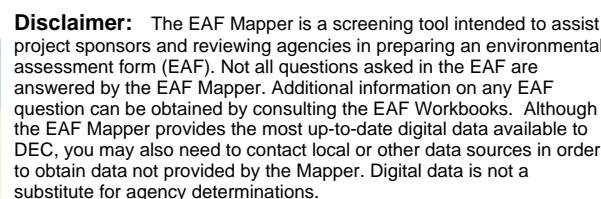
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

#### G. Verification

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

Applicant/Sponsor Name \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Title \_\_\_\_\_



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas:Mohawk Valley Heritage Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer, Sole Source Aquifer Names:Schenectady-Niskayuna SSA
E.2.n. [Natural Communities]	No



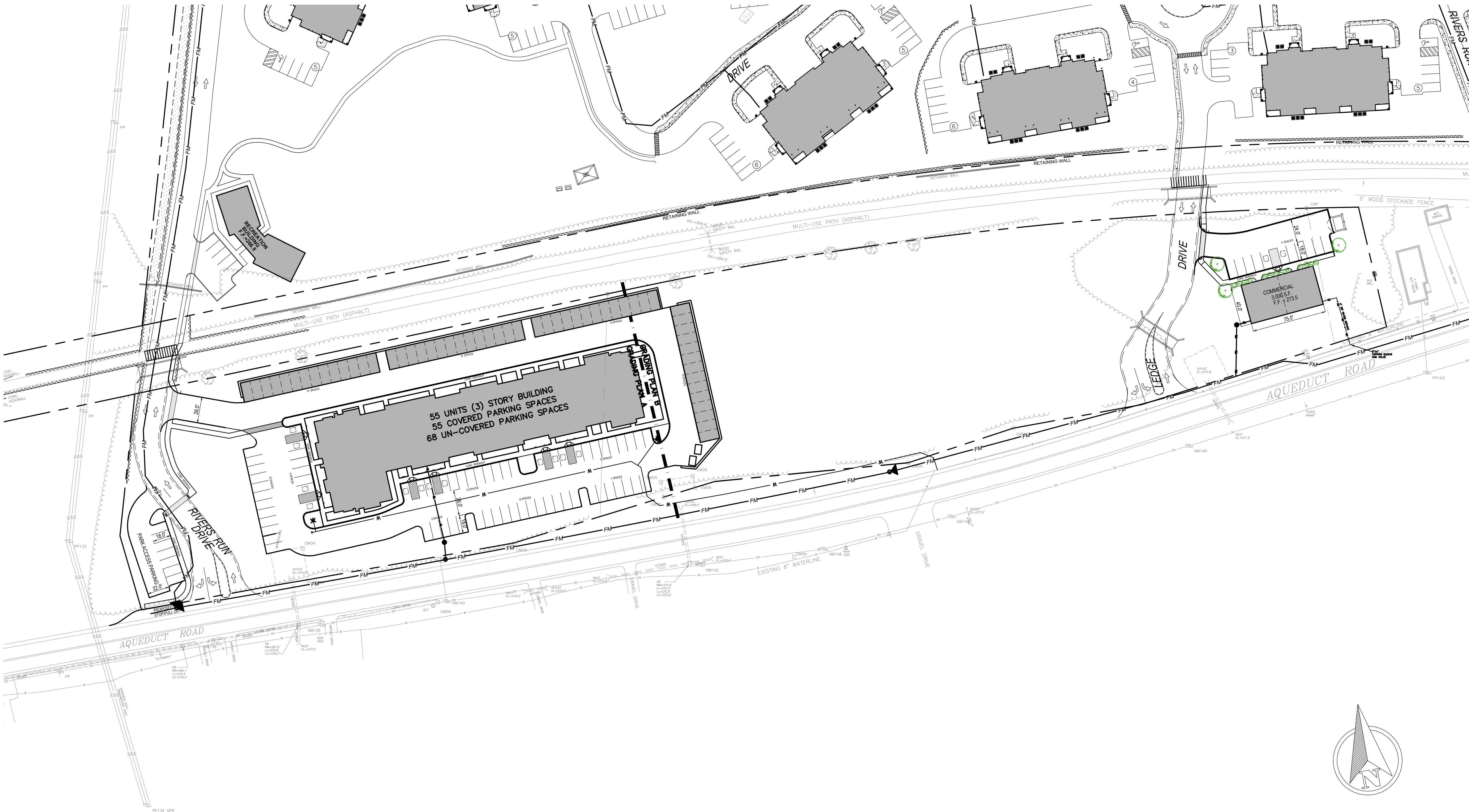
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

SITE STATISTICS

OWNER: RIVERS LEDGE OF NISKAYUNA  
APPLICANT: RIVERS LEDGE OF NISKAYUNA  
49 RAILROAD AVENUE  
ALBANY, NY 12205

AREA = 5.25± ACRES  
USE: SENIOR APARTMENTS AND MIXED USE COMMERCIAL  
MAIN BUILDING: 55 SENIOR APARTMENTS + 2,000 S.F. COMMERCIAL  
PARKING PROVIDED = 123 SPACES  
GARAGE SPACES = 55 SPACES  
OUTDOOR SPACES = 68 SPACES

BUILDING HEIGHT - 41'  
STAND ALONE COMMERCIAL BLDG = 3,000 S.F.  
PARKING PROVIDED = 11 SPACES  
BUILDING HEIGHT - 16'



BRETT L. STEENBURGH MAP REFERENCE:  
PLAN SET ENTITLED "RIVERS LEDGE NISKAYUNA" AS PREPARED BY  
ARICO ASSOCIATES, ENGINEERS, LAND PLANNERS & CONSULTANTS  
DATED MARCH 7, 2016 AND LAST REVISED FEBRUARY 2017.

OVERALL PLAN  
PHASE 2 - RIVERS LEDGE OF NISKAYUNA  
2837 AQUEDUCT ROAD

COUNTY OF SCHENECTADY  
TOWN OF NISKAYUNA  
STATE OF NEW YORK

DRAWN BY:  
CADD FILE:  
DATE:

CHECKED BY:  
JOB NO.  
SCALE: 1" = 50'

SHEET 0-1

BRETT L. STEENBURGH, P.E. PLLC  
2832 Rosendale Road  
Niskayuna, NY 12309  
(518) 365-0875  
bsteenburgpe@gmail.com

ENGINEERING THAT TRANSFORMS  
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2	8/29/23	REVISED AS PER THE COMMENTS	



SITE STATISTICS

OWNER: RIVERS LEDGE OF NISKAYUNA  
APPLICANT: RIVERS LEDGE OF NISKAYUNA  
49 RAILROAD AVENUE  
ALBANY, NY 12205

AREA = 5.25± ACRES  
USE: SENIOR APARTMENTS AND MIXED USE COMMERCIAL  
MAIN BUILDING: 55 SENIOR APARTMENTS + 2,000 S.F. COMMERCIAL  
PARKING PROVIDED = 124 SPACES  
GARAGE SPACES = 55 SPACES  
OUTDOOR SPACES = 69 SPACES

BUILDING HEIGHT - 41'  
STAND ALONE COMMERCIAL BLDG = 3,000 S.F.  
PARKING PROVIDED = 11 SPACES  
BUILDING HEIGHT - 16'

LEGEND

- 1

2

3

4

5

6

7

8

9
- HANDICAP RAMP PER ADA STANDARDS

CONCRETE SIDEWALK

CONCRETE CURB

NOT USED

HANDICAP PARKING SIGN (MUTCD R7-8 W. R7-8P)

STOP SIGN (MUTCD R1-1 MIN. 30" X 30")

NO PARKING ANYTIME SIGN (MUTCD R7-1)

BEGIN RETAINING WALL

END RETAINING WALL
- 10

11

12

13

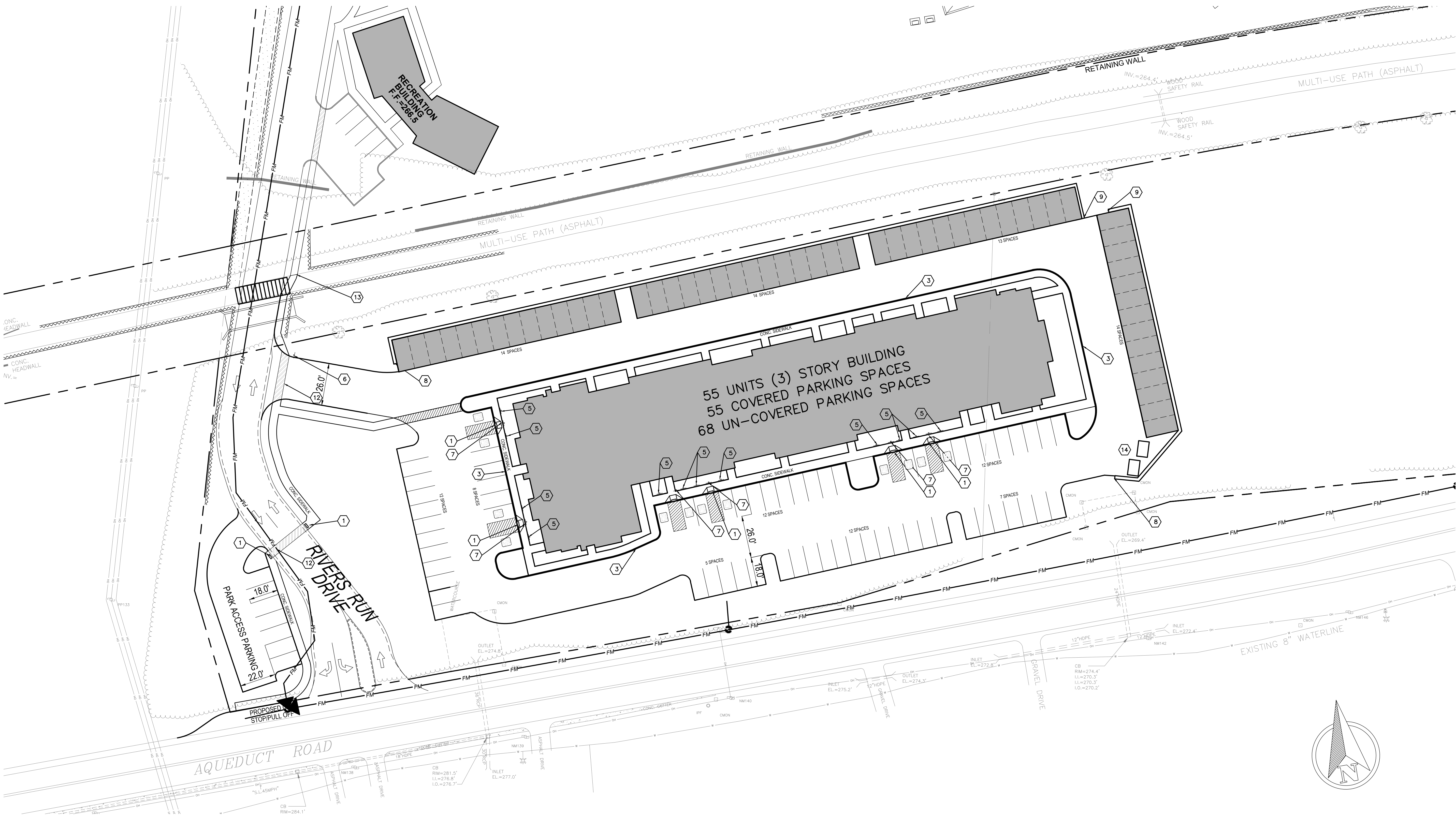
14
- NOT USED

NOT USED

CROSSWALK

CONNECT TO EX. SIDEWALK

DUMPSTER ENCLOSURE



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DATED MARCH 7, 2016 AND LAST REVISED FEBRUARY 2017.

SITE PLAN

PHASE 2 - RIVERS LEDGE OF NISKAYUNA

2837 AQUEDUCT ROAD

COUNTY OF SCHENECTADY

TOWN OF NISKAYUNA

STATE OF NEW YORK

DRAWN BY:

CADD FILE:

DATE:

CHECKED BY:

JOB NO.

SCALE: 1" = 30'

SHEET S-1

BRETT L. STEENBURGH, P.E. PLLC

2832 Rosendale Road

Niskayuna, NY 12309

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DATE:

NO.

DATE:

REVISIONS

B.Y.



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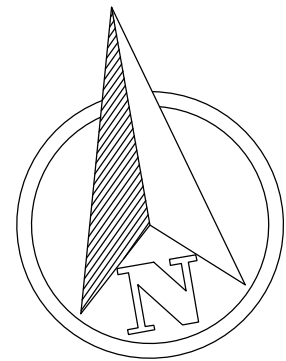
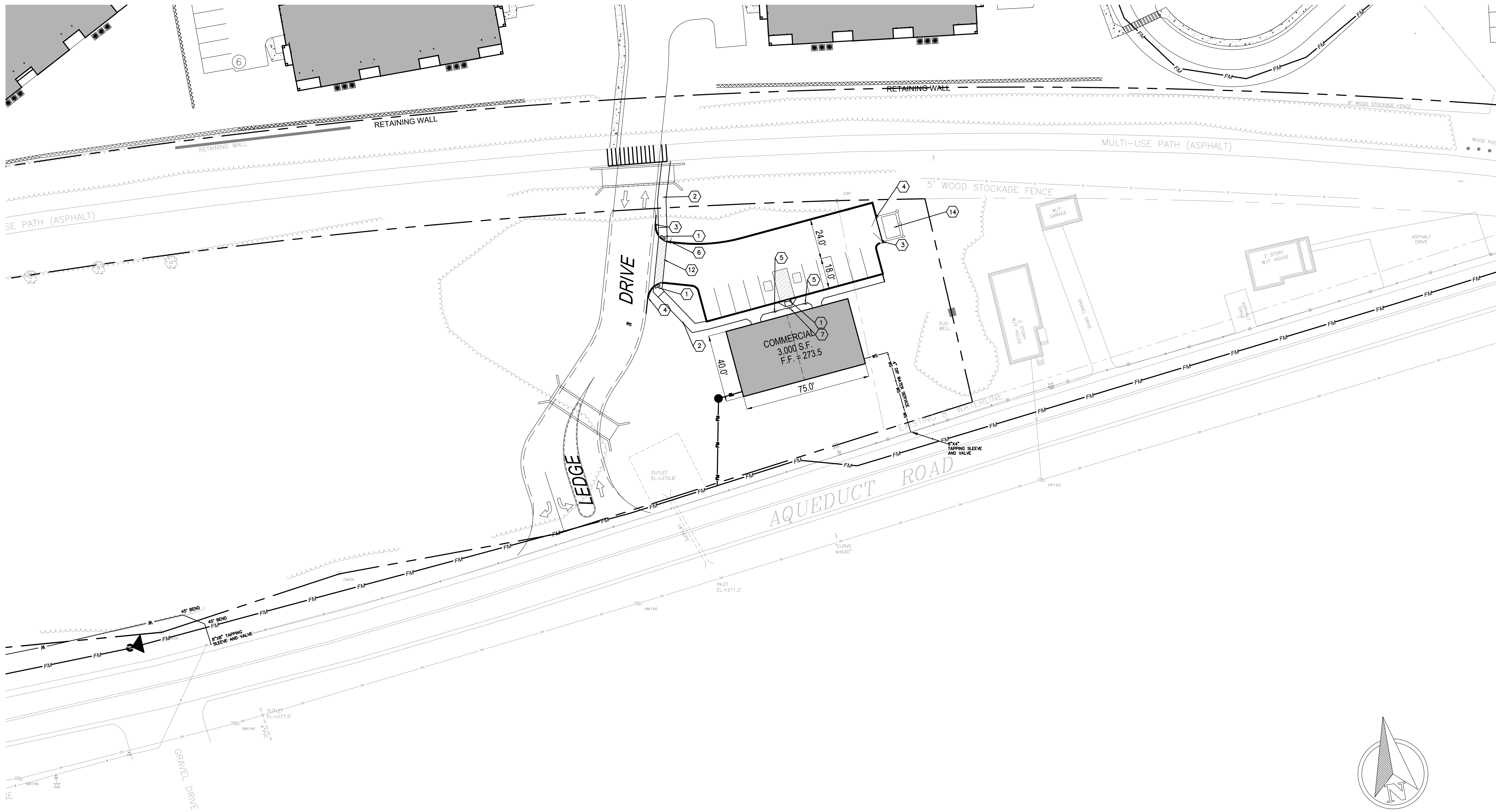


SITE STATISTICS

OWNER: RIVERS LEDGE OF NISKAYUNA  
APPLICANT: RIVERS LEDGE OF NISKAYUNA  
49 RAILROAD AVENUE  
ALBANY, NY 12205  
AREA = 5.25± ACRES  
USE: SENIOR APARTMENTS AND MIXED USE COMMERCIAL  
MAIN BUILDING: 66 SENIOR APARTMENTS + 2,000 S.F. COMMERCIAL  
PARKING PROVIDED = 144 SPACES  
GARAGE SPACES = 66 SPACES  
OUTDOOR SPACES = 78 SPACES  
BUILDING HEIGHT - 3541'  
STAND ALONE COMMERCIAL BLDG = 3,000 S.F.  
PARKING PROVIDED = 11 SPACES  
BUILDING HEIGHT - 16'

LEGEND

- |   |   |    |                         |
|---|---|----|-------------------------|
| 1 | HANDICAP RAMP PER ADA STANDARDS             | 10 | BEGIN GUIDE RAIL        |
| 2 | CONCRETE SIDEWALK                           | 11 | END GUIDE RAIL          |
| 3 | BEGIN CURB                                  | 12 | CROSSWALK               |
| 4 | END CURB                                    | 13 | CONNECT TO EX. SIDEWALK |
| 5 | HANDICAP PARKING SIGN (MUTCD R7-8 W. R7-8P) | 14 | DUMPSTER ENCLOSURE      |
| 6 | STOP SIGN (MUTCD R1-1 MIN. 30" X 30")       |    |                         |
| 7 | NO PARKING ANYTIME SIGN (MUTCD R7-1)        |    |                         |
| 8 | BEGIN RETAINING WALL                        |    |                         |
| 9 | END RETAINING WALL                          |    |                         |



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PLAN SET ENTITLED "RIVERS LEDGE NISKAYUNA" AS PREPARED BY  
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BRETT L. STEENBURGH, P.E. PLLC	
2832 Rosendale Road Niskayuna, NY 12309 (518) 365-0875 bsteenburgpe@gmail.com	
ENGINEERING THAT TRANSFORMS IMAGINATION INTO REALITY	
SITE PLAN	
PHASE 2 - RIVERS LEDGE OF NISKAYUNA 2837 AQUEDUCT ROAD	
COUNTY OF SCHENECTADY	STATE OF NEW YORK
DRAWN BY:	CHECKED BY:
CADD FILE:	SCALE: 1" = 30'
DATE:	SHEET S-2

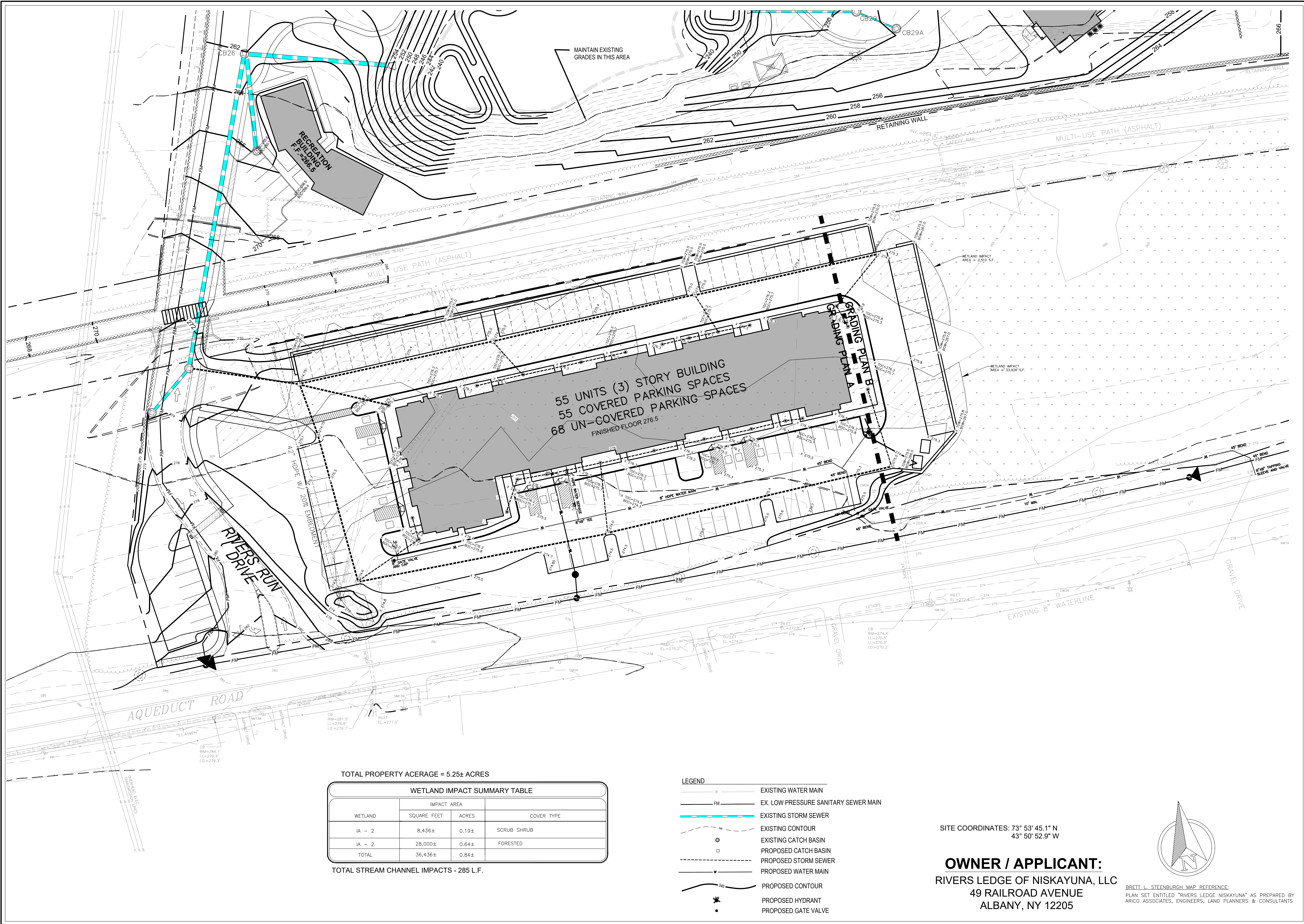
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NO.	DATE	REVISIONS	B.Y.
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2	8/2/22	REVISED AS PER THE COMMENTS	





TOTAL PROPERTY ACERAGE = 5.25± ACRES

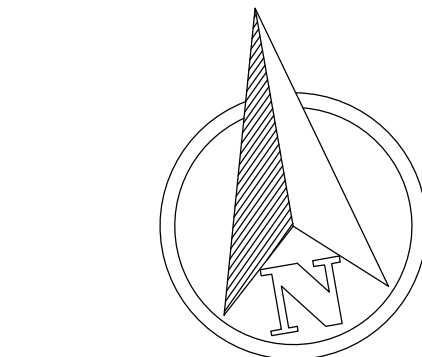
WETLAND IMPACT SUMMARY TABLE			
WETLAND	IMPACT AREA		COVER TYPE
	SQUARE FEET	ACRES	
IA - 2	8,436±	0.19±	SCRUB SHRUB
IA - 2	28,000±	0.64±	FORESTED
TOTAL	36,436±	0.84±	

TOTAL STREAM CHANNEL IMPACTS - 285 L.F.

- LEGEND
- W EXISTING WATER MAIN
  - FM EX. LOW PRESSURE SANITARY SEWER MAIN
  - EXISTING STORM SEWER
  - EXISTING CONTOUR
  - EXISTING CATCH BASIN
  - PROPOSED CATCH BASIN
  - PROPOSED STORM SEWER
  - PROPOSED WATER MAIN
  - PROPOSED CONTOUR
  - PROPOSED HYDRANT
  - PROPOSED GATE VALVE

SITE COORDINATES: 73° 53' 45.1" N  
43° 50' 52.9" W

**OWNER / APPLICANT:**  
RIVERS LEDGE OF NISKAYUNA, LLC  
49 RAILROAD AVENUE  
ALBANY, NY 12205



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GRADING PLAN  
PHASE 2 - RIVERS LEDGE OF NISKAYUNA  
2837 AQUEDUCT ROAD  
TOWN OF NISKAYUNA  
COUNTY OF SCHENECTADY

BRETT L. STEENBURGH, P.E. PLLC  
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(518) 365-0675  
bsteenburgp@gmail.com

ENGINEERING THAT TRANSFORMS  
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STATE OF NEW YORK  
SCALE: 1" = 30'  
SHEET G-1

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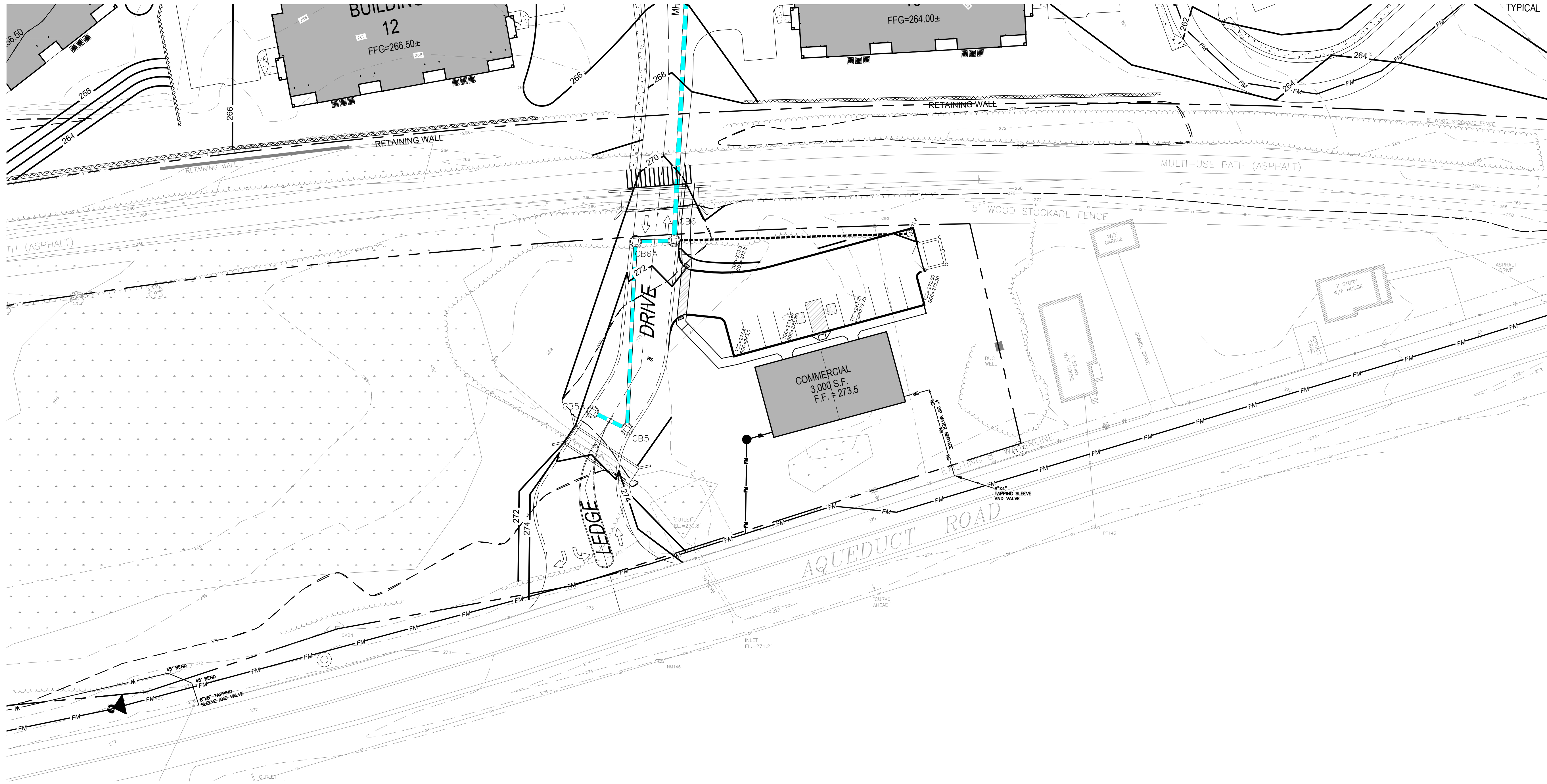
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MAY 11, 2022

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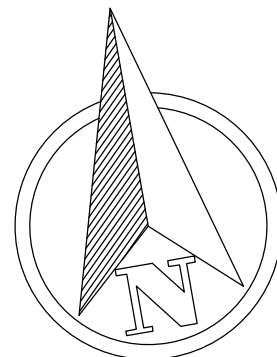
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2	8/22/23	UPDATED BIDDING FOOTPRINT





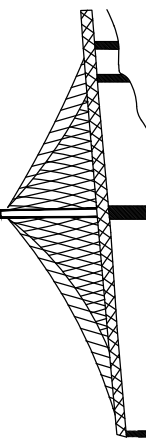
- LEGEND
- W — EXISTING WATER MAIN
  - FM — EX. LOW PRESSURE SANITARY SEWER MAIN
  - — EXISTING STORM SEWER
  - — EXISTING CONTOUR
  - EXISTING CATCH BASIN
  - PROPOSED CATCH BASIN
  - — PROPOSED STORM SEWER
  - W — PROPOSED WATER MAIN
  - — PROPOSED CONTOUR
  - ★ PROPOSED HYDRANT
  - PROPOSED GATE VALVE



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2832 Rosendale Road  
Niskayuna, NY 12309  
(518) 365-0675  
bsteenburgpe@gmail.com



ENGINEERING THAT TRANSFORMS  
IMAGINATION INTO REALITY

GRADING PLAN  
PHASE 2 – RIVERS LEDGE OF NISKAYUNA  
2837 AQUEDUCT ROAD

COUNTY OF SCHENECTADY TOWN OF NISKAYUNA STATE OF NEW YORK

DRAWN BY: CHECKED BY: SCALE: 1" = 30'

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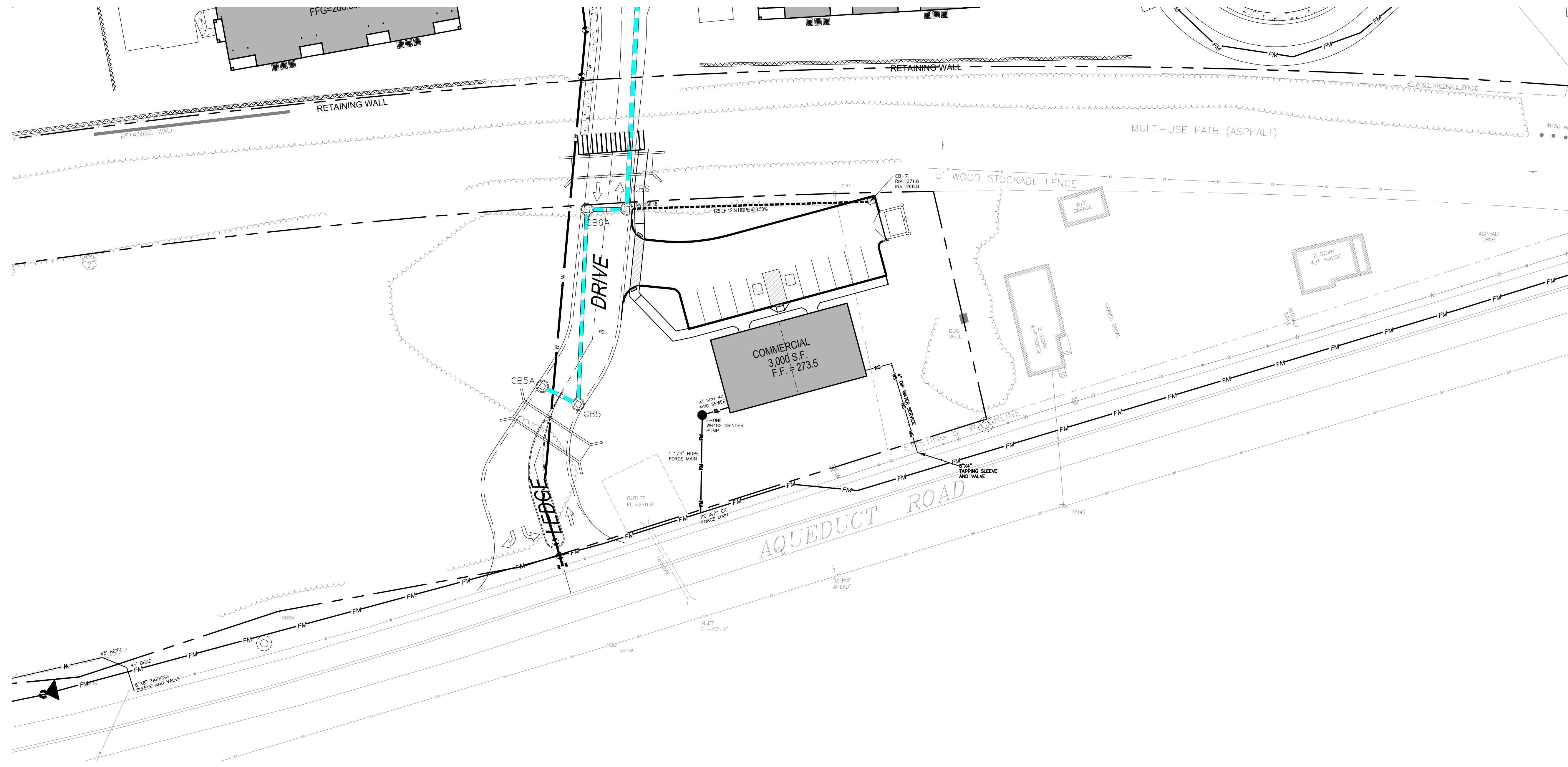


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1	8/21/22	REVISED AS PER THE COMMENTS	
2	8/22/23	UPDATED BUILDING FOOTPRINT	

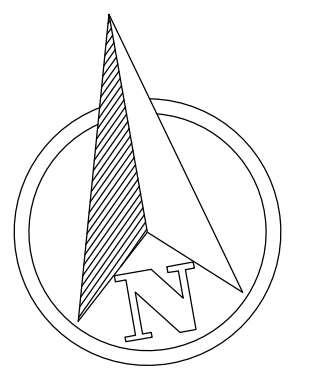








- LEGEND**
- W — EXISTING WATER MAIN
  - FM — EX. LOW PRESSURE SANITARY SEWER MAIN
  - EXISTING STORM SEWER
  - - - - - EXISTING CONTOUR
  - ⊙ EXISTING CATCH BASIN
  - PROPOSED CATCH BASIN
  - - - - - PROPOSED STORM SEWER
  - W — PROPOSED WATER MAIN
  - 360 — PROPOSED CONTOUR
  - ★ PROPOSED HYDRANT
  - PROPOSED GATE VALVE



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DATED MARCH 7, 2016 AND LAST REVISED FEBRUARY 2017.

UTILITY PLAN

PHASE 2 – RIVERS LEDGE OF NISKAYUNA

2837 AQUEDUCT ROAD

COUNTY OF SCHENECTADY

DRAWN BY:

CADD FILE:

DATE:

TOWN OF NISKAYUNA

CHECKED BY:

JOB NO.

STATE OF NEW YORK

SCALE: 1" = 30'

SHEET U-2

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2832 Rosendale Road

Niskayuna, NY 12309

(518) 365-0675

bsteenburgp@bmail.com

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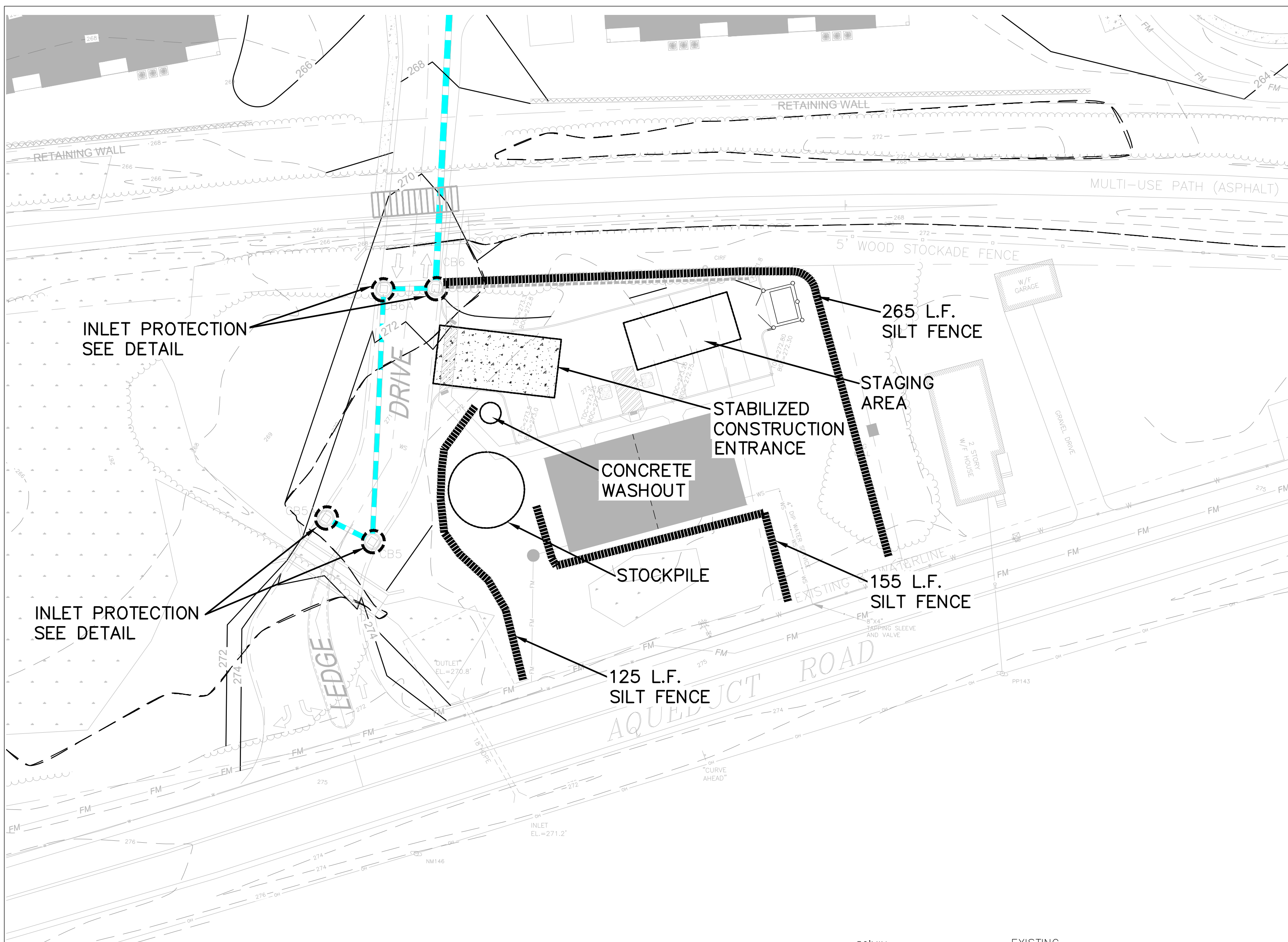
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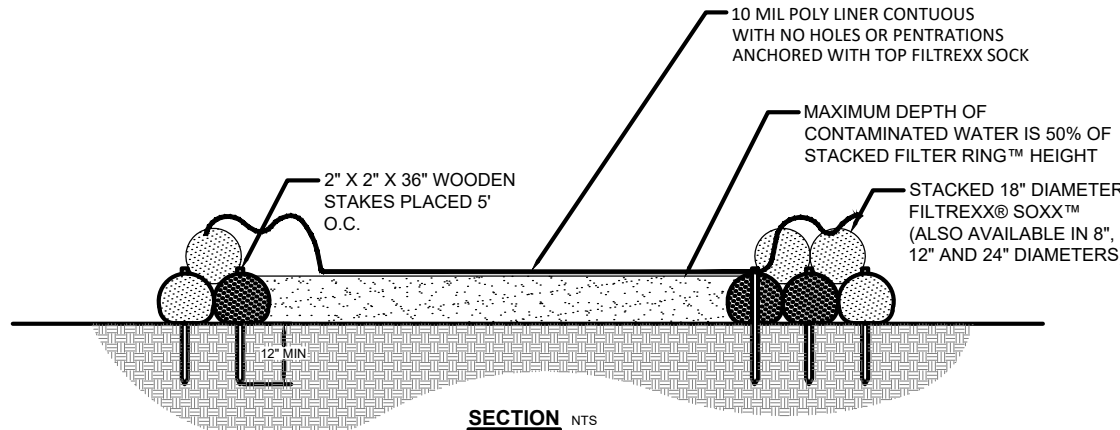




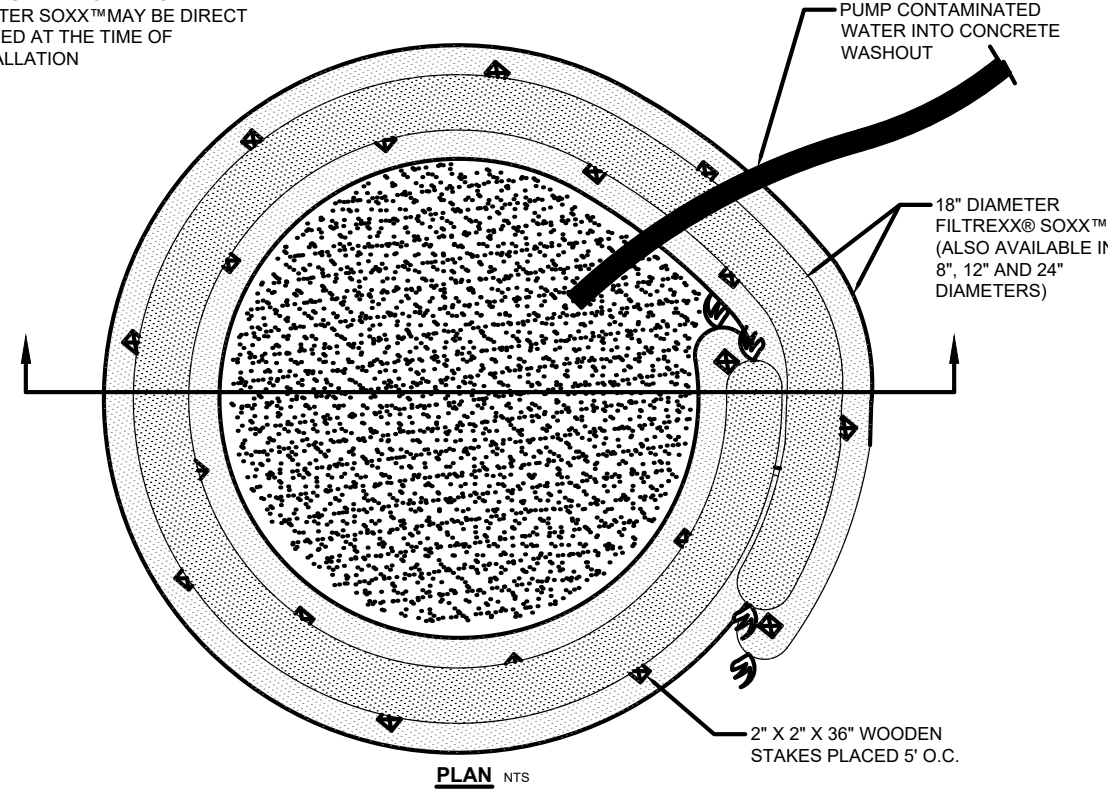


- LEGEND
- EXISTING WATER MAIN
  - EX. LOW PRESSURE SANITARY SEWER MAIN
  - EXISTING STORM SEWER
  - EXISTING CONTOUR
  - EXISTING CATCH BASIN
  - PROPOSED CATCH BASIN
  - PROPOSED STORM SEWER
  - PROPOSED WATER MAIN
  - PROPOSED CONTOUR
  - PROPOSED HYDRANT
  - PROPOSED GATE VALVE

- EROSION AND SEDIMENT CONTROL NOTES:
1. A PRE-CONSTRUCTION MEETING MUST BE HELD WITH THE SITE CONTRACTOR, SWPPP INSPECTOR, PROPERTY OWNER AND THE STORMWATER OFFICE PRIOR TO ISSUANCE OF A BUILDING PERMIT.
  2. ESTABLISH A PERMANENT TRAFFIC CORRIDOR FOR ALL TRAFFIC DURING CONSTRUCTION. A STONE STABILIZED CONSTRUCTION ENTRANCE MUST BE INSTALLED AND INSPECTED AND APPROVED BY THE THE STORMWATER OFFICE PRIOR TO ISSUANCE OF A BUILDING PERMIT. TRAFFIC SHALL NOT CROSS OR OPERATE UNNECESSARILY WITHIN WATERWAYS OR DRAINAGE DITCHES.
  3. IF REQUESTED BY THE STORMWATER OFFICE, ADDITIONAL SILT FENCE MUST BE INSTALLED A MINIMUM OF 6 INCHES INTO THE GROUND SURFACE.
  4. ANY SOILS TRACKED INTO PUBLIC ROADS MUST BE SWEEPED UP IMMEDIATELY. CONCRETE POURING MAY NOT TAKE PLACE UNTIL A CONCRETE WASHOUT AREA IS INSTALLED.
  5. ANY PUMPING OF STORMWATER ON SITE MUST BE DISCHARGED THROUGH A FILTER AND/OR STONE.
  7. A FINAL GRADING INSPECTION IS REQUIRED WITH THE STORMWATER OFFICE PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY. ALL EXPOSED SOILS MUST BE STABILIZED AND APPROVED. IF THE C.O. IS NEEDED DURING NON GROWING MONTHS, THE OWNER MUST PROVIDE A GRADING ESCROW TO THE STORMWATER OFFICE FOR THE OUTSTANDING WORK TO BE COMPLETED DURING THE GROWING MONTHS.

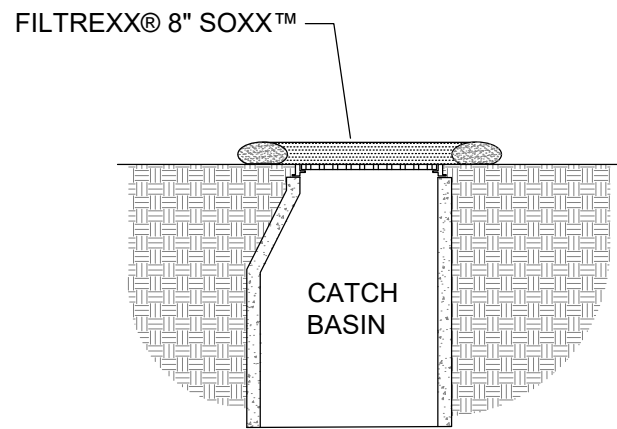
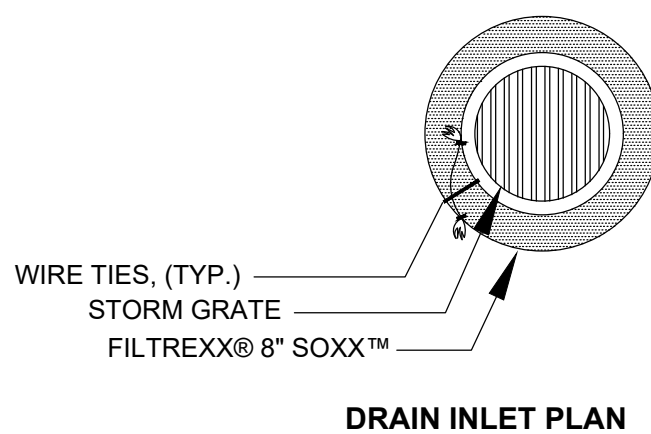


- NOTES:
1. INSTALL ON FLAT GRADE FOR OPTIMUM PERFORMANCE
  2. FILTER SOXX™ MAY BE DIRECT SEEDED AT THE TIME OF INSTALLATION



### FILTREXX® CONCRETE WASHOUT

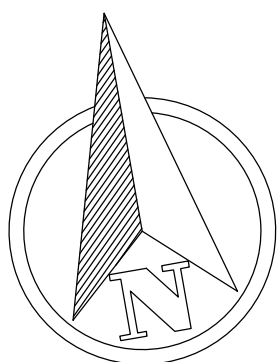
NTS



- NOTES:
1. ALL MATERIAL TO MEET FILTREXX® SPECIFICATIONS.
  2. FILTER MEDIA™ FILL TO MEET APPLICATION REQUIREMENTS.
  3. COMPOST MATERIAL TO BE DISPERSED ON SITE, AS DETERMINED BY ENGINEER.

### FILTREXX® INLET PROTECTION

NTS



BRETT L. STEENBURGH, P.E. REFERENCE:  
PLAN SET ENTITLED "RIVERS LEDGE NISKAYUNA" AS PREPARED BY  
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### SILT FENCE DETAIL

CONSTRUCTION NOTES FOR FABRICATED SILT FENCE

(NOT TO SCALE)

- |  |   |
|--|---|
| 1. WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES.                                | POSTS: STEEL EITHER "T" OR "U" TYPE OR 2" HARDWOOD                      |
| 2. FILTER CLOTH TO BE TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION. | FENCE: WOVEN WIRE, 14 6" MAX. MESH OPENING                              |
| 3. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED.            | FILTER CLOTH: FILTER X, MIRAFI 100X, STABIUNKA T140N OR APPROVED EQUAL. |
| 4. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE             | PREFABRICATED UNIT: GEOFAB, ENVROFENCE, OR APPROVED EQUAL.              |

1. STONE SIZE – USE 2" STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
2. LENGTH – NOT LESS THAN 50 FEET (EXCEPT ON A SINGLE RESIDENCE LOT WHERE A 30 FOOT MINIMUM LENGTH WOULD APPLY).
3. THICKNESS – NOT LESS THAN SIX (6) INCHES.
4. WIDTH – TWELVE (12) FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS. TWENTY-FOUR (24) FOOT IF SINGLE ENTRANCE TO SITE.
5. FILTER CLOTH – WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
6. SURFACE WATER – ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE PIPED ACROSS THE ENTRANCE. IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.
7. MAINTENANCE – THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY, ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACTED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY.
8. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON A AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
9. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.
10. CONSTRUCTION ACCESS ALONG FEURA BUSH ROAD SHALL BE CONSTRUCTED IN COMPLIANCE WITH THESE PLANS AND NYSDOT STANDARD SHEET 209.05

### STABILIZED CONSTRUCTION ENTRANCE DETAIL

(NOT TO SCALE)

NO.	DATE	REVISIONS
1	8/27/22	REVISED AS PER THE COMMENTS
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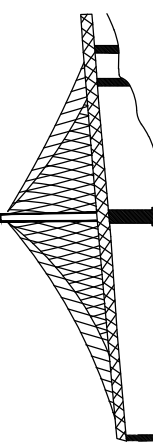
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Niskayuna, NY 12309  
(518) 365-0675  
bsteenburghp@icloud.com



ENGINEERING THAT TRANSFORMS  
IMAGINATION INTO REALITY

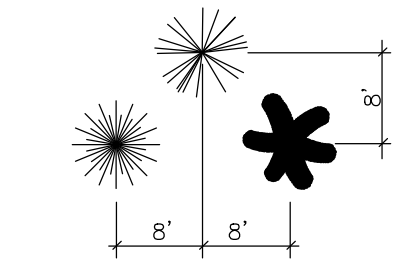
E & SC PLAN  
PHASE 2 – RIVERS LEDGE OF NISKAYUNA  
2837 AQUEDUCT ROAD

COUNTY OF SCHENECTADY  
TOWN OF NISKAYUNA  
STATE OF NEW YORK

DRAWN BY: [blank]  
CHECKED BY: [blank]  
CADD FILE: [blank]  
JOB NO. [blank]  
SCALE: 1" = 30'  
DATE: MAY 11, 2022

SHEET E-2





### BUFFER PLANT SPACING

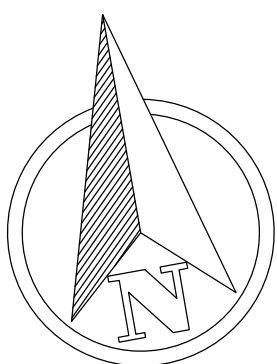
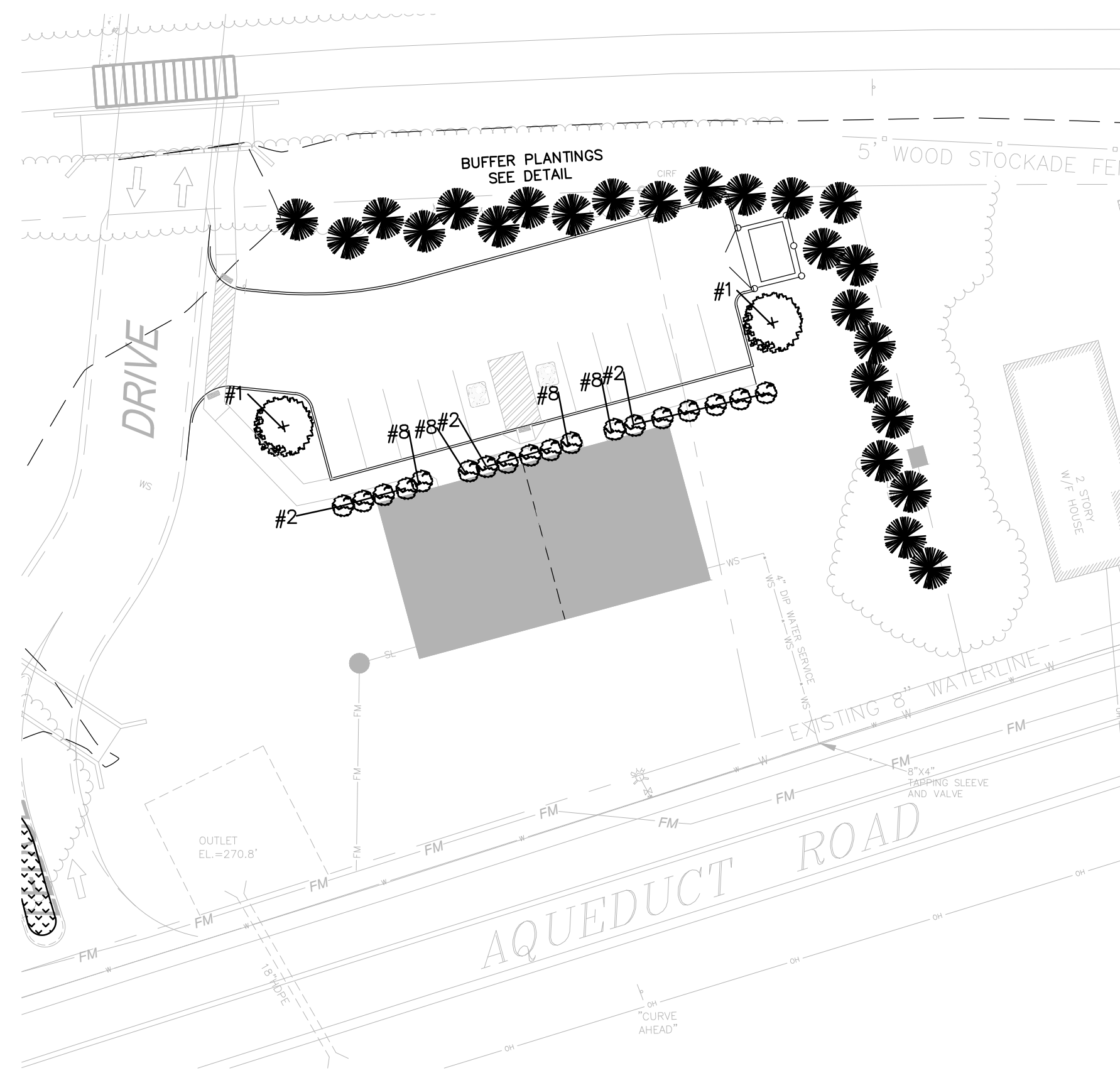
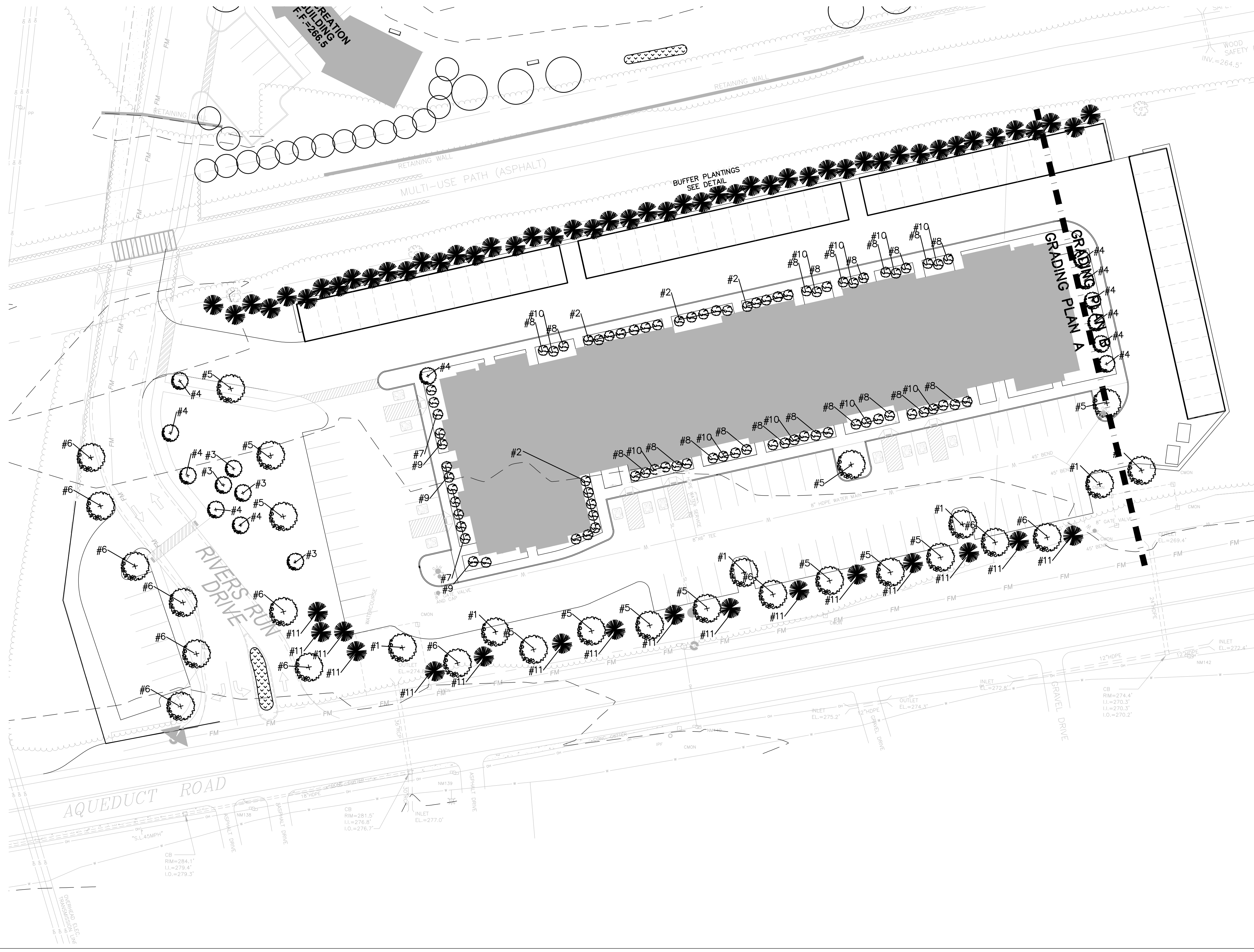
BUFFER SPECIES SHALL BE A MIXTURE OF WHITE FIR, HINOKI CYPRUS AND NORWAY SPRUCE WITH A PLANTED SIZE OF 4'-6' TALL

PLANTING SCHEDULE					
TYPE	ABBREV	COMMON NAME	SCIENTIFIC NAME	SIZE	QUANTITY
LARGE DECIDUOUS TREE	1	RED MAPLE	ACER RUBRUM	3" CAL. B & B	7
DECIDUOUS SHRUB	2	BOXWOOD	BOXWOOD SEMPERVIRENS	5 GALLON	35
MEDIUM DECIDUOUS TREE	3	RIVER BIRCH	BETULA NIGRA	3" CAL.	4
MEDIUM FLOWERING DECIDUOUS TREE	4	SARGENT CRABAPPLE	MALUS SARGENTI	3" CAL.	11
LARGE DECIDUOUS TREE	5	BLACK GUM/TUPELO	NYSSA SYLVATICA	3" CAL. B & B	6
LARGE DECIDUOUS TREE	6	AMERICAN SYCAMORE	PLATANUS OCCIDENTALIS	5" CAL. B & B	8
FLOWERING SHRUB	7	DWARF SPIREA	SPIREA BUMALA FROEBELII	3 GALLON	8
FLOWERING SHRUB	8	MOPHEAD HYDRANGEA	HYDRANGEA MACROPHYLLA	5 GALLON	18
FLOWERING SHRUB	9	ROSE OF SHARON	HIBISCUS SYRIACUS	5 GALLON	6
SHRUB	10	GOLD SWORD YUCCA	YUCCA FILAMENTOSA 'GOLD SWORD'	5 GALLON	11
EVERGREEN TREE	11	NORWAY SPRUCE	PICEA ABIES	6'-8' TALL	41
EVERGREEN TREE	12	WHITE FIR	ABIES CONCOLOR	6'-8' TALL	25
EVERGREEN TREE	13	HINOKI CYPRUS	CHAMAECYPARIS OBTUSA	6'-8' TALL	24

### SEEDING MIX

PRIMARY SEED MIX: 130 lbs/acre			
AMT. BY WEIGHT	SPECIES OR VARIETY	PURITY	MIN. % GERM.
55%	KENTUCKY BLUE GRASS BLEND	95%	80%
25%	RED FESCUE	97%	85%
20%	PERENNIAL RYE	98%	90%
100%			
TEMPORARY COVER SEED MIX: 30 lbs/acre			
AMT. BY WEIGHT	SPECIES OR VARIETY	PURITY	MIN. % GERM.
90%	ANNUAL RYE GRASS	98%	90%
10%	ORGANIC MATERIAL	—	—
100%			

- SITE PREPARATION:
- SEEDBED PREPARATION – SCARIFY IF COMPACTED. REMOVE DEBRIS AND OBSTACLES SUCH AS ROCKS AND STUMPS.
  - SOIL AMENDMENTS:
    - LIME TO A PH OF 6.0
    - FERTILIZE WITH 600LBS OF 5-10-10 OR EQUIV. PER ACRE (14LBS/1000 S.F.)
  - POST SEEDING FERTILIZATION AND WATERING IS THE RESPONSIBILITY OF THE CONTRACTOR UNTIL ACCEPTED BY THE OWNER AS DESCRIBED IN THE PROJECT SPECIFICATIONS



BRETT L. STEENBURGH MAP REFERENCE:  
PLAN SET ENTITLED "RIVERS LEDGE, NISKAYUNA" AS PREPARED BY ARICO ASSOCIATES, ENGINEERS, LAND PLANNERS & CONSULTANTS DATED MARCH 7, 2016 AND LAST REVISED FEBRUARY 2017.

LANDSCAPING PLAN  
PHASE 2 – RIVERS LEDGE OF NISKAYUNA  
2837 AQUEDUCT ROAD

COUNTY OF SCHENECTADY  
TOWN OF NISKAYUNA  
STATE OF NEW YORK  
SCALE: 1" = 30'  
SHEET L-1

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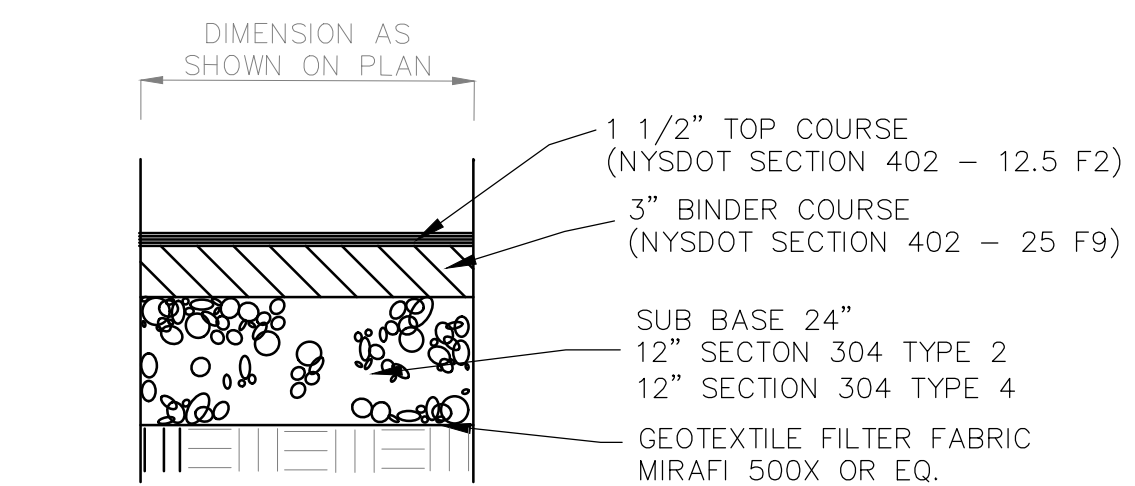
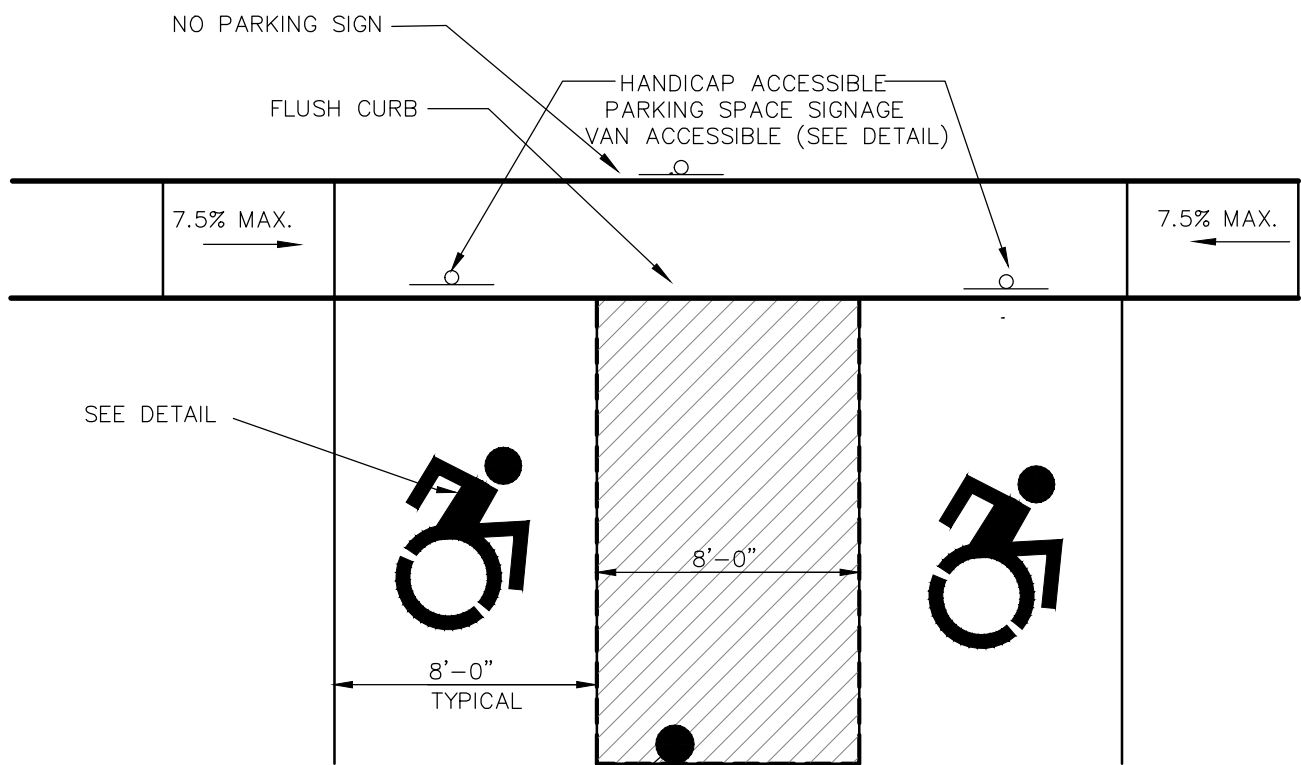
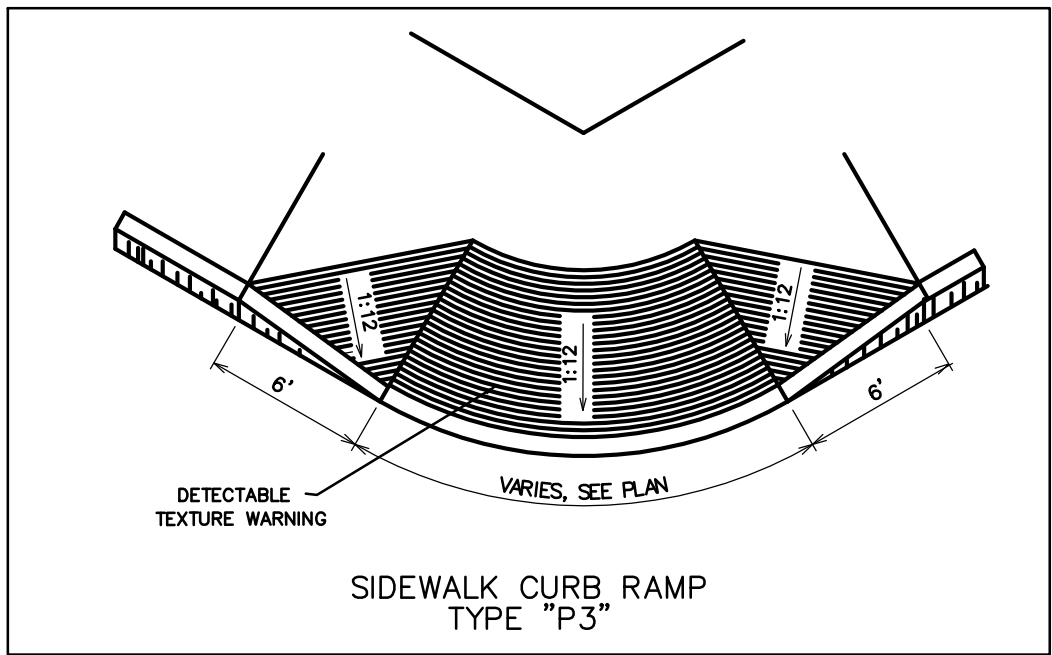
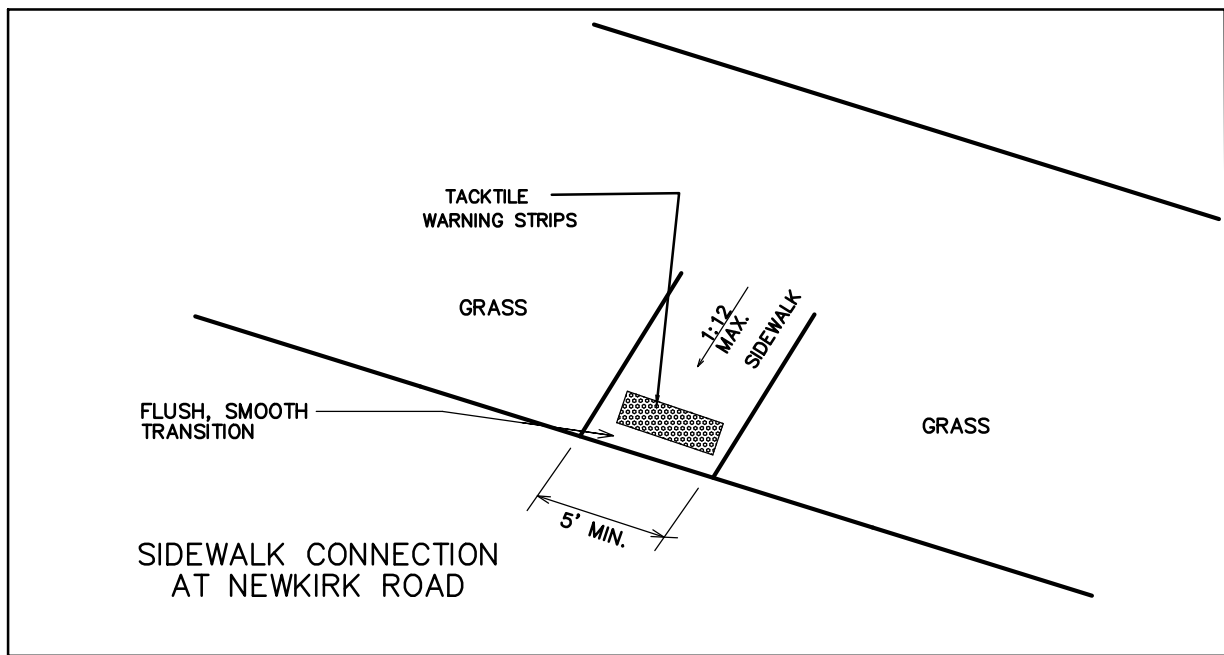
ENGINEERING THAT TRANSFORMS  
IMAGINATION INTO REALITY

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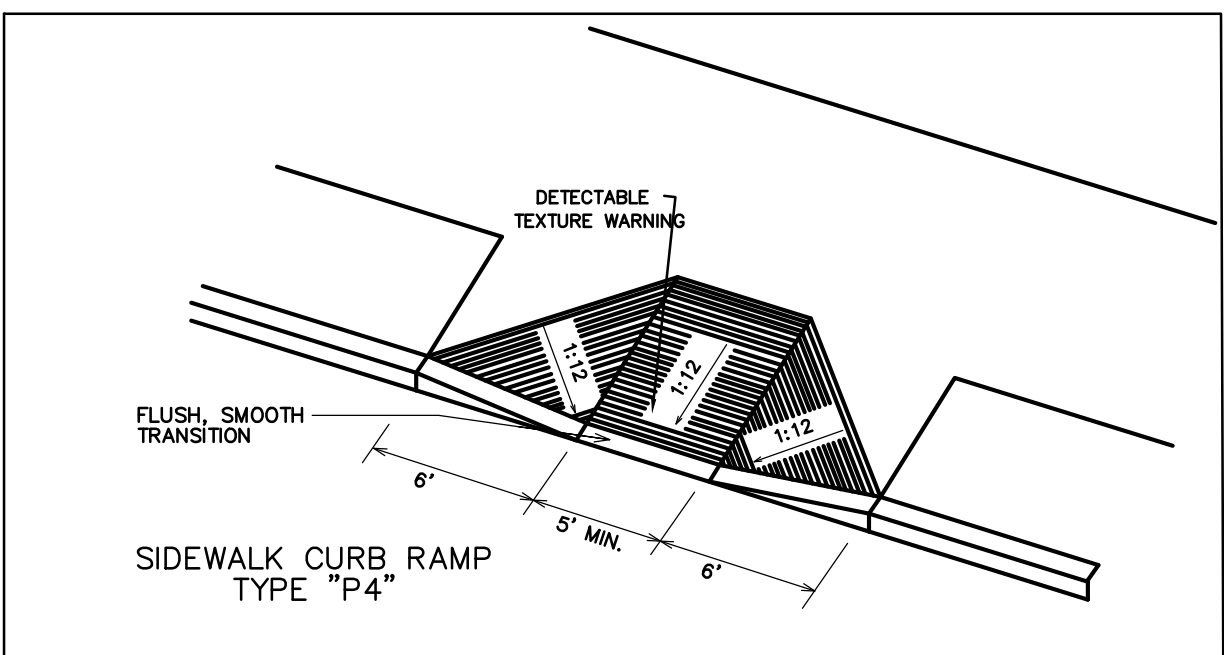
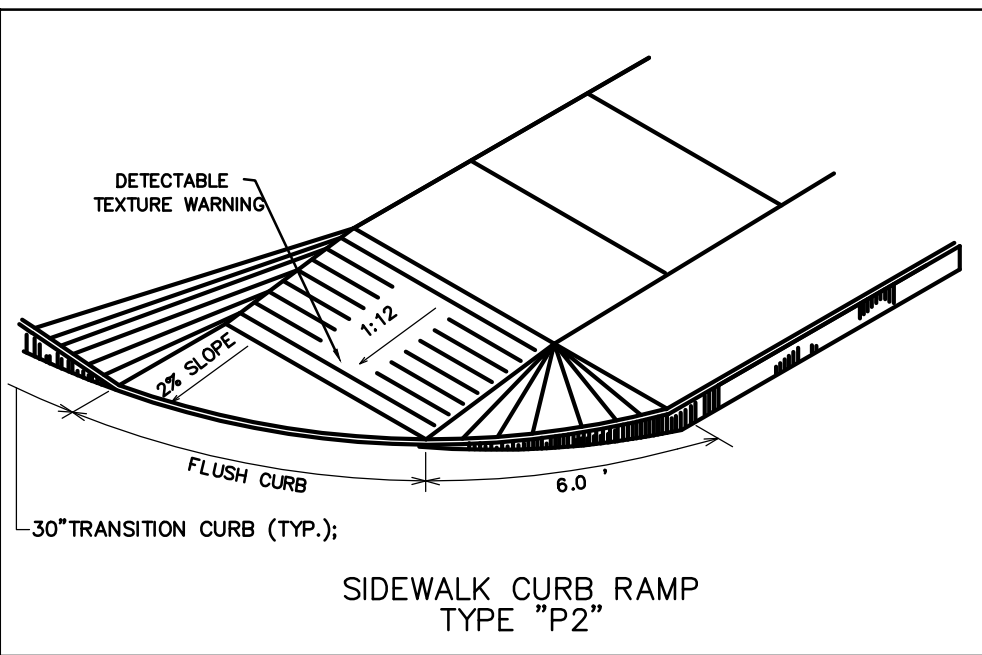


NO.	DATE	REVISIONS	BY:
1	8/29/23	UPDATED BUILDING FOOTPRINT	
2	8/29/23	REVISED AS PER THE COMMENTS	



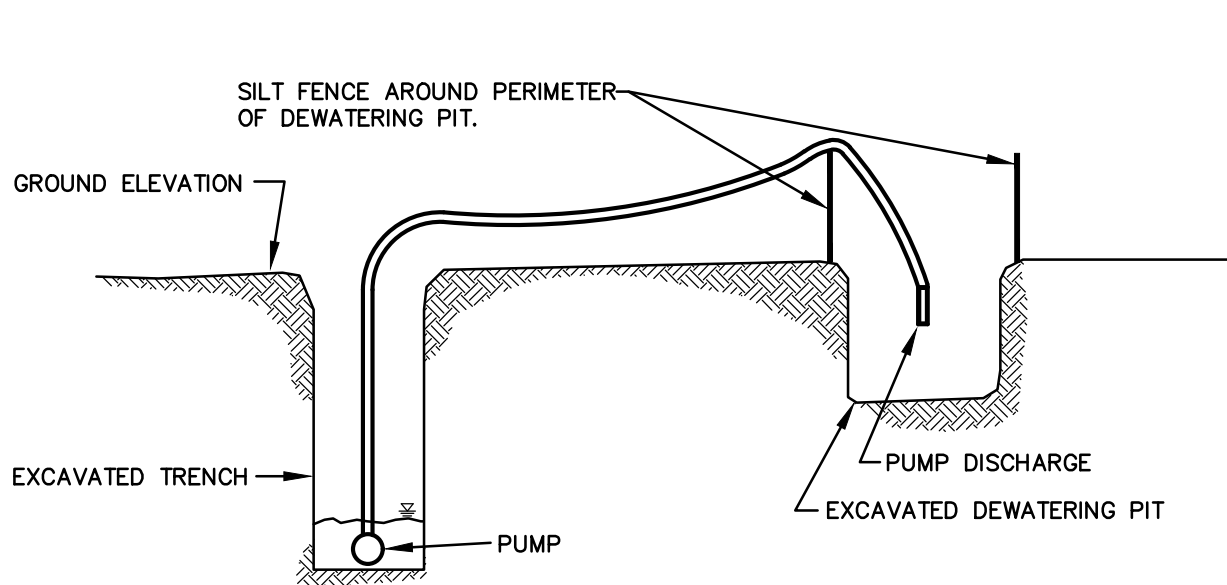


ASPHALT PAVEMENT SECTION (NOT TO SCALE)



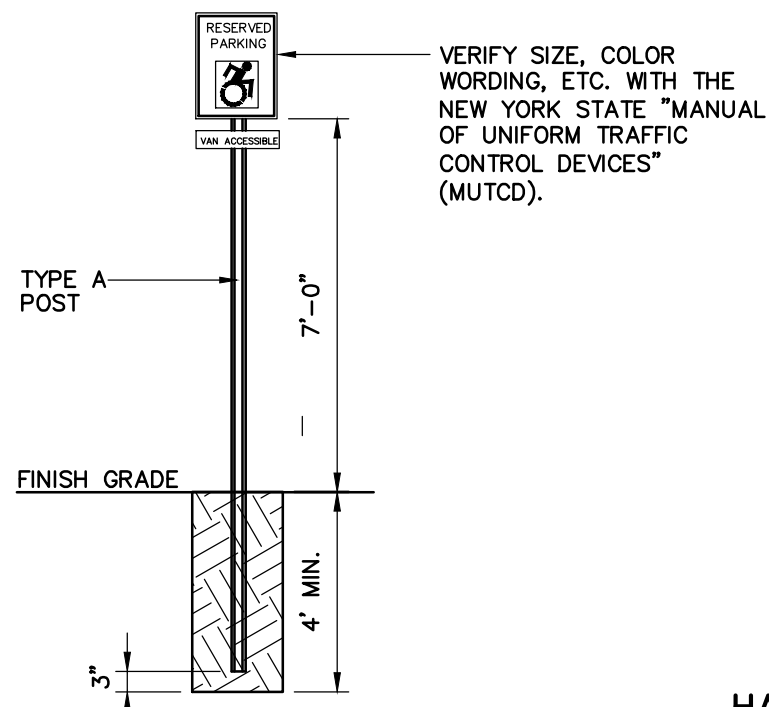
HANDICAP RAMP DETAILS

N.T.S.

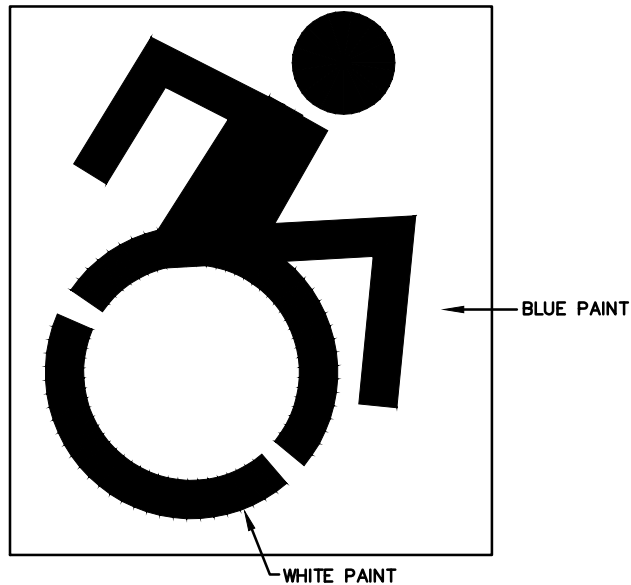


TYPICAL DEWATERING DETAIL

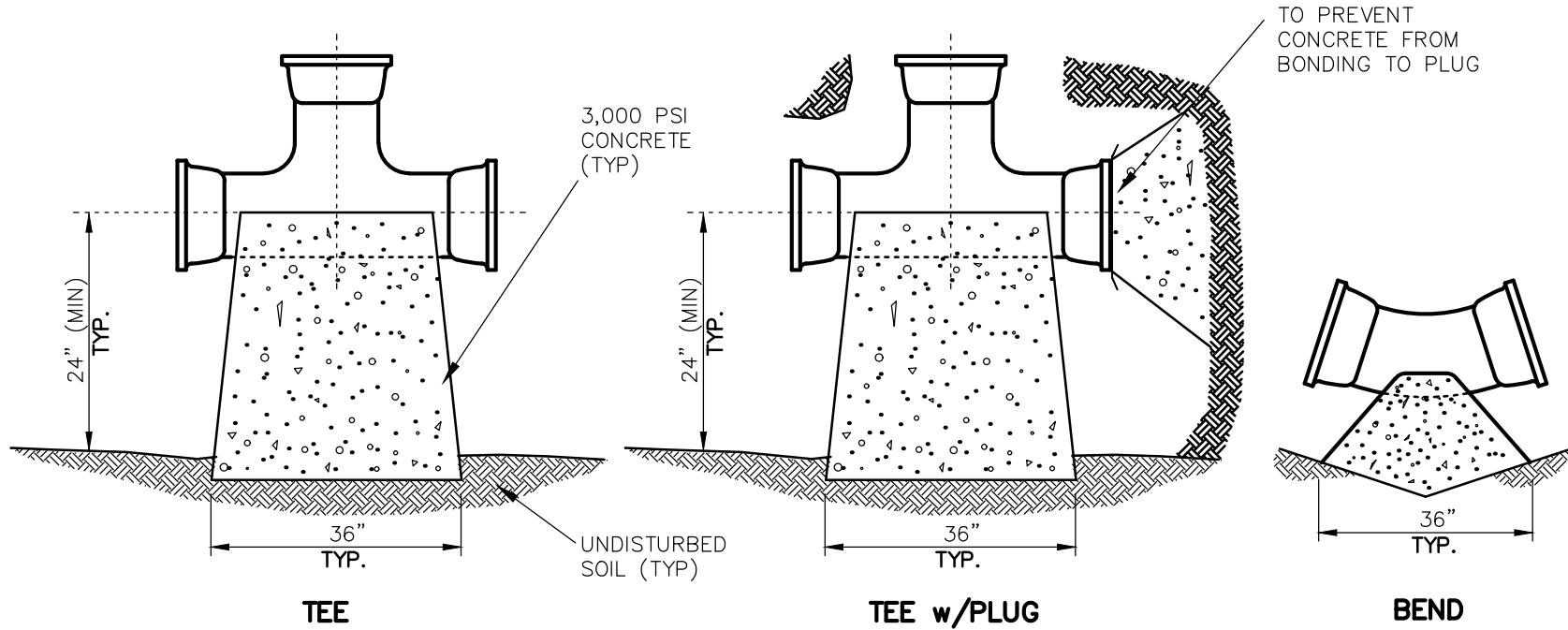
N.T.S.



ACCESSIBLE PARKING SIGN (NOT TO SCALE)



HANDICAP PARKING SPACE PARKING DETAIL (NOT TO SCALE)



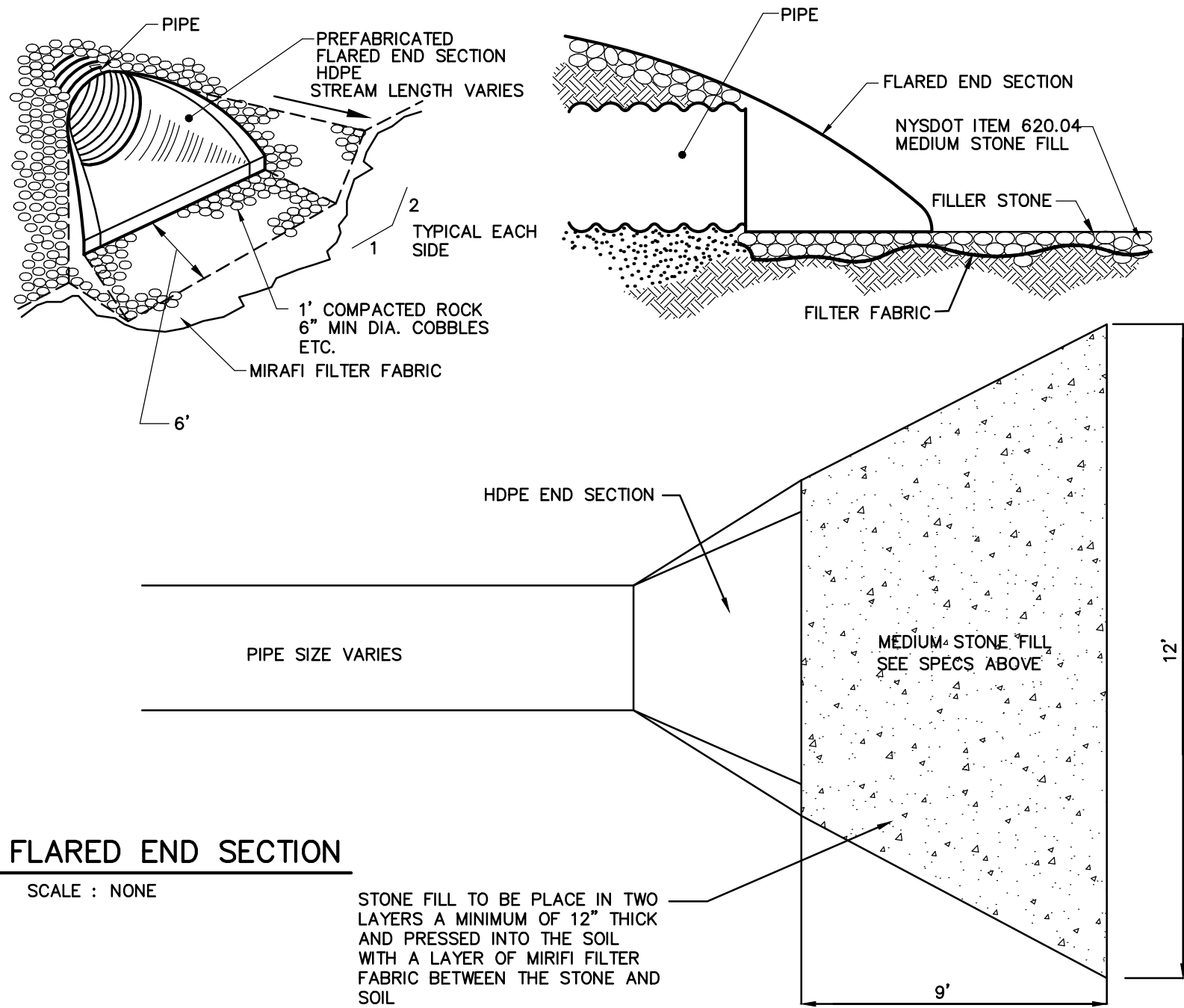
TYPICAL HORIZONTAL THRUST BLOCK DETAIL

SOIL	SOIL BEARING CAPACITY (LB/FT <sup>2</sup> )	FACTOR
MUCK PEAT	0	-
SOFT CLAY	300	4.00
SAND	1000	2.00
SAND & GRAVEL	1500	1.33
SAND & GRAVEL w/CLAY	2000	1.00
SHALE	5000	0.40

NOTE: BEARING AREAS SHOWN IN TABLE 2 SHALL BE MULTIPLIED BY FACTORS NOTED IN TABLE 1 TO ESTABLISH REQUIRED BEARING AREAS FOR SOIL CONDITIONS.

PIPE SIZE	TEE	90° BEND	45° BEND	22.5° BEND
200 P.S.I.G. INTERNAL PRESSURE				
3" & 4"	1	1	1	1
6"	2	2	1	1
8"	3	3	2	1
10"	6	8	3	2
12"	6	8	4	2
14"	11	11	6	3
16"	14	14	8	4
18"	18	18	10	5
20"	22	22	12	7
24"	32	32	17	9

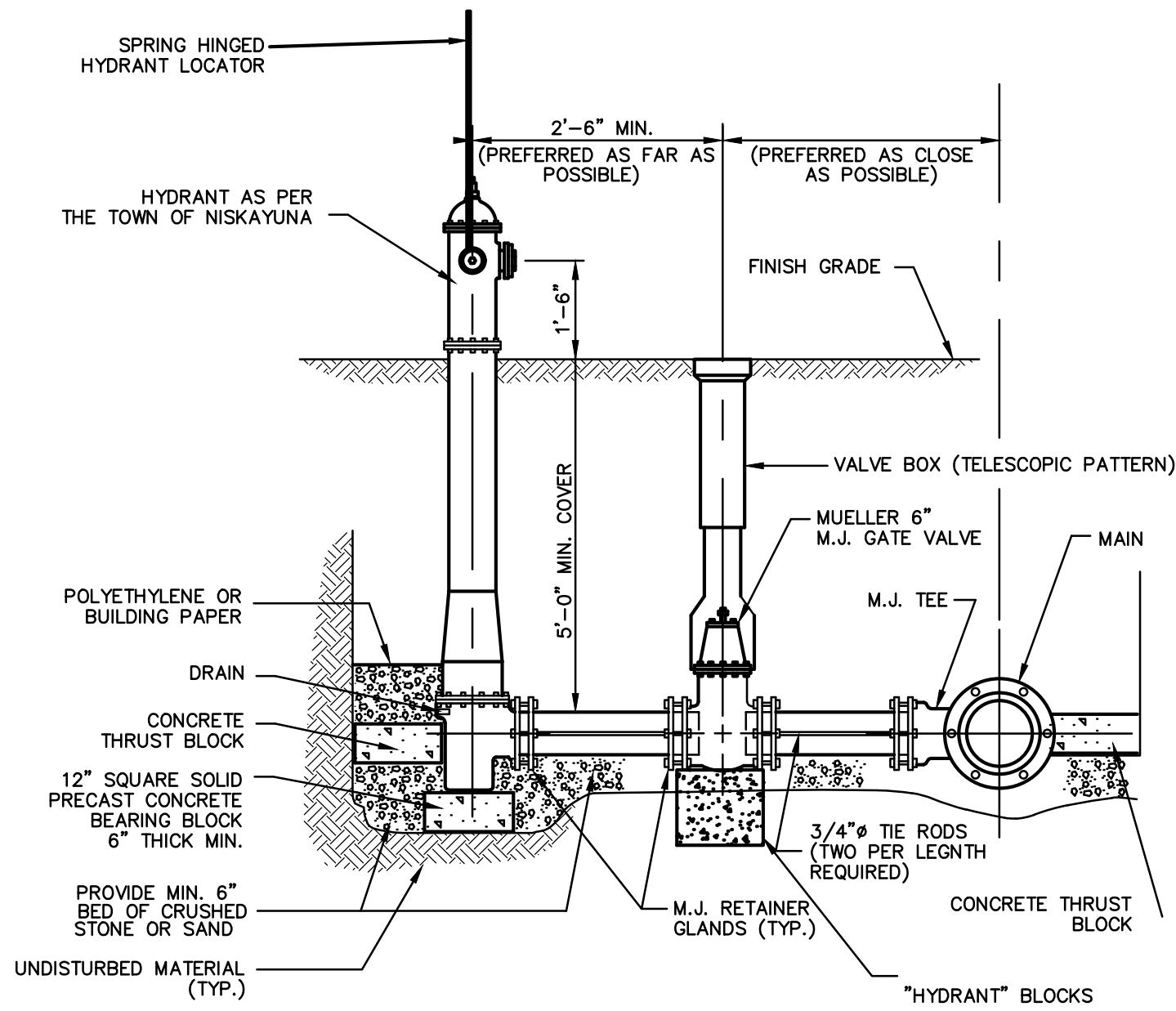
N.T.S.



PIPE W/ FLARED END SECTION

SCALE : NONE

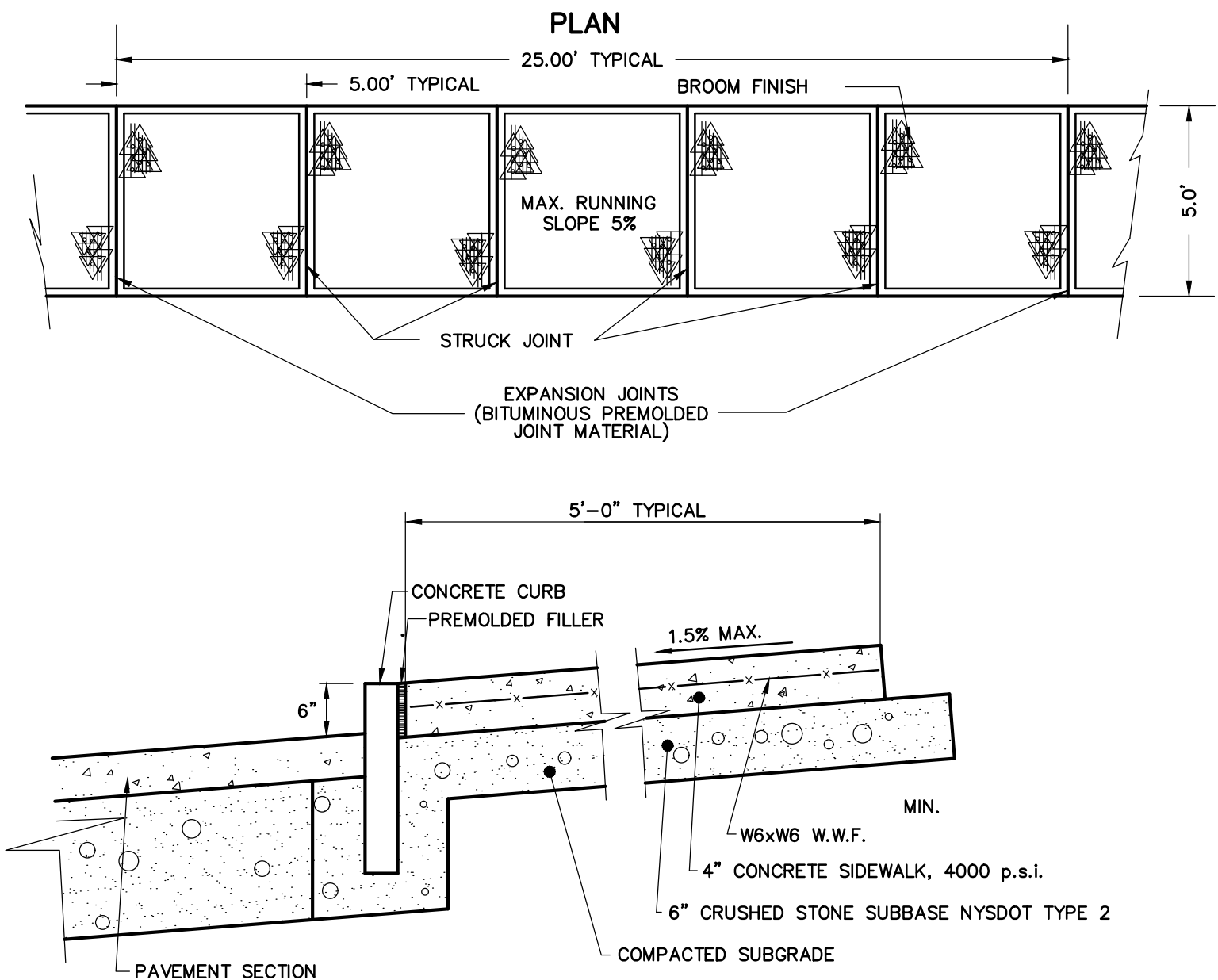
STONE FILL TO BE PLACE IN TWO LAYERS A MINIMUM OF 12" THICK AND PRESSED INTO THE SOIL WITH A LAYER OF MIRAFI FILTER FABRIC BETWEEN THE STONE AND SOIL.



IF WATER TABLE IS LESS THAN 7' BELOW GRADE, HYDRANT WEEP HOLE SHALL BE PLUGGED AND TAGGED.

HYDRANT DETAIL

(NOT TO SCALE)



- NOTES:  
1. SEE SIDEWALK JOINTS DETAIL FOR JOINT SIZE AND SPACING  
2. EXPOSED CONCRETE SURFACE TO HAVE LIGHT BROOM FINISH

CONCRETE SIDEWALK DETAIL

N.T.S.

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ENGINEERING THAT TRANSFORMS  
IMAGINATION INTO REALITY

DETAILS  
PHASE 2 - RIVERS LEDGE OF NISKAYUNA  
2837 AQUEDUCT ROAD

COUNTY OF SCHENECTADY TOWN OF NISKAYUNA STATE OF NEW YORK

DRAWN BY: CHECKED BY: SCALE: AS NOTED

CADD FILE: JOB NO. SHEET D-1

DATE: MAY 11, 2022

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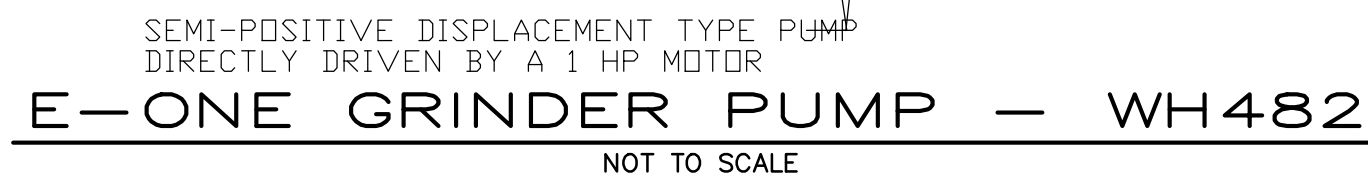
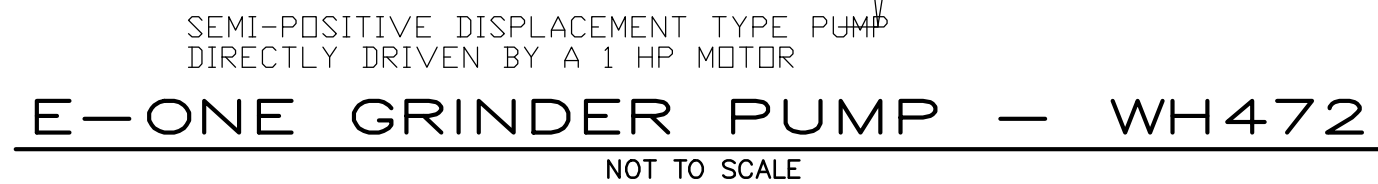
Dig Safety. New York  
Call 811  
before you dig

NO. DATE: REVISIONS  
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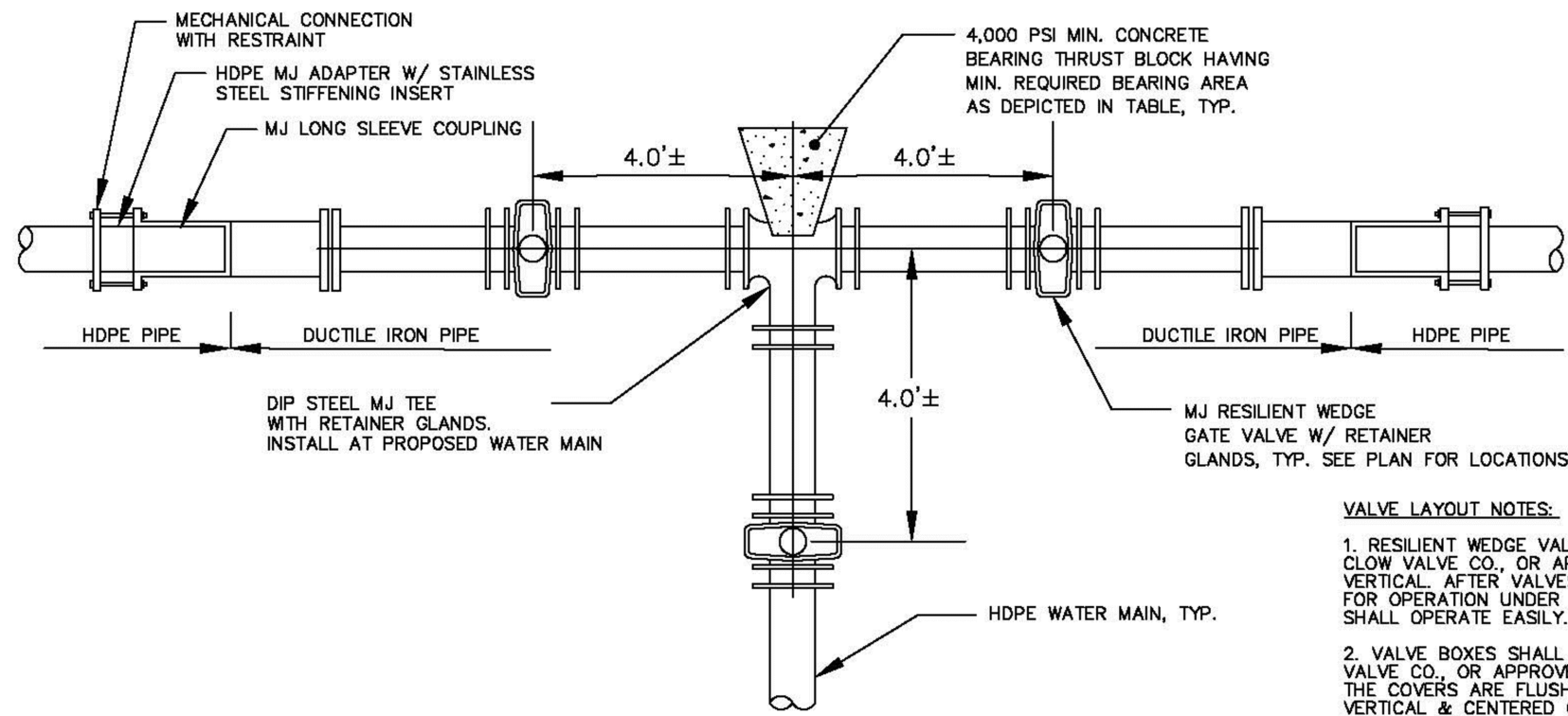




FINAL BACKFILL SHALL BE OF A SUITABLE MATERIAL REMOVED FROM EXCAVATION EXCEPT WHERE OTHER MATERIAL IS SPECIFIED. DEBRIS, FROZEN MATERIAL, LARGE CLODS OR STONES, ORGANIC MATTER AND OTHER UNSTABLE MATERIALS SHALL BE USED FOR FINAL BACKFILL WITHIN 2 FEET OF THE TOP OF PIPE.



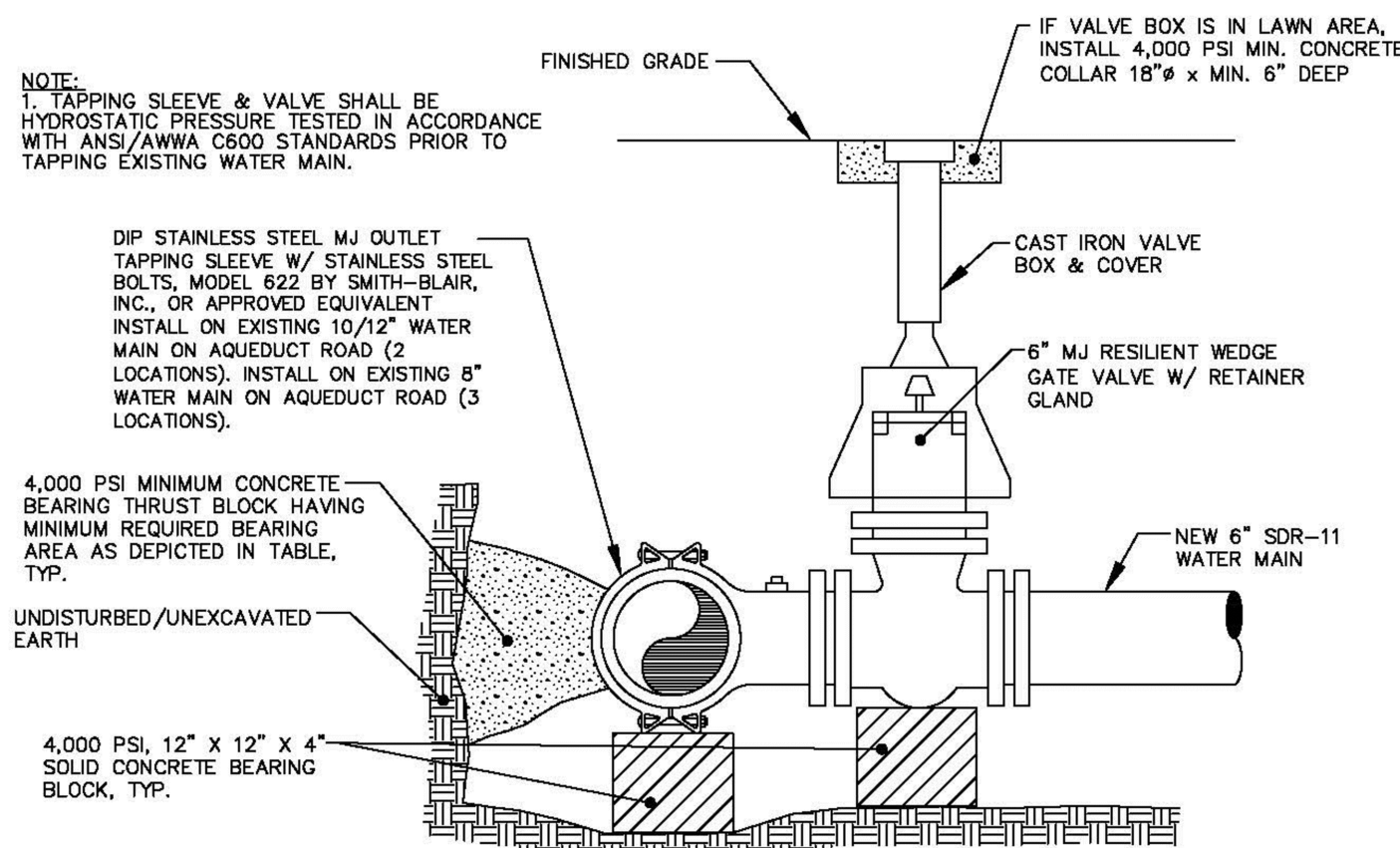




VALVE LAYOUT AT WATER MAIN TEE  
& TYPICAL PIPE TRANSITION DETAIL

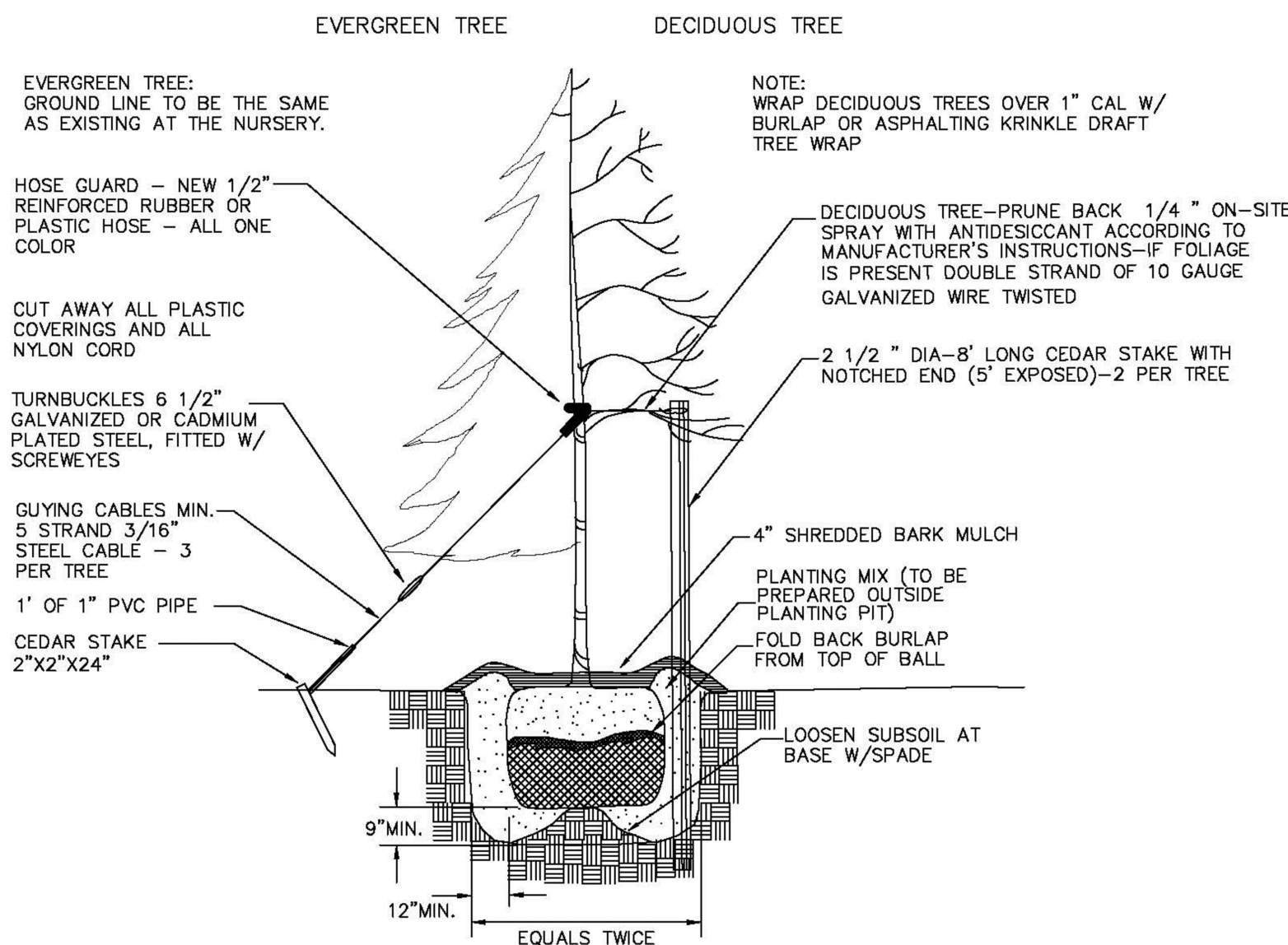
SCALE: NO SCALE

"Whenever cement-asbestos pipe is encountered, the local or enforcing environmental officer should be contacted. All operations shall be in conformance with OSHA's Asbestos Standard for Construction, 29 CFR 1926.1101 on asbestos cement water pipes."



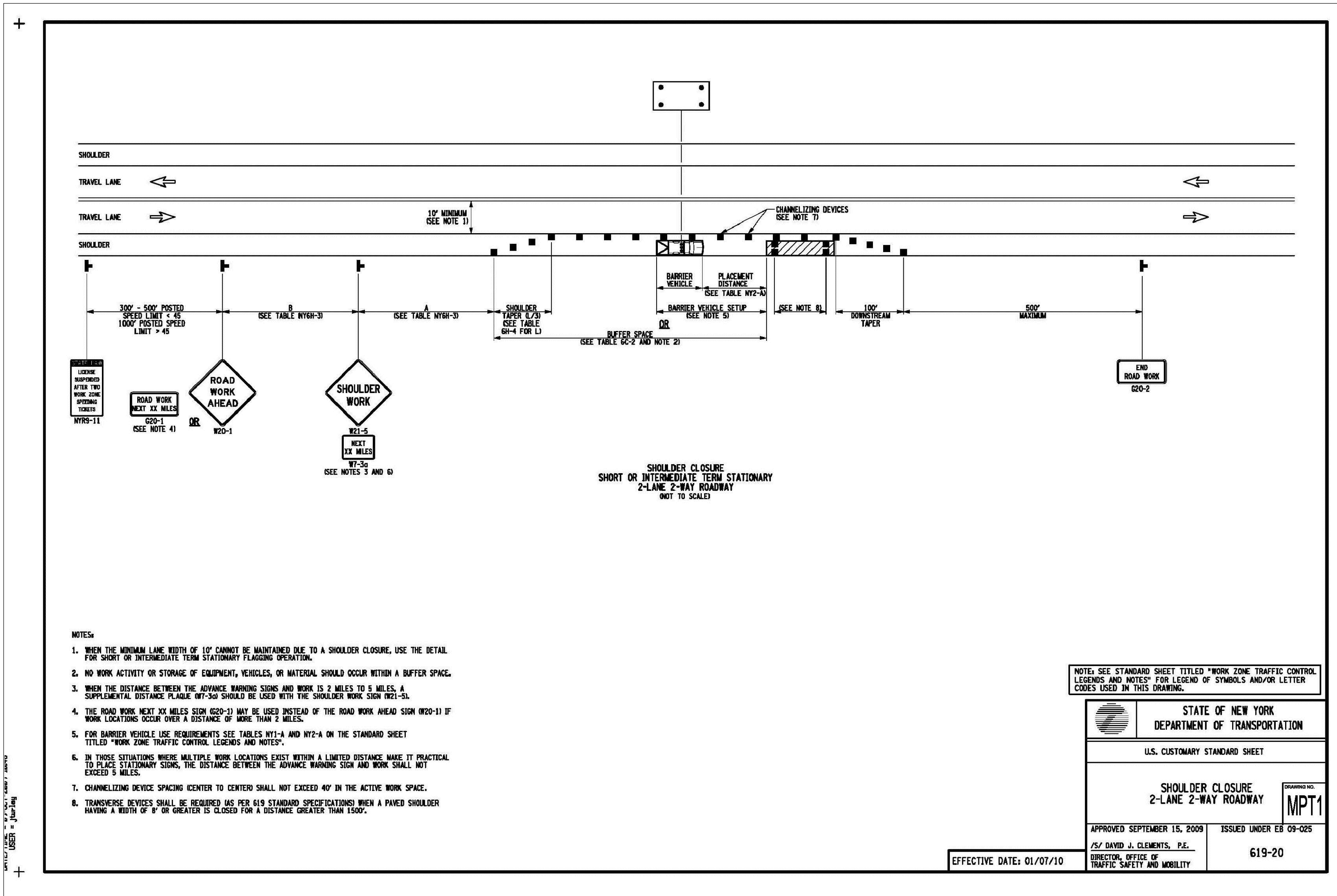
TAPPING SLEEVE & VALVE DETAIL

SCALE: NO SCALE



PLANTING DETAIL

SCALE: NONE



NOTES: SEE STANDARD SHEET TITLED "WORK ZONE TRAFFIC CONTROL LEGENDS AND NOTES" FOR LEGEND OF SYMBOLS AND/OR LETTER CODES USED IN THIS DRAWING.

STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION	
U.S. CUSTOMARY STANDARD SHEET	
SHOULDER CLOSURE 2-LANE 2-WAY ROADWAY	
APPROVED SEPTEMBER 15, 2009 /S/ DAVID J. CLEMENTS, P.E. DIRECTOR, OFFICE OF TRAFFIC SAFETY AND MOBILITY	ISSUED UNDER E8 09-025 619-20

EFFECTIVE DATE: 01/07/10

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IMAGINATION INTO REALITY

DETAILS

PHASE 2 - RIVERS LEDGE OF NISKAYUNA  
2837 AQUEDUCT ROAD

COUNTY OF SCHENECTADY  
TOWN OF NISKAYUNA  
STATE OF NEW YORK

DRAWN BY: CHECKED BY: SCALE: AS NOTED

CADD FILE: JOB NO. SHEET D-3  
DATE: MAY 11, 2022



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BRETT L. STEENBURGH, P.E.  
NYS LIC. NO. 0754508

NO.	DATE	REVISIONS	B.Y.
1	6/27/23	REVISED AS FOR ICE COMMENTS	
2	6/27/23	REVISED AS FOR ICE COMMENTS	



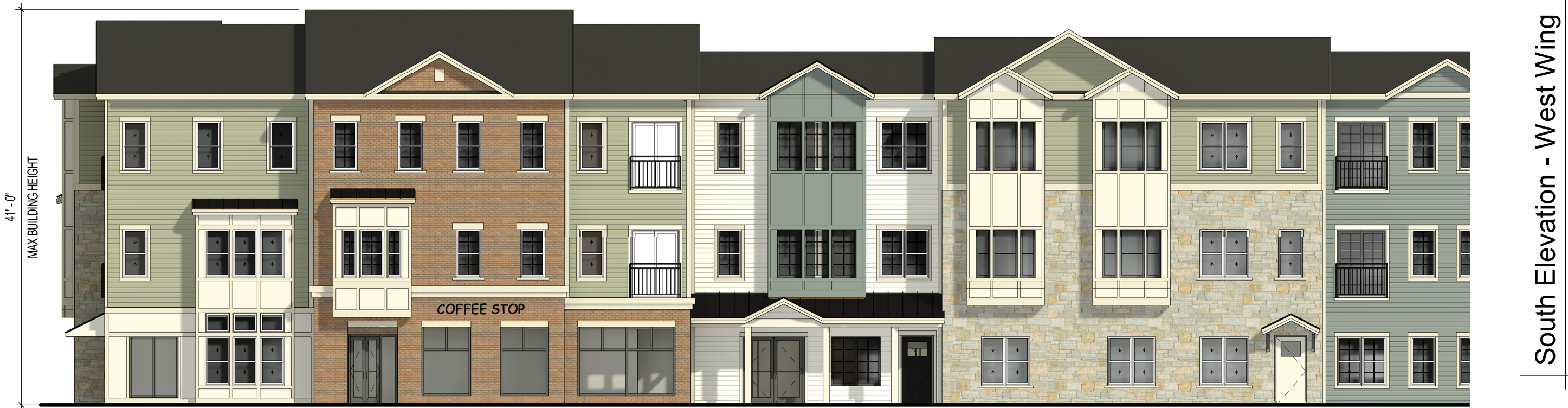




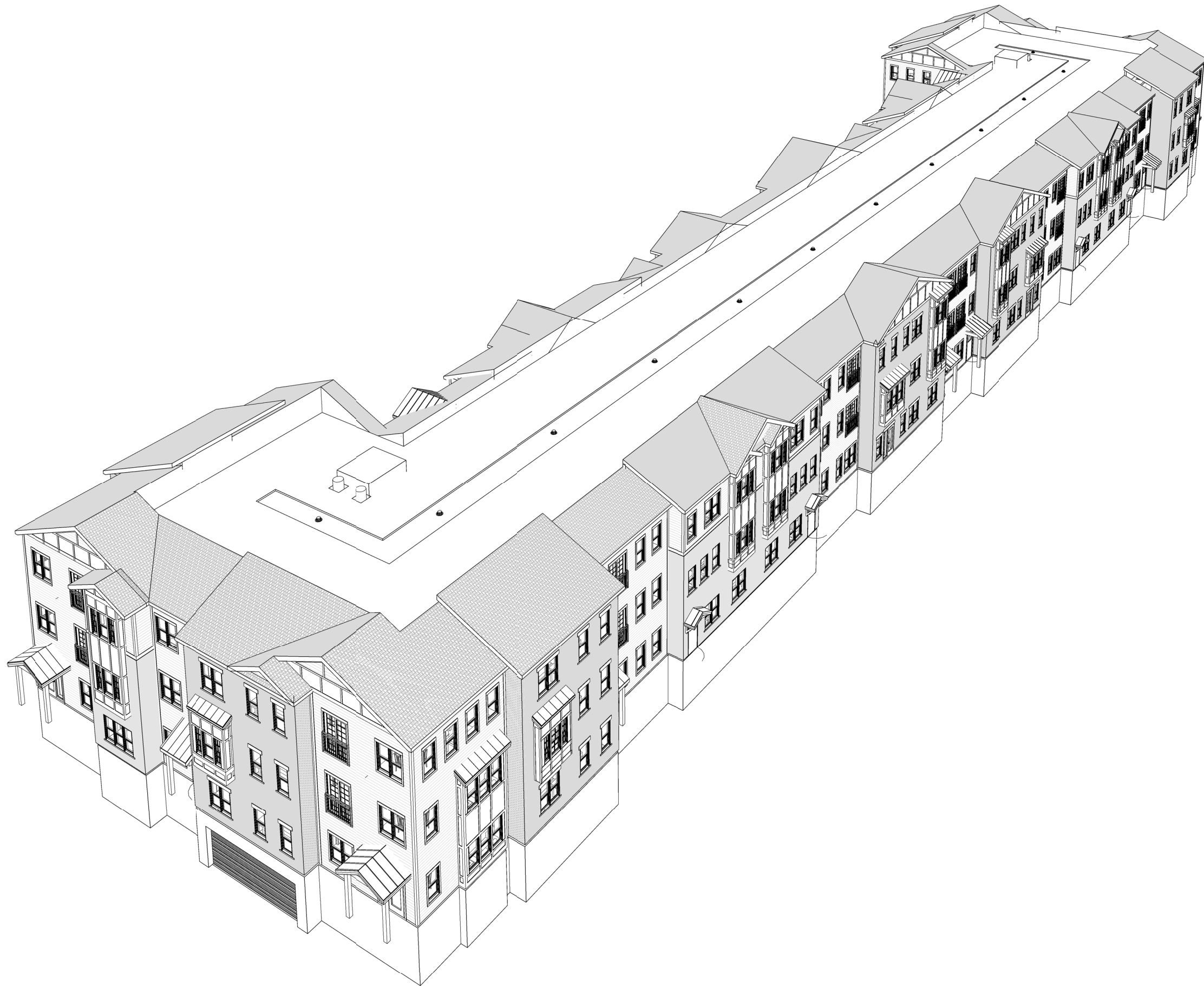




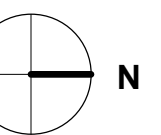
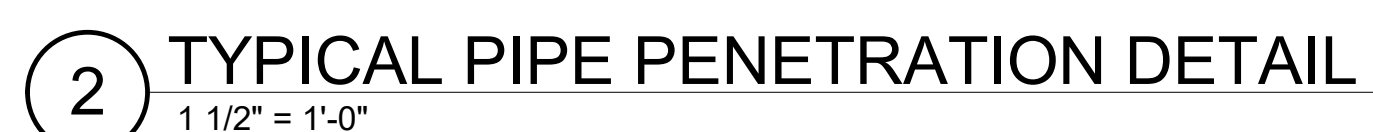
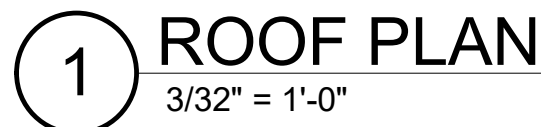
EXTERIOR CLADDING SPECIFICATIONS	WINDOW SPECIFICATIONS
<p><u>CULTURED STONE VENEER:</u></p> <ul style="list-style-type: none"> <li>CASA DI SASSI <ul style="list-style-type: none"> <li>VOLTERRA TURIN</li> </ul> </li> </ul> <p><u>EIFS BRICK</u></p> <ul style="list-style-type: none"> <li>STOCREATIV BRICK <ul style="list-style-type: none"> <li>OHIO STANDARD BRICK</li> <li>COLOR: VARIES</li> </ul> </li> </ul> <p><u>SIDING / TRIM:</u></p> <ul style="list-style-type: none"> <li>JAMES HARDIE FIBER CEMENT</li> <li>7" SMOOTH LAP SIDING <ul style="list-style-type: none"> <li>COLOR: VARIES</li> </ul> </li> <li>VERTICAL &amp; PANEL SIDING <ul style="list-style-type: none"> <li>COLOR: VARIES</li> </ul> </li> <li>TRIM, FASCIA &amp; SOFFITS <ul style="list-style-type: none"> <li>COLOR: VARIES</li> </ul> </li> </ul> <p><u>STANDING SEAM METAL ROOF - DORMERS &amp; SHED ROOFS:</u></p> <ul style="list-style-type: none"> <li>ATAS 2" FIELD-LOK <ul style="list-style-type: none"> <li>COLOR: BLACK</li> </ul> </li> </ul> <p><u>ROOFING:</u></p> <ul style="list-style-type: none"> <li>GAF TIMBERLINE HDZ</li> <li>ARCHTIECTURAL ASPHALT SHINGLES <ul style="list-style-type: none"> <li>COLOR: WEATEHRED WOOD</li> </ul> </li> </ul>	<p><u>WINDOWS:</u></p> <ul style="list-style-type: none"> <li>ANDERSEN 100 SERIES OR EQUAL</li> <li>SINGLE HUNG: (2) 2'-6" X 5'-0" <ul style="list-style-type: none"> <li>EXT. COLOR: VARIES</li> <li>INT. COLOR: WHITE</li> </ul> </li> </ul> <p><u>SLIDING PATIO DOORS</u></p> <ul style="list-style-type: none"> <li>ANDERSEN 100 SERIES OR EQUAL</li> <li>GLIDING PATIO DOOR: 8'-0"w X 7'-0"h <ul style="list-style-type: none"> <li>EXT. COLOR: VARIES</li> <li>INT. COLOR: WHITE</li> </ul> </li> </ul> <p><u>BUILDING ENTRANCES:</u></p> <ul style="list-style-type: none"> <li>KAWNEER 350 MEDIUM STILE ALUMINUM ENTRANCES</li> <li>3-1/2" VERTICAL STILES AND TOP RAILS</li> <li>10" HIGH BOTTOM RAIL</li> <li>ALUMINUM FINISH: PERMAFLUOR, VARIES</li> </ul>





















[illegible]

REXFORD/  
ALPLAUSE

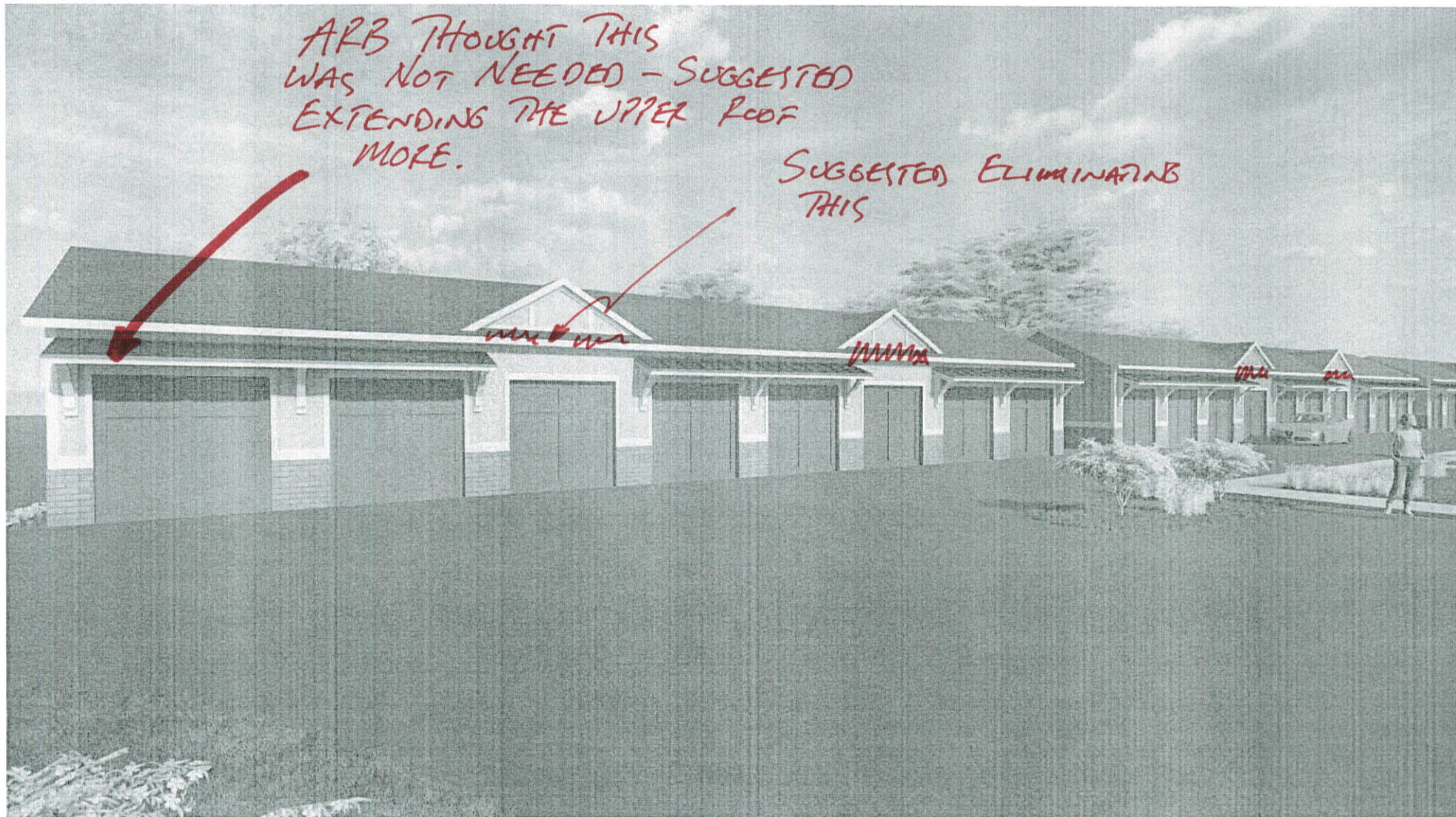
MOHAWK RIVER

NISKAYUNA

SITE SECTION ACROSS RIVER



ARB COMMENT 8/16/23



**hcp**  
architects

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**BBL Construction**  
Services

**Luizzi**  
Companies

FRONT VIEW FROM DRIVEWAY

Rivers Ledge Development: Senior Building Garages  
Aqueduct Road, Niskayuna, New York 12309



Scale:  
March 20th, 2023

**Resolution No. 2016-218**

**AT A REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF NISKAYUNA, DULY CALLED AND HELD ON THE 23<sup>rd</sup> DAY OF AUGUST, 2016, AT THE NISKAYUNA TOWN OFFICE BUILDING, ONE NISKAYUNA CIRCLE IN SAID TOWN, AT 7:00 O'CLOCK PM, THE FOLLOWING MEMBERS WERE PRESENT:**

<b>HONORABLE:</b>	<b>DENISE MURPHY MCGRAW</b>	<b>COUNCILWOMAN</b>
	<b>JOHN DELLA RATTA</b>	<b>COUNCILMAN</b>
	<b>WILLIAM D. MCPARTLON</b>	<b>COUNCILMAN</b>
	<b>JOE LANDRY</b>	<b>SUPERVISOR</b>
<b>ABSENT:</b>	<b>LISA WEBER</b>	<b>COUNCILWOMAN</b>

**A RESOLUTION TO GRANT TENTATIVE ZONING APPROVAL FOR A PLANNED UNIT DEVELOPMENT ON AQUEDUCT ROAD**

The following resolution was offered by **Councilman Della Ratta** who moved its adoption, and seconded by **Councilman McPartlon**

BE IT ENACTED, by the Town Board of the Town of Niskayuna, as follows:

WHEREAS, this Town Board, by its Resolution No. 2016-37, permitted Rivers Ledge of Niskayuna, LLC, of 49 Railroad Avenue, Albany, New York 12205, to make formal application for the creation of a Planned Unit Development ("PUD") on Aqueduct Road, and

WHEREAS, on March 22, 2016, Rivers Ledge of Niskayuna, LLC, submitted an (I) Authorization to Proceed Application for a PUD and a (II) Application for Tentative Zoning Approval of a PUD, with a report entitled "Narrative Engineers Report, Rivers Ledge of Niskayuna, Town of Niskayuna, Schenectady County, State of New York," by Dominick Arico of Boswell Engineering, last revised April 2016, and

WHEREAS, the petition for the PUD is accompanied by a sketch plan entitled "Layout Plan, Rivers Ledge of Niskayuna, Located at 2837 Aqueduct Road," by Dominick Arico of Arico Associates, dated May 2016, and

WHEREAS, in conjunction with said application for a PUD, Rivers Ledge of Niskayuna, LLC applied for a change of zoning for the parcels underlying the proposed PUD from I-G: General Industrial to R-2: Medium Density Residential, and

WHEREAS, the Planning Board and Zoning Commission has been reviewing a sketch plan to consider tentative approval of a PUD and by its Resolution No. 2016-20, issued a favorable report to the Town Board for the creation of the PUD and



recommended that the Town Board conduct a public hearing for the purpose of considering tentative zoning approval for the proposed PUD known as Rivers Ledge of Niskayuna on Aqueduct Road, and

WHEREAS, the Town Board, by its Resolution No. 2016-217, does amend the official Zoning map for all the impacted parcels currently zoned I-G: General Industrial, and

WHEREAS, the Town Board referred this proposal to the Conservation Advisory Council and they responded on June 1, 2016 recommending that a negative declaration be prepared, and

WHEREAS, the Town Board referred this application to the Schenectady County Department of Economic Development and Planning on May 3, 2016 and they have responded with comments, and

WHEREAS, this Town Board conducted a public hearing on June 30, 2016 at which time all citizens and parties in interest were afforded ample opportunity to be heard, and

WHEREAS, this Town Board has carefully reviewed and studied the petition and by this resolution does hereby set forth its decision hereon,

NOW THEREFORE, be it

RESOLVED, that this Town Board acting in accordance with the State Environmental Quality Review regulations and local law has determined that the Planned Unit Development will not have a significant impact on the environment and directs the Town Planner to file a negative declaration, and be it

FURTHER RESOLVED, that this Town Board does hereby grant tentative zoning approval for the Planned Unit Development known as Rivers Ledge in accordance with Section 220-36(E) of the Zoning Ordinance of the Town of Niskayuna, subject to final site plan approval and the following conditions:

1. The following general site improvements have been agreed upon by the applicant and the Town Board, but final locations, sizes, and specifications must be reviewed and agreed upon by the Planning Board prior to site plan approval.
  - a. The applicant shall be responsible for the construction of a gravity sewer main which extends from the proposed PUD site southwest and connects to the City of Schenectady's public sewer collection system. The sewer main and any pump stations shall be designed and sized to handle future flows from the surrounding area. Prior to site plan approval, the applicant shall supply the Town of Niskayuna with written approval from the City of Schenectady allowing for said connection.

- b. The applicant shall be responsible for the construction of a gravity sewer main from the Town of Niskayuna's Aqueduct Park to the proposed site of the PUD. The sewer main shall be designed and sized to handle future flows from the surrounding area.
  - c. The applicant shall be responsible for the construction of a pump station which shall convey the wastewater from the proposed PUD and Aqueduct park area to the proposed gravity sewer main running to the City of Schenectady's public sewer connection system. The pump station shall be designed and sized to handle future flows from the surrounding area.
  - d. The applicant shall be responsible for the construction of a water main which shall connect the current terminus of the waterline in the vicinity of 2744 Aqueduct Road with the current terminus of the waterline in the vicinity of 2682 Aqueduct Road. Any additional water pressure mitigation necessary shall be reviewed and approved by the Superintendent of Water and Sewer and the Planning Board and Zoning Commission during site plan approval.
  - e. The applicant shall be responsible for improvements to the public parkland known as the Aqueduct Park/Canalway Trail between the northern border of the proposed PUD and the Mohawk River. These improvements shall include proposed tree removal, proposed clearing and grubbing, and a proposed multi-use path. The applicant has also agreed to additional improvements to said parkland valued at \$200,000 and improvements for a fishing dock or waterfront improvement in association with said parkland improvements valued at \$50,000. The final parkland improvement plan must be agreed upon by the Planning Board and Zoning Commission prior to site plan approval.
  - f. The applicant shall be responsible for the construction of a public parking area between Aqueduct road and the Mohawk Hudson Hike Bike Trail and the construction of a new 8 foot wide asphalt multi-use trail within the PUD to allow public access to the Mohawk Hudson Bike Hike Trail and public access to the Mohawk River. Prior to final PUD approval, all access easements necessary for the public enjoyment of said improvement shall be granted to the Town of Niskayuna.
2. Prior to site plan approval, the developer shall furnish the Town with all necessary permits from the NYS Office of Parks Recreation and Historic Preservation for all approved bike path crossings and sewer line utility easements.
3. Prior to site plan approval, the developer shall furnish the Town with all necessary permits from the Army Corps of Engineers for wetlands disturbance and mitigation.
4. Prior to site plan approval, all utility district extensions shall be completed.
5. The applicant shall strive to meet the objectives of the Planned Unit Development Code, Section 220-34.

6. In consideration of the applicant striving to meet all multi-family dwelling regulations outlined in Chapter 220-26 of the Town of Niskayuna Zoning Code during site plan review, the Town Board does hereby agree to allow greater land use intensity, more reflective of a multi-family dwelling unit project, subject to Planning Board approval.
7. Prior to Town Board acceptance of the final PUD, the 0.6 acre portion of parcel 31.-1-22.21 located east of the Niagara Mohawk Power Corporation parcel and between the lands of the State of New York (Aqueduct Park / Canalway Trail) and the Mohawk River shall be conveyed to the Town of Niskayuna for use as a public park with access to the Mohawk River.
8. In consideration of the proposed parkland improvements, the Town Board does agree to reduce the parkland fees to \$500/ unit.
9. In consideration of the proportional benefit to the public from the above outlined improvements, the Town Board does agree to reduce the sewer trunk fees from \$1,000/ unit to \$500/ unit.
10. In consideration of the proportional benefit to the public from the above outlined improvements, the Town Board does agree to reduce the water trunk fees from \$1,000/ unit to \$500/ unit.
11. The proposed entrances along Aqueduct Road will require that the applicant apply for a County Highway Work Permit before performing work within the ROW. IN addition, all utility work performed in the County ROW must also have a County Highway permit before commencing work.

**UPON ROLL CALL THE FORGOING RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE:**

<b>COUNCILWOMAN MURPHY MCGRAW</b>	<b>VOTING</b>	<b>AYE</b>
<b>COUNCILMAN DELLA RATTI</b>	<b>VOTING</b>	<b>AYE</b>
<b>COUNCILMAN MCPARTLON</b>	<b>VOTING</b>	<b>AYE</b>
<b>SUPERVISOR LANDRY</b>	<b>VOTING</b>	<b>AYE</b>



# TOWN OF NISKAYUNA

## PLANNING BOARD AND ZONING COMMISSION

### AGENDA STATEMENT

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AGENDA ITEM NO. VII. 2

MEETING DATE: 9/11/2023

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**ITEM TITLE:** RECOMMENDATION: A Recommendation to the ZBA for a lot line adjustment between 1900 Union St. and 1854 Union St. requiring area variances for a 6' high fence and accessory structure (garage) in the front yard of 1854 Union St.

**PROJECT LEAD:** Leslie Gold

**APPLICANT:** Glenn Forman, Matthew Conboy, owners

**SUBMITTED BY:** Laura Robertson, Town Planner

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**REVIEWED BY:**

☐ Conservation Advisory Council (CAC) ☐ Zoning Board of Appeals (ZBA) ☐ Town Board  
☐ OTHER:

**ATTACHMENTS:**

☐ Resolution ☒ Site Plan ☐ Map ☐ Report ☒ Other: Recommendation

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**SUMMARY STATEMENT:**

Glenn Forman and Matthew Conboy, owners of 1900 Union St. and 1854 Union St., respectively have submitted an application for lot line adjustment. The lot at 1900 Union St. is currently a conforming sized lot measuring 2.4 acres with 258.61 feet of frontage. The lot at 1854 Union St. is currently a legally nonconforming lot measuring 0.4 acres with 72 feet of frontage. The proposed lot line adjustment would reduce the frontage of 1900 Union St. by approximately 30 feet from 258.61 feet to approximately 228 feet and increase the frontage of 1854 Union St. from 72 feet to 102 feet. The proposed lot line adjustment would result in 1854 Union St. becoming a conforming lot, but a through lot, and area variances would be necessary for the accessory structures.

The property is located within the R-1 Low Density Residential zoning district.

The applicants appeared before the Planning Board at their 8/28/23 meeting to present the proposed project to Board and receive feedback. They followed up with the Planning Office and discussed their options in greater detail. After these discussions the applicants have decided to continue with the project as defined and seek relief from the zoning code from the ZBA.

**BACKGROUND INFORMATION**

A 1-page sketch entitled "Survey of Premises Known as Street No. 1900 Union Street" by Raymond A. Koch, PLS Land Surveyor dated 8/28/86 with no subsequent revisions was provided with the application. The aforementioned sketch was marked up to show the proposed adjusted lot line and entitled "Lot Line Adjustment Sketch Plan."

The table below displays the impact of the proposed lot line adjustment on the two lots.

	R-1 Zoning Code Requirement	1900 Union St. Existing	1900 Union St. After	1854 Union St. Existing	1854 Union St. After
<b>Lot Area</b>	0.41 ac	2.4	1.7	0.4	1.1
<b>Frontage</b>	100 ft.	258.61	228	72 ft.	102
<b>Depth</b>	125 ft.	> 228 ft.	> 228 ft.	> 246 ft.	> 300 ft.

As configured, the lot line adjustment is favorable to bring the property into conformance with bulk zoning requirements.

By creating a through lot however (frontages on both Route 7 and Union St) – all the accessory structures that are in the rear of the yard and the six foot fence become non-compliant. The applicant could work with the Planning Board on alternatives that do not create a through lot or, to keep with the Comprehensive Plan's recommendation for regularly shaped lots – the Planning Board could work with the applicant on a recommendation to the Zoning Board for an area variance.

7/24/23 Planning Board (PB) meeting – Mr. Forman attended the meeting and presented the proposed lot line adjustment project to the Board. He explained how much he loved Niskayuna, his neighborhood and his property / home. He noted that his neighbor, Matthew Conboy, has similar feelings about his property at 1854 Union St. Mr. Forman said that his intention with this lot line adjustment is to provide Mr. Forman with additional property so that his young family may better enjoy their home. He said Mr. Forman and his wife have mentioned they would like to add a pool on their property in the near future.

Ms. Robertson explained how the proposed lot line adjustment causes 1854 Union St. to become a “through lot” with fronts on both Union St. and Route 7 thereby creating two front yards. She went on to say the application would need to be denied but explained the applicants could submit an application to the Zoning Board of Appeals for variances for the six-foot high fence and accessory structures that would now be in the front yard to Route 7.

The Building and Planning Office issued the applicants a denial letter and Mr. Forman and Mr. Conboy have reviewed their options with Ms. Robertson. They submitted an application to the Zoning Board of Appeals and are scheduled to appear at the 9/20/23 ZBA meeting.

The project is on the PB meeting agenda this evening so that the Board can make a recommendation to the ZBA regarding the variance.



**Town of Niskayuna**

**M E M O R A N D U M**

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**TO:** File

**FROM:** Laura Robertson, Town Planner

**DATE:** September 11, 2023

**RE:** 1900 Union St. / 1854 Union St.

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At a regular Planning Board and Zoning Commission (PB) meeting held on September 11, the PB reviewed the appeal by Glenn Forman and Matthew Conboy, property owners of 1900 Union St. and 1854 Union St., respectively, for a variance from Section 220-4, Section 220-18 A (2) and Section 220-25B (1) (a) of the Zoning Ordinance. The property is located in the R-1 Low Density Residential Zoning District.

Section 220-4 defines through lots as having two ‘fronts or frontages.’ As proposed, the lot line adjustment will result in 1854 Union St becoming a through lot as it is oriented between Union St and NYS Route 7.

Section 220-18 A (2) states that accessory structures are not permitted in the front yard of any lot. As proposed, the garage would be located in the front yard between the house and NYS Route 7; therefore, a variance from this section is required.

Section 220-25 B (1) (a) states that for fences located in the front yard and side yard, the maximum height shall be four feet. As proposed, the 6 ft. high fence would be located in the front yard between the house and NYS Route 7; therefore, a 2 ft. height variance from this section is required.

The Planning Board made the following recommendations:

**Effect on the Comprehensive Plan –**

**Suitability of Use –**

**RECOMMENDATION –**



## TOWN OF NISKAYUNA

Planning Department

One Niskayuna Circle

Niskayuna, New York 12309

Phone: (518) 386-4530

Fax: (518) 386-4592

### Notarized Owner's Acknowledgment/ Authorization For Lot Line Adjustment

Section-Block-Lot: 50.15-1-7.11  
Physical Address: 1900 Union Street

#### Acknowledgments:

1. I am aware of and consent to the filing of this application.
2. I confirm that the information provided in this application is true and correct to the best of my knowledge and I assume all responsibility for the truth and validity of this application and all associated exhibits and documents submitted.
3. I agree to allow representatives of the Town of Niskayuna to go on or about the subject property for inspection purposes in connection with this application.
4. I confirm that I have uncontested legal ownership of the subject property, without any outstanding rights, reservations or encumbrances which could nullify the intended development and use of this lot line adjustment (if there is a loan or mortgage on the affected property, it is my responsibility to inform the appropriate party of the property changes and secure their consent).
5. If the owner is a corporation, partnership, limited liability company (LLC), governmental agency or other entity, I confirm that I am authorized to act on behalf of the corporation, partnership, LLC, governmental agency or other entity in processing this application.
6. I acknowledge that any potential or existing separate lots, land titles, partitions, previously subdivided lots or other such land units will be consolidated with this lot line adjustment and upon final approval only the newly created lot(s) will be recognized.

The undersigned hereby swears that the information provided on this application is true, correct and accurate.

Sworn to me on this 12 day of July 2023

Linda M Sciocchetti  
Notary Public, State of New York  
Qualified in Schenectady County  
No. 01SC6329397  
Commission Expires Aug. 24, 2027

Linda M Sciocchetti  
Notary Public, State of New York

Glenn A. Forman  
Signature of Applicant

Glenn A. Forman  
Printed Name

July 12, 2023  
Date

Each property owner is required to sign. Attach additional sheets if necessary





## TOWN OF NISKAYUNA

Planning Department  
One Niskayuna Circle  
Niskayuna, New York 12309  
Phone: (518) 386-4530  
Fax: (518) 386-4592

### Application For Lot Line Adjustments

#### Property Information

Physical Address(es): 1900 UNION ST  
Section-Block-Lot(s): 50.15-1-7.11  
Number of Lots Involved: 1 Current Zoning(s): R1 residential  
Approximate Acreage: 0.7

Additional Information: Presently 2.5A lot line adjustment to convey 0.7A with 30' frontage on UNION ST with driveway. Afterward 1900 UNION ST will have 1.8A and 222 ft frontage on UNION ST - 1900 UNION

#### Owner(S) Of Record (Attach additional sheets if necessary)

Section-Block-Lot: 50.15-1-7.11  
Name: Glenn Forman Name: \_\_\_\_\_  
Address: 1900 UNION ST Address: \_\_\_\_\_  
City/State: NY Zip: 12309 City/State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: 518-313-2519 Phone: \_\_\_\_\_  
E-Mail: gaforman@icloud.com E-Mail: \_\_\_\_\_

Section-Block-Lot: 50.15-1-6  
Name: Matthew Conboy Name: \_\_\_\_\_  
Address: 1854 UNION ST Niskayuna Address: \_\_\_\_\_  
City/State: NY Zip: 12309 City/State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: 845-926-6737 Phone: \_\_\_\_\_  
E-Mail: mconboy41@gmail.com E-Mail: \_\_\_\_\_

#### Surveyor Or Engineer

Company: Koch LAND Surveyor  
Name: Raymond Koch  
Address: 133 Mohawk Ave, Scotia  
City/State: NY Zip: 12302  
Phone: 518-393-0989  
E-Mail: \_\_\_\_\_

Surveyor or engineer must have a current professional license with the State of New York.

LICENSE #: 47416





## TOWN OF NISKAYUNA

Planning Department

One Niskayuna Circle

Niskayuna, New York 12309

Phone: (518) 386-4530

Fax: (518) 386-4592

### Application For Lot Line Adjustments

**Supplementary Information** (Attach separate sheet if necessary)

1. What is the purpose of this adjustment? To convey 0.7A of  
2.5A from 1900 Union Street to 1854 Union St.  
It will be family backyard, increasing from 0.4A  
to 1.1A of grass & forest.
2. What is the proposed timeline for adjustment completion? As needed by  
this process.
3. Is any part of the proposed adjustment within the regulated floodplain as designated by the Federal Insurance Rate Maps (FIRMs) adopted by the Town of Niskayuna on December 1983? Yes ☐ NO ☒. If yes, explain what area is in the floodplain and how this is being accounted for in the adjustment process. \_\_\_\_\_
4. Is there additional information which may aid in the processing of this application (e.g., proposed variances, zoning change requests, building permit applications, etc.)? \_\_\_\_\_  
There is only forest and a driveway on the  
0.7A. There are no structures or improvements.  
There is sufficient lot side remaining ~ 60 feet
5. Are there any potential adverse environmental impacts that could be triggered by this lot line adjustment? Include any impacts to wetlands, surface water, groundwater, flooding, plants and animals, aesthetics, Historic sites, open space, recreation, transportation, noise, odor, light, geological features, etc. (Attach separate pages as necessary). None

Town of Niskayuna  
One Niskayuna Circle  
Niskayuna, New York 12309

Receipt #: 00011937

Date: 7/13/2023

Payer: Glenn Forman

Payment Amount: \$100.00

Notes: Lot line adjustment with 1854 Union St.

Fee Type	Amount
Lot Line Adjustment	100.00

Payment Type	Amount	Payment #
Check	100.00	13190

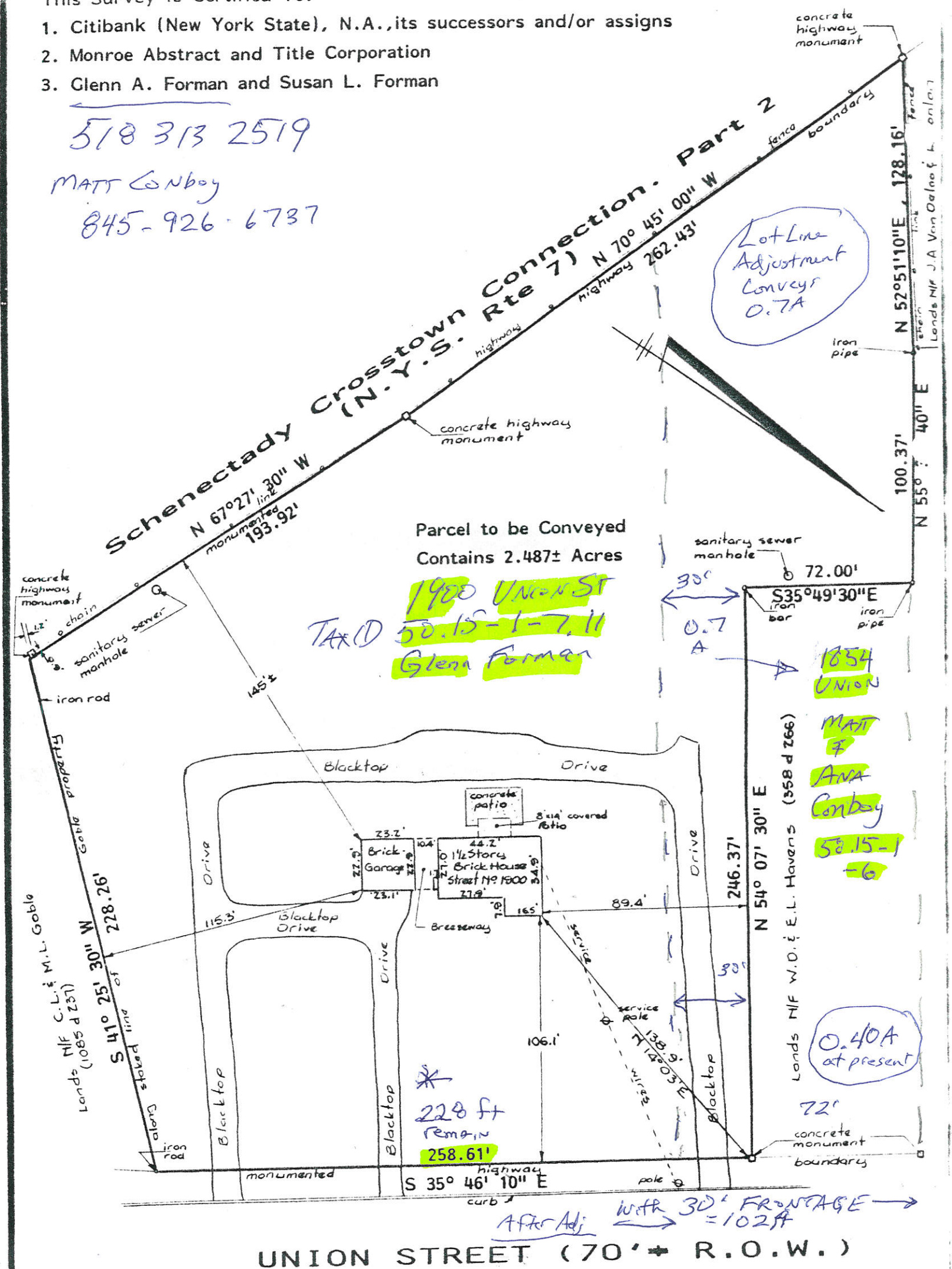


## Sketch Plan

1. Citibank (New York State), N.A., its successors and/or assigns
2. Monroe Abstract and Title Corporation
3. Glenn A. Forman and Susan L. Forman

MATT CONBOY

845-926-6737



UNION STREET (70' + R.O.W.)

PLS#47416

MEMBER: NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS

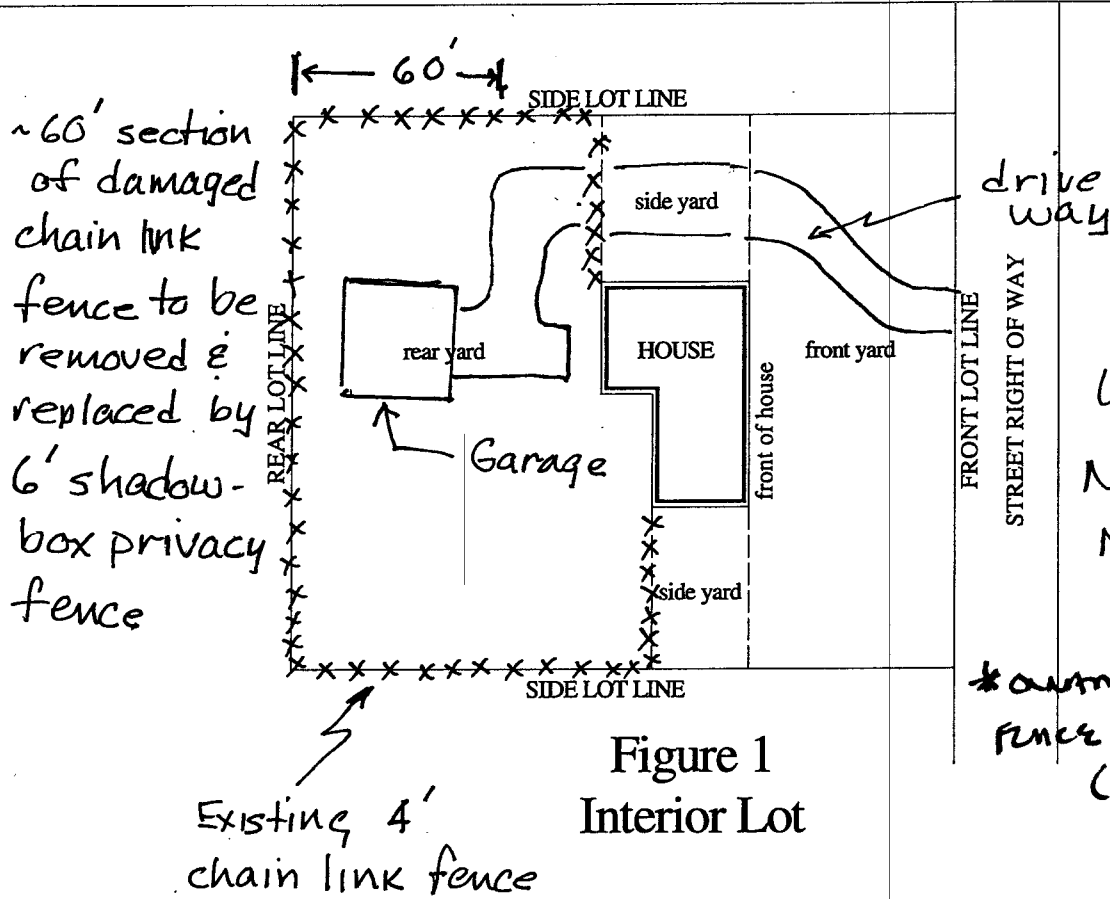


Figure 1  
Interior Lot

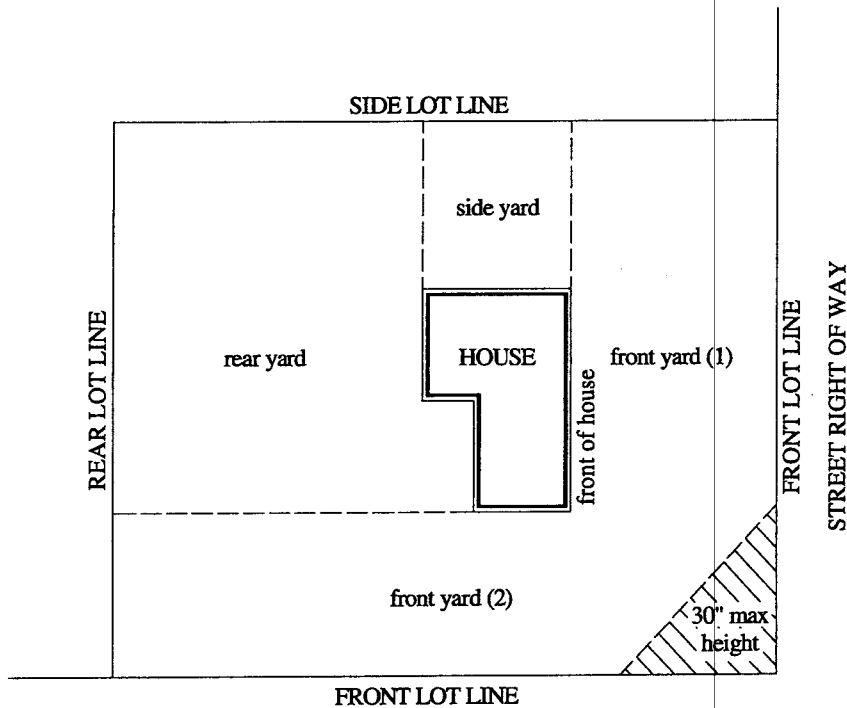


Figure 2  
Corner Lot

1854  
Union St.  
NISKAYUNA  
NY, 12309

\* OUTWARD SIDE OF  
FENCE MUST FACE ADJACENT  
(IF APPLICABLE)

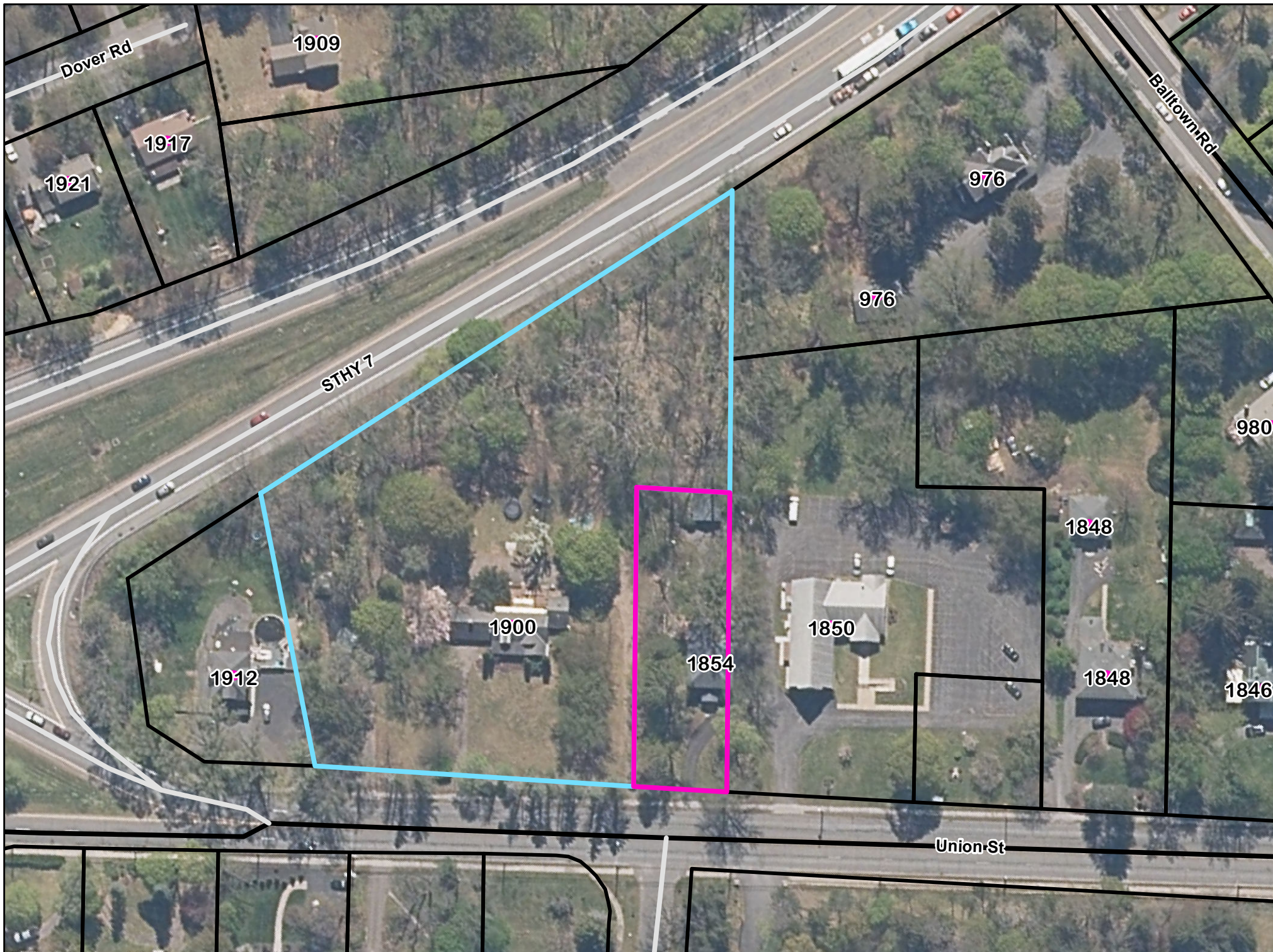
RECEIVED  
NOV 20 2013  
BUILDING DEPARTMENT  
NISKAYUNA, NY

AS NOTED  
NOTE ALL COMMENTS



# 1900 Union St / 1854 Union St - Existing

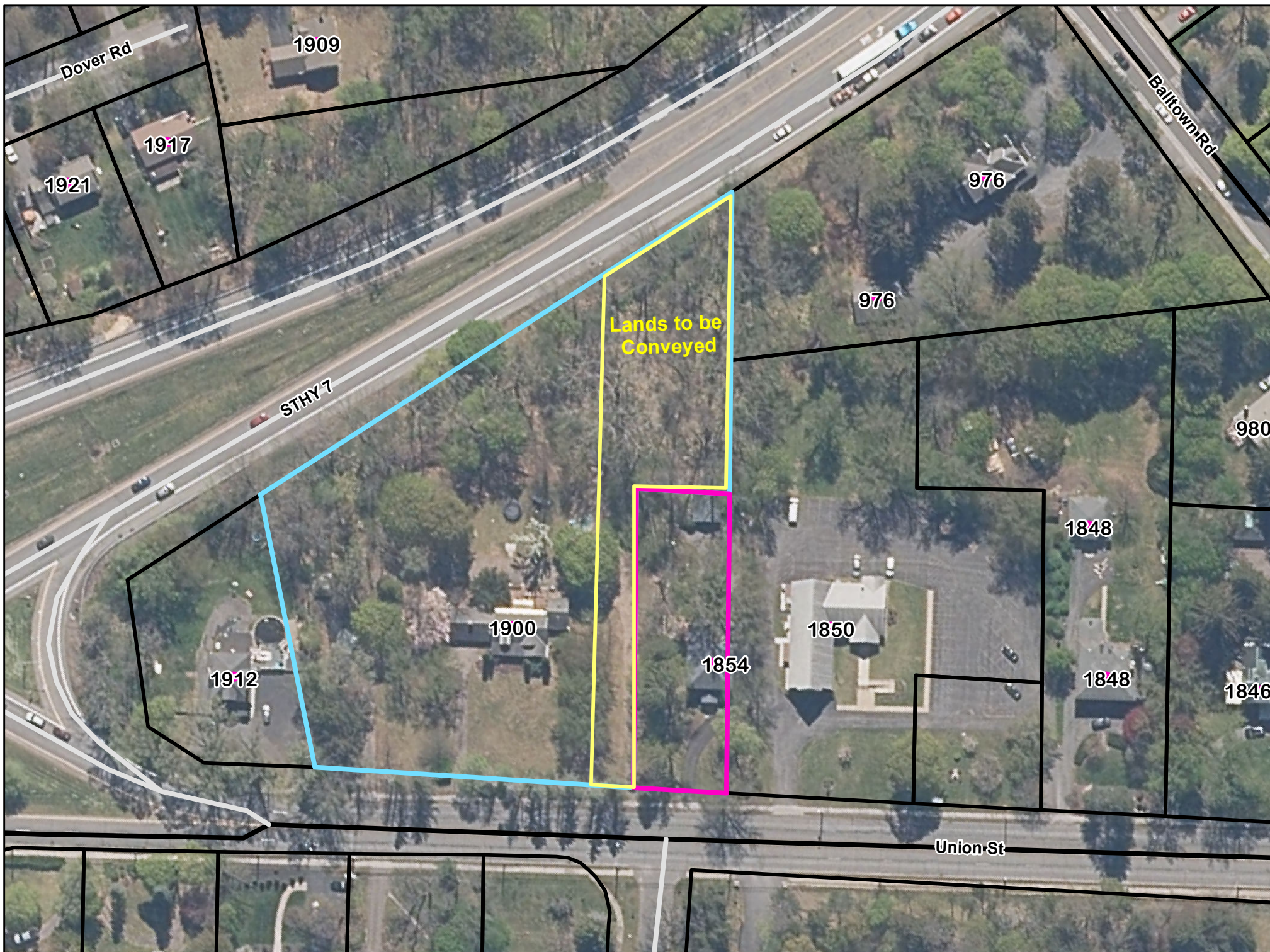
0 60 120 240 360 480 Feet





# 1900 Union St / 1854 Union St - Adjustment

0 50 100 200 300 400 Feet







Thomas J. Cannizzo  
Building Inspector

## TOWN OF NISKAYUNA BUILDING DEPARTMENT

One Niskayuna Circle  
Niskayuna, New York 12309-4381  
(518) 386-4522  
FAX: (518) 386-4592

Kenneth P. Hassett  
Building Inspector

### BUILDING AND ZONING PERMIT DENIAL

**Address: 1854 Union St. / 1900 Union St.  
Niskayuna, NY**

**Application Date: 7/12/23**

Matthew Conboy  
1854 Union St.  
Niskayuna, NY 12309

Glenn Forman  
1900 Union St.  
Niskayuna, NY

Dear Mr. Conboy and Mr. Forman:

You are hereby notified, as required by Section 220-67 F of the Zoning Ordinance of the Town of Niskayuna, that your application for a lot line adjustment with 1854 Union St. and 1900 Union St. has been denied by reason of Section 220-4, Section 220-18 A (2) and Section 220-25 B (1) (a) of the Zoning Ordinance. The property is located in the R-1 Low Density Residential Zoning District.

Section 220-4 defines through lots as having two 'fronts or frontages.' As proposed, the lot line adjustment will result in 1854 Union St. becoming a through lot as it is oriented between Union St. and NYS Route 7.

Section 220-18 A (2) states that accessory structures are not permitted in the front yard of any lot. As proposed, the garage would be located in the front yard between the house and NYS Route 7; therefore, a variance from this section is required.

Section 220-25 B (1) (a) states that for fences located in the front yard and side yard, the maximum height shall be four feet. As proposed, the 6 ft. high fence would be located in the front yard between the house and NYS Route 7; therefore, a 2 ft. height variance from this section is required.

Under the provisions of Section 220-69 the Zoning Ordinance of the Town of Niskayuna you may appeal this decision to the Zoning Board of Appeals and the undersigned within 60 days.

Laura Robertson, Deputy Code Enforcement Officer

7/25/23

Date

Received

SEP - 8 2023

Niskayuna Building Dept.

# **ZONING BOARD OF APPEALS**

## **Application and Procedures For A Variance**

Case No. \_\_\_\_\_  
 Date Rece'd BA \_\_\_\_\_  
 Date Hearing \_\_\_\_\_  
 Date Action \_\_\_\_\_  
 Ref.P.B. \_\_\_\_\_ Date \_\_\_\_\_  
 Ref. County \_\_\_\_\_ Date \_\_\_\_\_

**TO: ZONING BOARD OF APPEALS**

**FROM:** \_\_\_\_\_

**RE: Property at** 1854 / 1900 Union St

I, Matthew Conboy, the (owner) (agent of the owner) of the property located at 1854 Union St in the Town of Niskayuna, New York, hereby petition the Zoning Board of Appeals to review the decision of the Zoning Enforcement Officer on the above-referenced application and to grant a variance from Section(s) of the Zoning Ordinance in order to permit the proposed construction shown on the accompanying drawings.

I, also certify that I have provided the items listed below as required documents in my application for a variance before the Zoning Board of Appeals. I further acknowledge that omission of any of these items may result in delay in the Board's hearing of my application.

### **CHECKLIST OF REQUIRED ITEMS**

\_\_\_\_ One (1) copy of plot plans

\_\_\_\_ One (1) copy of construction plans, if applicable

\_\_\_\_ Appeal fee (see application procedures for details)

\_\_\_\_ Appeal statement (see application procedures for details)

\_\_\_\_ Short Environmental Assessment Form, Project Information, as applicable for use variance

\_\_\_\_ Additional information as specified by the Zoning Enforcement Officer

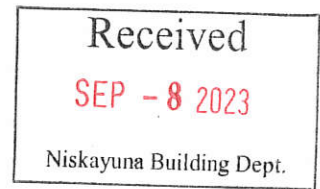
Signature of Agent: Allen A. Furr Date September 8, 2023

Signature of Owner (if different from Agent) M. Conboy

Telephone Number: 845-926-6737

Email Address: mconboy41@gmail.com





**For an area variance:** Before an area variance can be granted, State Law requires that the ZBA 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.

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

*Please see attached letter*

2. Whether the granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

*Please see attached letter*

Received

SEP - 8 2023

Niskayuna Building Dept.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

Please see attached letter

4. Whether the variance will have adverse physical or environmental effects on the neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

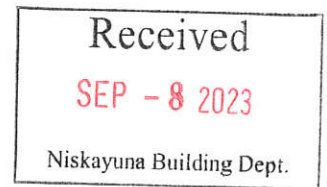
Please see attached letter

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance.) Explain whether the alleged difficulty was or was not self-created:

Please see attached letter

Zoning Board of Appeals  
Application For a Variance

Matt Conboy, 1854 Union St., Niskayuna  
Glenn Forman, 1900 Union St., Niskayuna



1. BENEFITS AND Alternatives:

This request supports a lot line adjustment that may involve a non-conforming garage. The request has options that achieve the same benefits or disappointments to the applicant and the Town. Four Options:

First, the new lot can avoid being classified as “a through lot with two fronts or frontages” by its unique, mature forest features and abundant numbers of substantial historical records.

Second, a narrow strip of land, oddly shaped and angled, can offer isolation from the second frontage.

Third, as always, removal of the garage, at disadvantage to the homeowner.

Fourth, a withdrawal of interest with no change to present day structures or property.

Expanding on each, the chief benefit to the Town for this lot line adjustment is the new property lines achieve R1 compliance: 1854 Union changes from 72ft to 102ft frontage on Union St and from 0.4A to 1.1A. Also 1900 Union changes are absolutely minimal, frontage from 258ft to 228ft, size 2.5A to 1.8A.

However, 1854 Union then could become a through lot given it extends in depth from 246 ft deep to 474 ft deep, creating an abutting parcel with potential frontage on the Crosstown Arterial. Central to the relief of such abutting are the NYS-DOT deed that confirmed there is absolutely no possibility of any backyard driveway anywhere on to the Crosstown Connection, a controlled access highway. (details in evidence below).

Furthermore, a variance is not required if the unique and beautiful features of the land being adjusted is considered. It contains no structures, a dense wooded forest and is a total sight barrier to Crosstown highway. It also attenuates noise and shades the church and other abutting backyards. It is therefore the objective of this forest to remain as-is for the enjoyment of my family and especially my three boys, to be used as their backyard, maybe a smaller version of C. Robin’s “100 acre wood.” But only if it is not deemed a second frontage.

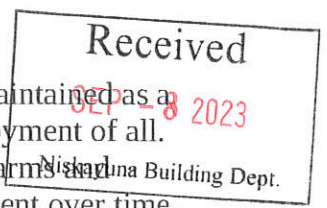
Second, based on support by the Planning Board majority for a zoning compliant “offset buffer, a strip of land, to be held back from 1854 ownership, the second frontage is eliminated. However, the resulting ugly, angled and narrow strip causes hardship on both 1954 & 1900 Union (useless land) and creates irregular lot lines in these otherwise linear neighborhoods.

Options 3 and 4 need no further examination.

2. UNDESIRABLE change or detriments.

None. The character and beauty of these lands and the homes remains unchanged. Those who travel the Union Street and Crosstown Arterial will enjoy the forest and we expect it only to grow and expand in service to the environmental enhancements that mature forests provide. In particular, the nature of





backyards for the acres involved on both these properties are unique, extensive and maintained as a benefit to all. Backyards offer family activities and open space for the safety and enjoyment of all. Lastly, a second front or frontage may appear as rather antiseptic and vacant of the charms and characteristics of families at play, with positive growth and supporting their development over time. Two fronts or frontages are up to the Town to classify. Please consider if 1854 Union has merits of a single frontage.

3. Is the variance substantial?

Not at all.

4. Adverse Effects.

Not at all, in fact, just the opposite.

Updating 1854 Union for the yard, land, and its existing second driveway creates a circular driveway, so that is is safer than ever backing up onto Union St. Given a simple straight line survey for the new lot line adjustment better serves our visitors and families. We enjoy our neighborhood and care deeply for their environment & safety as well as our own. More importantly, our daily mail carrier and package delivery will be enabled to use 1854 Union's new driveways, as they do on 1900 Union's two driveways. They fully recognize the Union St volume increase when DOT decided eastbound Rt 7 from Balltown Rd south must turn onto Union Street.

The currently notional classification of two frontages for 1854 has been examined by the NYS DOT. Please consider the NYS DOT Office of Right of Way who manage the Crosstown Arterial, Balltown Rd and Union Street for traffic, safety and maintenance of their controlled access highway. The is significantly different than Troy-Schenectady Road section of NYS highway Route 7 that has hundreds of driveways and significantly more challenges to control ROW. All NYS DOT maps and deeds for 1900 Union St from February 5, 1957 fee acquisition of 1.69A for the Crosstown Connection Part 2 show by both map and description the appropriation without right of access by abutting parcels. (Map 12 was included in PB material). Refer to Thomas Szack, NYS-DOT Office of ROW, Zone 1 Wolf Rd.

5. Self created difficulty.

All concerns in this unique case arise with the Town's through lot classification and its restrictions requiring variance(s).

It is noted 1900 Union St has a backyard shed, pool and rear deck from building permits granted to Mr Forman or his contractors in the 1980's and 1990's. While the first classification of 1900 Union deemed two frontages and through lot is this year, however, no Building Department notice was given in those long ago years (38 year resident). Its is an important classification, there is no doubt, for truly accessible possibilities of two-street driveways in proper ROW through lots.

Please note, a short 6 ft fence between the church parking lot and 1854 Union has been noted as non-conforming, but it was constructed to replace a preexisting fence by the prior owners when a snow plow knocked it down some years ago. This will be brought to code once the history of the fence has bee determined by both parties, but there are no variance requests on that fence section today. Thank you for your time and consideration!



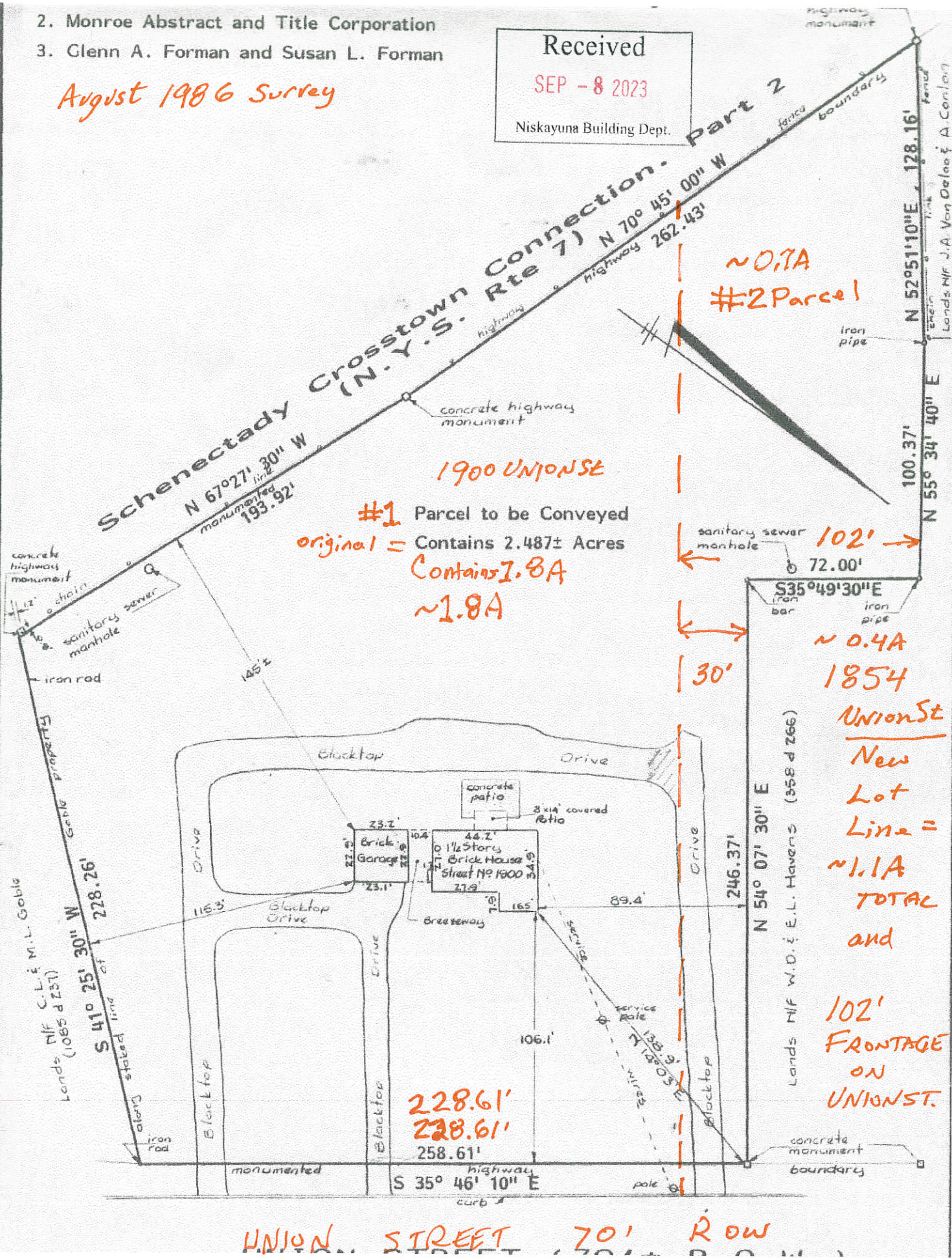
2. Monroe Abstract and Title Corporation
3. Glenn A. Forman and Susan L. Forman

August 1986 Survey

Received

SEP - 8 2023

Niskayuna Building Dept.



UNION STREET 70' ROW













# TOWN OF NISKAYUNA

## PLANNING BOARD AND ZONING COMMISSION

### AGENDA STATEMENT

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AGENDA ITEM NO. VIII. 1

MEETING DATE: 9/11/2023

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**ITEM TITLE:** DISCUSSION: 2890 River Rd. – An application for Sketch Plan Approval – 4 Lots or Less for a 4-lot subdivision

**PROJECT LEAD:** Patrick McPartlon and Genghis Khan

**APPLICANT:** Michael Dussault, P.E., agent for the owner

**SUBMITTED BY:** Laura Robertson, Town Planner

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**REVIEWED BY:**

☒ Conservation Advisory Council (CAC) ☐ Zoning Board of Appeals (ZBA) ☐ Town Board  
☐ OTHER:

**ATTACHMENTS:**

☐ Resolution ☒ Site Plan ☐ Map ☐ Report ☐ Other:

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**SUMMARY STATEMENT:**

Michael Dussault, P.E., of Engineering Ventures, P.C. and agent for Ryan Lucey, property owner, has made an application for Sketch Plan Approval – 4-Lots or Less for a 4-lot subdivision at 2890 River Rd. The proposed subdivision will divide the existing 5.26 Acre property at 2890 River Rd and the 0.83 Acre property contiguous to it along Seneca Rd into 4 lots of 0.46, 0.46, 2.64 and 2.53 Acres, respectively. The existing home at 2890 River Rd is in very poor condition and will be demolished.

The property is located within the R-1 Low Density Residential zoning district.

**BACKGROUND INFORMATION**

The property owner, Ryan Lucey, met with Department Heads of the Niskayuna Planning, Water, Sewer & Engineering and Highway Departments to discuss a proposed 4-lot subdivision as shown in the drawing entitled "Subdivision Plan 2890 River Rd." by Engineering Ventures, P.C. dated 6/23/23 with no subsequent revisions. At the time Mr. Lucey owned the 5.26 Acre property at 2890 River Road and was in the process of purchasing the 0.83 Acre property contiguous to it along Seneca Rd. The utility review performed by the Town representatives identified the project area as being susceptible to flooding during heavy rain events. It was noted that a thorough storm water review will be required. Mr. Lucey was informed that for his proposed subdivision to come before the Planning Board he would need to demonstrate site control by obtaining signature approval of the application from the current owner of the 0.83 Acre portion of land or wait until the sale of the land to him was completed.

On 8/23/23 Mr. Lucey provided with Planning Office with the following documents.

- A sketch plan application for a minor subdivision of 4-lots or less
- A “Contract For Purchase and Sale of Real Estate” dated 8/16/23 indicating that Mr. Lucey owned the 0.83 Acre parcel of land.
- A 1-page survey drawing entitled “Survey Lands of RPL Family Trust #2890 River Rd.” by Gilbert VanGuilder Land Surveyor, PLLC dated 12/1/2022 with no subsequent revisions.
- A 1-page subdivision site plan entitled “Subdivision Plan Proposed 4-Lot 2890 River Rd.” by Engineering Ventures P.C.” dated 8/23/23 with no subsequent revisions.
- A Short Environmental Assessment Form (EAF) – Part 1 dated 6/22/23.

#### 6/23/23 Subdivision Drawing

This drawing includes 4 lots. Two (2) of the lots front River Road, one (1) lot fronts Seneca Road near its intersection with River Road and one (1) lot fronts Seneca Road near the cul-de-sac at the northeast end of the road.

#### 8/23/23 Subdivision Drawing

This drawing includes 4 lots. Three (3) of the lots front River Road, the one (1) lot near the intersection of Seneca Rd and River Rd has been eliminated and the one (1) lot that fronts Seneca Rd. near the cul-de-sac at the northeast end of the road remains.

Mr. Lucey and his representatives are before the Board this evening to present and discuss his application. The Planning Board and Planning Office should review the application relative to Town codes and the current storm water conditions along Seneca Rd.

8/28/23 Planning Board (PB) meeting – Ryan Lucey and Michael Roman attended the meeting and presented the project to the Board. They explained the 6/23/23 4-lot subdivision drawing included two lots on Seneca Rd and two lots on River Rd. The 8/23/23 drawing includes one lot on Seneca Rd and 3 lots on River Rd. The Board and Planning Office discussed the history of storm water accumulation during storms in this general area and stated a through upstream and downstream storm water analysis will be needed. Mr. Khan stated that in other areas of Niskayuna the Board has essentially inherited storm water challenges – in this area, and on this project, they have the opportunity to avoid storm water related issues. The Board noted that the small strip of property along Seneca Rd near the intersection with River Rd may be able to be used to help mitigate storm water events. The Board concluded their discussion with a request that a few additional items be added to the site plan: the addition of limits of clearing and footprints of homes that are representative of the size the applicant intends to build.

9/6/23 PB Project Lead site walk – The PB project leads and Mr. Lucey walked the project site to obtain a first-hand look at the land, wetlands, grading, neighboring properties, etc.

9/6/23 Conservation Advisory Council (CAC) meeting – The CAC briefly reviewed the project at their regularly scheduled meeting. Ms. Robertson presented the site plan and provided background regarding the storm water challenges in the area. She asked the Board to familiarize themselves with the project details and the project site. She suggested they drive by the area to get a first-hand feel for the distances between houses, storm water drainage areas, etc. Chairman Strayer noted that he would like to see a multi-use path be included in the plan connecting Seneca Rd to River Road Park. He also noted that a Town access easement along River Road along the project area would be helpful for the installation of a future sidewalk or multi-use path someday. Ms. Robertson said the CAC will be reviewing this again during the October 4, 2023 meeting.



The project is on the agenda this evening so the project leads can provide a summary of their site visit and provide additional guidance to Mr. Lucey. The applicant, Planning Office and Planning Board should discuss the scope of work to be included in the request for proposal (RFP) for a town designated engineer (TDE) review of storm water and drainage and the applicant's associated Storm Water Management Report.

CONVEYANCE TO RPL FAMILY TRUST, RYAN LUCEY AS TRUSTEE BY DEED DATED  
NOVEMBER 7, 2022 AND RECORDED IN THE SARATOGA COUNTY CLERK'S OFFICE  
IN BOOK 2097 OF DEEDS AT PAGE 644.

1. MAP ENTITLED "SENECA MANOR SECTION II AMENDED", DATED JUNE 19, 2002, LAST REVISED 9/13/04, PREPARED BY C.T. MALE ASSOCIATES, P.C. AND FILED IN THE SCHENECTADY COUNTY CLERK'S OFFICE AS MAP K-328.

2. MAP ENTITLED "LOT LINE ADJUSTMENT BETWEEN LANDS OF SANDRA LAUDATO ANDERSON AND LAWRENCE GALLERY & KAREN LONG 2890 RIVER ROAD & 2882 RIVER ROAD", DATED JANUARY 4, 2018, PREPARED BY RAYMOND A. KOCH, P.L.S (NO RECORD OF FILING FOUND).

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2. NO ATTEMPT WAS MADE TO SHOW UNDERGROUND IMPROVEMENTS IN THE PREPARATION OF THIS SURVEY.

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6. AREA SHOWN ON MAP REFERENCE #2 TO BE CONVEYED TO GALLERY & LONG. NO DEED FOUND OF RECORD FOR THIS CONVEYANCE NOR ANY FILED MAP FOR MAP REF. #2.



UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW. ONLY COPIES OF THIS SURVEY MAP BEARING THE LAND SURVEYOR'S ORIGINAL SIGNATURE AND EMBOSSED SEAL SHALL BE CONSIDERED VALID.

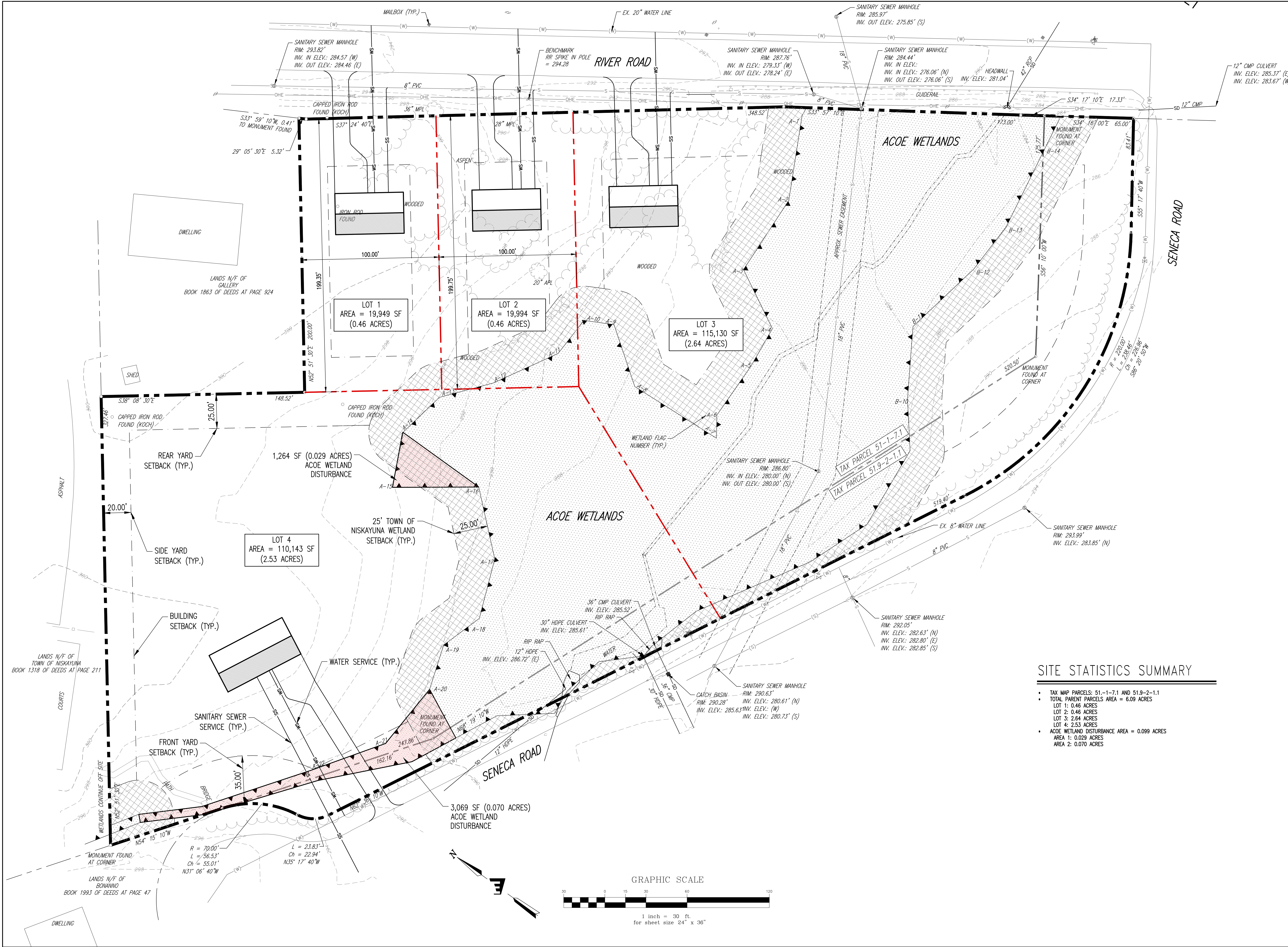
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TODD WESTERVELD, P.L.S. No. 50,319

TOWN OF NISKAYUNA		SCHENECTADY COUNTY, NEW YORK	
MAP NUMBER: 22 - 22 - 251	SCALE: 1" = 40'	DATE: DECEMBER 1, 2022	

**Gilbert VanGuilder**  
**Land Surveyor, PLLC**  
Professional Land Surveyors  
Route 146, Clifton Park, New York 12018  
Telephone: (518) 383-0634  
gvglandsurveyors.com





SITE STATISTICS SUMMARY

- TAX MAP PARCELS: 51.1-7.1 AND 51.9-2-1.1
- TOTAL PARENT PARCELS AREA = 6.09 ACRES
- LOT 1: 0.46 ACRES
- LOT 2: 0.46 ACRES
- LOT 3: 2.64 ACRES
- LOT 4: 2.53 ACRES
- ACOW WETLAND DISTURBANCE AREA = 0.099 ACRES
- AREA 1: 0.029 ACRES
- AREA 2: 0.070 ACRES

Stamp	
Date	Description

**ENGINEERING VENTURES PC**

208 Flynn Avenue, Suite 2A, Burlington, VT 05401 • 802-863-6225  
85 Mechanic Street, Suite E2-3, Lebanon, NH 03766 • 603-442-3333  
414 Union Street, Schenectady, NY 12305 • 518-205-9141  
www.engineeringventures.com

RPL Family Trust  
2505 Whamler Lane  
Niskayuna, NY 12309

**SUBDIVISION PLAN  
PROPOSED 4-LOT**

**2890 RIVER ROAD**

TOWN OF NISKAYUNA, SCHOENECTADY COUNTY, NY

EV Project # 22352  
Drawn By: HMB  
Checked By: MHD  
Scale: AS NOTED  
Date: 8/23/2023

**C101**