

Minutes accepted and approved.

Motion made by: Member O'Grady

2nd by: Member Jordan

In Favor: 5 Opposed: 0 Absent: 0

Signed and Dated: *Sandra Allen 8/4/2022*

Town of Windham Planning Board Meeting

Thursday, July 7, 2022

Board Members Present: Chairperson: Thomas Poelker
Members: Lisa Jaeger, John O'Grady, Matthew Jordan, Claudia Lane

Board Members Absent:

Also Present: Scott Ouimet, Chris Suda, Betty Lohonan, Dusan Popovic, Gail Quan, George Tripses, Patti Brooks, Chris Cretti, Nicholas Zotse, Peter Zotse, Tina Zotse, Jay Fink, Darrin Elsom, Nancy K Bennett, Illegible, Robert Greifeld, Arlene Kucan, Pat Higgins, M Papson, Bridget Lopez, Pete Lopez, Illegible, Sarah Trinkle, Marianna Leman, Illegible (see attached 1)

Member, Jaeger, called the meeting to order at 7:00 PM, followed by the Pledge of Allegiance.

PUBLIC HEARING - SUB-DIVISION: Greifeld 798-2 Mitchell Hollow Road TM# 46.00-2-69.1 and 47.00-2-1. Received certified mail receipts. Received packets to send out for Lead Agency. Notice was read for the record.

Ms. Brooks reviewed the project for the Public, 182 acres to be divided into 4 lots and a private roadway. First question from the Public was to please clarify the acreage being subdivided, answer was that in the past there was a lot line adjustment but there is still two deeds and TM#'s. Mr. Suda's next question was, what will be the point of access for the back, 100+ acre lot (flag lot), answer there is two points of access for that lot, an existing ROW and will have access from the private roadway. Suda is concerned about how the "substandard" ROW will be used. What will be the buffer for the new buildings on each lot, answer structures will be built near the center of each lot with 100 feet from any property line and the existing trees, approx. 20 feet will not be disturbed. Suda also expressed concern about Fire numbers, he stated they are a mess right now, Ouimet expressed that the new structures will have numbers off the private road. Will they be rebuilding the existing bridge? Ouimet stated yes. For the record Suda is concerned that the two ROW's and access to the private road will create a loop through his property with unregulated traffic. Mr. Tripses, who owns the front lot adjacent to the road where the bridge with the ROW is located inquired about who was responsible for repairing the bridge? Tripses was advised that that bridge is not connected to the proposed project.

A representative for a neighbor adjacent to proposed lot 3 asked about absorption field which are fairly close to the water well, what is the proposed distance. The primary is 130 feet from the well and DEP regulation is 100 feet. Rep said he was told it should be 200 feet. Ouimet explained 200 feet if it is downhill and in direct line. Ouimet walked the lot with someone from the DEP and all the proposed absorption field are within all guidelines.

Letters were received and read for the record. (see attached 2)

Motion to continue the Public Hearing was made by Member Jordan, seconded by Member O'Grady with 4 in favor and 1 absent.

PUBLIC HEARING – MINOR SUB-DIVISION CONTINUED: Bruce McNab Elm Ridge Road TM# 96.00-5-88.1 and 96.00-5-88.2. No Public in attendance. Elsom reviewed the final plat maps with additional language stating: lots less than 2 acres need site-plan review, lighting will be typical residential lighting that will not impact offsite properties, and lots 1 & 2 need DEP individual stormwater permits. Waiting for DEP final approval in writing of the septic, only verbal right now. And as requested the driveway agreement is being drafted by the attorney. Motion to continue the Public Hearing was made by Member Jordan, seconded by Member Lane with an all-in favor.

PUBLIC HEARING MAJOR SUB-DIVISION CONTINUED: Windham Luxury Estates formerly known as Catskill Holdings Windham LLC aka Bonfiglio 116 & 225 Galway Rd TM# 79.00-1-40. Representative Ouimet reviewed the project for the Public. Proposed project is approximately 130 acres on both sides of Galway Road subdivided into 12 lots of varying sizes.

Chairperson Poelker stated that there has been extensive research and discussions with the Town Attorney's, past and present as well as State Officials. This Board looks at applications on an individual basis, we do not set policy.

Received a memo and resolution from Delaware Engineering who represents the Town of Windham for this project. Read Delaware Engineering Letter, Part II and Part III for the record. (see attached 3) Delaware Engineering recommended classifying SEQR as an Unlisted Action. DE went on to state that review of full EAF reveals no moderate to large impacts have been identified, several small and minor impacts were listed (please refer to attachment 3). As a result of the foregoing considerations these potential impacts are all considered minor or small and will not result in significant adverse environmental impacts therefore the determination of significance is hereby a Negative Declaration.

The Public expressed that they are still concerned about the safety and that the Fire and Ambulance depts have not been consulted about this project. Ms. Lopez stated that she was informed by Fire and Ambulance depts that they are not happy with going up and down Windmont Rd and Club Rd during bad events. Elsom explained that the pitch on the above-mentioned roads at a 20% grade and the proposed subdivision road will be 10% and less and built to the current regulations, fire access code, and will adhere to all safety measures, the proposed road cannot be compared to Windmont or Club Rd. Ouimet stated that in discussions with DE and the Highway Super they have no objections or concerns. Ouimet said he has reached out to the Fire dept. several times with no return call.

Ms. Leman stated that it is NY Dept of State Building Standards and Codes Division not the Windham Fire Dept that needs to give approval, they are not qualified in the sense of taking responsibility for that or legally able. Leman expressed her concern about other projects which have received approval from this Board in the past, Whisper Creek was mentioned and that not even a ladder truck could get to that building in case of an emergency; she was informed that this project is in compliance with all requirements for health and safety.

Member O'Grady requested that Highway Super Thorington attend a meeting to address concerns. Lopez was asked if she and the other residents on Galway Rd at the present feel unsafe. Do they feel that presently they cannot be serviced by fire or ambulance services? Lopez answered, "no that's not what I'm saying, on Galway Rd we're getting plowed out and they are doing due diligence." She's concerned about the project's private road, Ouimet explained that there is a Road Maintenance Agreement stating that each of the lots must contribute to maintaining the road.

Mr. Lopez stated that the Comprehensive Plan set the tone for all land use regulations, and all regulations have to conform to the Comprehensive Plan and if local land use law is not in conformance with the adopted Comprehensive Plan it risks litigation and that litigation would take the form of an Article 78 which would tie up Town resources, local resources, require a Judge to look at the Comprehensive Plan and determine how closely the decision reflect or not reflect the adopted Comprehensive Plan. Ouimet addressed Lopez's statement saying Delaware Engineering who assisted regularly with the Comprehensive

Plan reviewed this subdivision and SEQR questions and determined that the proposed project is in conformance with the Comprehensive Plan. Lopez suggested that there may be a risk element for the Town if it doesn't look more carefully at the Comprehensive Plan and the testimony that has been provided. Lopez went on to say there is a concern about the water supply and suggested a hydrology be done. He also requested that they get the option of the Fire Dept. He further requested some kind of insurance or bond for the Developer to assure everything is done correctly and to specs.

Others in the Public expressed concerns covered at past meetings such as water, sewer, past unapproved activities from the Applicant. All letters and emails are attached. (see attached 4)

Motion to continue the Public Hearing was made by Member Lane, seconded by O'Grady with an all-in favor.

Elsom asked what was needed to continue for the next meeting. This Board would like in writing the concerns of the local Fire Dept and First Responders regarding road safety.

SIGN PERMIT: WRIP Jay Fink 265 South St (The Bentley House) Reviewed all documents and pictures. Actual sign was present. Received an Approval Letter from Windham Mountain. There is a pre-existing signpost approx. 8 feet from the road. Motion to approve was made by Member Lane, seconded by Member Jordan with an all-in favor.

SIGN PERMIT: Windham Ventures - Pat Higgins 5104 State Route 23. Reviewed documents and pictures. Higgins described the project for members not at the previous meeting, moving old sign to a new location, which is located at the junction of State Route 23 and State Route 296. Reviewed Sign Laws, only one off-site location permitted, sign design and location must not obstruct traffic, cause visual blight or detract from property value adjacent to the property where the sign is erected. All signs shall be compatible within the context of its visual and physical environment. This Board requested a different sign design to fit the visual aesthetics of the area of proposed location. Higgins and Members will meet at the area and review a new sign design.

Meeting was adjourned at 9:00 PM on a motion by Member Jaeger, seconded by Member O'Grady with an all-in favor.

Minutes written from recording and notes.
Respectfully Submitted,

Sandra Allen, Recording Secretary

Town of Windham Planning Board

Attendance Log

Date: July 7, 2022

Please Print Your Name Clearly (Name Only)

Scott Swinmet		
Chris SODA		
Betty Lohman		
DUSTIN PEPONC		
SAO SUIK		
George Trupius		
Pat Brooks		
Chris Gratech		
Nikolas Zatec		
Peter Zatec		
Tim Zatec		
Jay Fink		
DANIEL TILSON		
Nancy K. Bennett		
Chris Smith		
Robert Greifelt		
Arlene Kucan for Raguen		
Pat Higgins		
W. Rapson		
Brad Trupius		
Peter Trupius		
Chris Trupius		
Sarah Thinkle		
Pete Lopez		
Maryanna Lemman		
Peter Thumme		



Sandra Allen <windhamplanningboard@gmail.com>

Letter of support for Griefeld Family

1 message

sandy nowaski <snowaski13@live.com>

To: "windhamplanningboard@gmail.com" <windhamplanningboard@gmail.com>

Fri, Jun 24, 2022 at 7:53 PM

June 24, 2022

To Members of the Windham Planning Board

Re Greifeld Subdivision, Mitchell Hollow Road,
Windham

I have worked the Greifeld family for over 10 years and support their desire to subdivide their property on Mitchell Hollow Road to build 3 single family cottages. I can confirm that the family maintains their properties by using local businesses. These cottages will help with supporting the local community and will be a positive addition to the Windham Community.

Sincerely yours

Sandra Nowaski

Sandra Nowaski

2442 route 214

Lanesville NY 12450

Sent via the Samsung Galaxy Note8, an AT&T 5G Evolution capable smartphone



Sandra Allen <windhamplanningboard@gmail.com>

Greifeld Subdivision on Mitchell Hollow Road, Windham

1 message

Gail Quan <gail.quan.nyc@gmail.com>
To: windhamplanningboard@gmail.com

Thu, Jun 30, 2022 at 1:10 PM

To the Members of the Windham Planning Board:

As a Windham property owner of over 35 years, I enthusiastically support the proposed Greifeld subdivision on Mitchell Hollow Road in Windham. The proposal seeks to subdivide some of their acreage into new lots for three new single family cottages. How great to see the Greifeld's, who are long time Windham property owners, continued interest in Windham for their grown children, relatives and friends to experience and enjoy. And how great for the local Windham businesses to have the continued support of property owners who appreciate, value and contribute to the Windham community.

Thank you for your commitment and service on the Windham Planning Board.

Gail Quan
77 Beaver Hill Road
Windham

30th of June, 2022

June 24, 2022


To: Windham Planning Board

Re: Mitchell Hollow Road, Robert Greifeld
Subdivision in Windham

I wish to make the Planning Board of Windham know that I support the Greifeld family's proposed subdivision on Mitchell Hollow Road. I understand the proposed request is to subdivide some of the acreage into 3 new residential lots for 3 new single family homes. Not only do the new homes add to the Windham tax base, the Greifeld Family buys, spends, and supports Windham businesses. They are also a very pleasant, kind, and generous family that any community would be happy to call friends and neighbors.

Thank you for your time and consideration.

Kind Regards,



Robert J Anderson
PO Box 54
Grand Gorge, NY 12434



Sandra Allen <windhamplanningboard@gmail.com>

Proposed Greifeld Subdivision

1 message

Charles Frumberg <cf@emancipationcapital.com>

To: "windhamplanningboard@gmail.com" <windhamplanningboard@gmail.com>

Cc: Frumberg Elizabeth <elizabeth.frumberg@gmail.com>

Mon, Jul 4, 2022 at 2:09 PM

To Whom It May Concern;

We are long time property owners and residents of Windham. We are writing this letter in support of the proposed Greifeld subdivision on Mitchell Hollow Road. We believe this project will enhance our community and aesthetic, boost support of local businesses, and be a positive development overall for our town. Please do not hesitate to contact us should you have any questions. Thank you.

Sincerely,
Elizabeth and Charles Frumberg
187 Club Road
Windham, NY



DELAWARE ENGINEERING, D.P.C.

MEMO

To: Town of Windham Planning Board
From: Mary Beth Bianconi, Delaware Engineering
Copy: Kaaterskill Associates, representing Catskill Holdings Windham, LLC
Date: June 2, 2022
Re: Windham Luxury Estates Subdivision

Project Description:

Catskill Holdings Windham, LLC, represented by Kaaterskill Engineering, proposes the subdivision of 12 lots with acreages ranging from approximately 3.7 acres to 24.25 acres with a private road constructed to serve the lots on the north side of Galway Road in Windham. Windham Luxury Estates will utilize private roads, driveways, water and sewer systems.

Permits and Approvals Required:

With over five lots, the project is a Major Subdivision under the Town of Windham's Subdivision Law and the project is subject to SEQR.

An ACOE permit is required for wetland and stream road crossings and land disturbance/stormwater systems require NYCDEP approvals.

Project Status:

The Applicant submitted a subdivision application together with preliminary plat and SEQR Long EAF Part 1 in early 2022.

The Planning Board conducted a sketch plan review and declared intent to act as lead agency under SEQR. Circulation with involved agencies was conducted by the applicant on behalf of the Board.

The Applicant's Engineer has been coordinating reviews with the NYCDEP, which is an on-going process.

28 Madison Avenue Extension
Albany, NY 12203
518.452.1290

55 South Main Street
Oneonta, New York 13820
607.432.8073

223 Main Street, Suite 103
Goshen, NY 10924
845.615.9232

548 Broadway
Monticello, NY 12701
845.791.7777

16 East Market Street
Red Hook, NY 12571
518.452.1290

DELAWARE ENGINEERING, D.P.C.

Upon the Applicant's verification that NYCDEP review was unlikely to change major elements of the Preliminary Plat, the Planning Board scheduled a public hearing to be conducted June 2, 2022. Notice to adjacent property owners was conducted by the Applicant with verification to be provided to the Planning Board.

June 2, 2022 Meeting:

A public hearing on the subdivision will be conducted. It is assumed the hearing will be opened and closed at this meeting unless there is reason to keep the hearing open. Assuming the hearing is closed at the June 2, 2022 meeting, the Planning Board may consider making a SEQR classification and determination of significance at this meeting.

The issuance of a determination of significance is not an approval or endorsement of the subdivision; rather, the action will allow NYCDEP to conclude its regulatory process.

Assuming the Board wishes to review SEQR, Part 1 of the EAF as provided by the Applicant is attached along with draft Parts 2 and 3 and a draft SEQR resolution.

Next Steps:

Because the Planning Board cannot approve the Plat until NYCDEP concludes it's review, there is no further action for the Planning Board to take at the June 2, 2022 meeting.

After NYCDEP acts, the Planning Board can consider the Preliminary Plat for approval, approval with modifications, or denial with justification. In any event, the justification for any modifications or denial shall be recorded in writing as a resolution of the Board.

Factors to be considered with respect to the subdivision are outlined in Article IV of the Town's Subdivision Law which include in general:

- Character of the Land – building is not a danger to health or peril from fire, flood or other menace
- Improvements – to be constructed or installed in conformance with Town or other applicable specification

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- Roads – width, location, materials of construction, arrangement, consideration for any potential future development or re-subdivision, the avoidance of dead-end roads to the extent possible, spacing of connection to main roads for sight lines and stopping distances, and the relationship to topography and road grades so as to provide for the safe travel of persons and vehicles. The Town code provides specific metrics for construction, ROW widths, grades, etc. While the roads are proposed to be private, review of the road details by the Town Highway Superintendent and the Fire Chief is recommended as part of review of the Preliminary Plat.
- Lot sizes and configurations – provided to allow safe and efficient development of land now and in the future, etc. The Town Code provides specifics regarding side lines, corner lots, setbacks and access.
- Drainage improvements – prevention of unsafe conditions, accommodation of upstream and downstream drainage, avoidance of lands subject to flooding or mitigation measures to safeguard from flooding, minimization of wetland impacts and permitting for any unavoidable impacts, drainage easements to provide owners with perpetual rights to discharge stormwater as required to permit necessary stormwater infrastructure to function properly.
- Preservation of nature features – to the extent possible, preservation of natural features that add value to residential properties such as trees, water courses, scenic vistas, etc.
- Buffer zones – a 40 foot no cut buffer around the exterior boundary of the subdivision is to be considered, subject to encroachment of site features such as ponds, pipes, lawns, stormwater infrastructure, utilities, etc. with review by the Planning Board.

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: Windham Luxury Estates Subdivision		
Project Location (describe, and attach a general location map): 116 & 225 Galway Rd. Windham, NY 12524		
Brief Description of Proposed Action (include purpose or need): The proposed subdivision will include 12 total lots with acreages ranging from 3.7± acres to 24.25± acres. A private road will be constructed to serve the proposed lots on the north side of Galway Road. A common driveway and two private driveways will serve the four proposed lots on the south side of Galway Road. An ACOE Wetland Permit will be obtained for wetland and stream road crossings. The proposed homes will be served by private on-site wells and SSTS.		
Name of Applicant/Sponsor: Catskill Holdings Windham, LLC	Telephone: (914) 826-7221	
	E-Mail: MikeB@Sensible1.com	
Address: 1233 Baldwin Road		
City/PO: Yorktown Hights	State: NY	Zip Code: 10598
Project Contact (if not same as sponsor; give name and title/role):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Subdivision Approval	2021-09-27
c. City, Town or <input type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals		
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYCDEP SSTs and SWPPP	2021-02-11
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC Water Quality Cert. and SWPPP NOI	TBD
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	ACOE Wetland Permit	TBD
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 checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<ul style="list-style-type: none"> 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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s): NYC Watershed Boundary Hudson River Greenway and Hudson River Valley National Heritage Area	
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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	

C.3. Zoning

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

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

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☒ No
If Yes,

i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Windham-Ashland-Jewett

b. What police or other public protection forces serve the project site?
Town of Windham Police Department, Greene County Sheriff's Department, and the NYS Troopers

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

d. What parks serve the project site?
Elm Ridge Wild Forest, Catskill Park, The Windham Path, Windham Creamery Pond Park, Windham Mountain Ski Resort, CD Lane Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Residential

b. a. Total acreage of the site of the proposed action?	<u>134.0±</u> acres	Total disturbance includes potential for 2 acres of clearing on all residential lots
b. Total acreage to be physically disturbed?	<u>24.25±</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	<u>134.0±</u> 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)? % 83 Units: 10 2 existing with a total of 12 proposed

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)
Residential

ii. Is a cluster/conservation layout proposed? ☐ Yes ☒ No

iii. Number of lots proposed? 12

iv. Minimum and maximum proposed lot sizes? Minimum 3.7 Maximum 23.6

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☒ No

i. If No, anticipated period of construction: 24 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? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	10			
At completion of all phases				
				2 existing with a total of 12 proposed

g. Does the proposed action include new non-residential construction (including expansions)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes,	
i. Total number of structures _____ ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes,	
i. Purpose of the impoundment: Stormwater attenuation basins ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input checked="" type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____ iii. If other than water, identify the type of impounded/contained liquids and their source. _____ NA iv. Approximate size of the proposed impoundment. Volume: <u>0.31</u> million gallons; surface area: <u>0.32</u> acres v. Dimensions of the proposed dam or impounding structure: <u>4</u> height; <u>225</u> length vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): Earth fill	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes:	
i. What is the purpose of the excavation or dredging? _____ ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____ iv. Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe. _____ _____ v. What is the total area to be dredged or excavated? _____ acres vi. What is the maximum area to be worked at any one time? _____ acres vii. What would be the maximum depth of excavation or dredging? _____ feet viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> No ix. Summarize site reclamation goals and plan: _____ _____ _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): Federal Wetland PFO1E _____ _____	

<p>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: <u>Fill is proposed for the construction of a common driveway to access to lots 11 and 12. The proposed stream crossing will be unimpeded with use an aluminum arch culvert and will be permitted by the ACOE. Proposed wetland disturbance disturbance is 4,345 sq ft or 0.099± acres.</u></p>	
<p>iii. Will the proposed action cause or result in disturbance to bottom sediments? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, describe: <u>Fill will be placed in the wetland for the common driveway to access lots 11 and 12.</u></p>	
<p>iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes:</p> <ul style="list-style-type: none"> • acres of aquatic vegetation proposed to be removed: <u><0.01 acres</u> • expected acreage of aquatic vegetation remaining after project completion: <u>42.51 Acres</u> • purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): <u>Fill will be placed in the wetland for the common driveway to access lots 11 and 12.</u> • proposed method of plant removal: <u>The area will be filled with an excavator.</u> • if chemical/herbicide treatment will be used, specify product(s): <u>NA</u> 	
<p>v. Describe any proposed reclamation/mitigation following disturbance: <u>NA- To to the limited amount of disturbance mitigation is typically not required. A Wetland Disturbance Permit will be obtained from the ACOE.</u></p>	
<p>c. Will the proposed action use, or create a new demand for water? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes:</p>	
<p>i. Total anticipated water usage/demand per day: <u>5,280 gallons/day</u></p>	
<p>ii. Will the proposed action obtain water from an existing public water supply? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes:</p> <ul style="list-style-type: none"> • Name of district or service area: _____ • Does the existing public water supply have capacity to serve the proposal? <input type="checkbox"/> Yes <input type="checkbox"/> No • Is the project site in the existing district? <input type="checkbox"/> Yes <input type="checkbox"/> No • Is expansion of the district needed? <input type="checkbox"/> Yes <input type="checkbox"/> No • Do existing lines serve the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 	
<p>iii. Will line extension within an existing district be necessary to supply the project? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ • Source(s) of supply for the district: _____ 	
<p>iv. Is a new water supply district or service area proposed to be formed to serve the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • Proposed source(s) of supply for new district: _____ 	
<p>v. If a public water supply will not be used, describe plans to provide water supply for the project: _____</p>	
<p>Each lot will have a private well</p>	
<p>vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: <u>10 gallons/minute.</u></p>	
<p>d. Will the proposed action generate liquid wastes? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes:</p>	
<p>i. Total anticipated liquid waste generation per day: <u>5,280 gallons/day</u></p>	
<p>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): <u>Sanitary Wastewater</u></p>	
<p>iii. Will the proposed action use any existing public wastewater treatment facilities? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes:</p> <ul style="list-style-type: none"> • Name of wastewater treatment plant to be used: _____ • Name of district: _____ • Does the existing wastewater treatment plant have capacity to serve the project? <input type="checkbox"/> Yes <input type="checkbox"/> No • Is the project site in the existing district? <input type="checkbox"/> Yes <input type="checkbox"/> No • Is expansion of the district needed? <input type="checkbox"/> Yes <input type="checkbox"/> No 	

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? _____ • Will a line extension within an existing district be necessary to serve the project? _____ <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ 	<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"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ <p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____</p> <p>Private on-site septic systems _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____</p> <p>NA _____</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="margin-left: 40px;">_____ Square feet or <u>3.4</u> acres (impervious surface)</p> <p style="margin-left: 40px;">_____ Square feet or <u>134.0</u> acres (parcel size)</p> <p>ii. Describe types of new point sources. All existing drainage patterns will be maintained. _____</p> <p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____</p> <p>Stormwater runoff will be directed to on-site stormwater management facility/structures. Following the stormwater treatment practices excess runoff will be directed to the on-site stream and Wetlands.</p> <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ <li style="margin-left: 20px;">Following the stormwater treatment practices excess runoff will be directed to the on-site stream and Wetlands. <ul style="list-style-type: none"> • Will stormwater runoff flow to adjacent properties? _____ 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" 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>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<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>Minor fuel combustion by vehicles during construction and delivery vehicles _____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</p> <p>Generators may be used on-site prior to the installation of underground power _____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</p> <p>NA _____</p>	<input checked="" 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"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 	<input type="checkbox"/> Yes <input checked="" 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)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</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): _____ The proposed project is not commercial</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes: The proposed project is not commercial or industrial</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? <input type="checkbox"/> Yes <input type="checkbox"/> No</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"> • Monday - Friday: _____ 8am-5pm • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 24/7 (Residential) • Saturday: _____ 24/7 (Residential) • Sunday: _____ 24/7 (Residential) • Holidays: _____ 24/7 (Residential) </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 8am-5pm • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 24/7 (Residential) • Saturday: _____ 24/7 (Residential) • Sunday: _____ 24/7 (Residential) • Holidays: _____ 24/7 (Residential)
<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 8am-5pm • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 24/7 (Residential) • Saturday: _____ 24/7 (Residential) • Sunday: _____ 24/7 (Residential) • Holidays: _____ 24/7 (Residential) 		

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p>	
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: <u>Some tree removal will occur for the construction of the roads, houses, and septic.</u></p> <p>_____</p>	
<p>n. Will the proposed action have outdoor lighting? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p><u>Outdoor lighting may be provided on the homes, porches, and garages. All lights will be downward facing and dark sky compliant. The street will not be lit.</u></p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: <u>Some tree removal will occur for the construction of the roads, houses, and septic.</u></p> <p>_____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:</p> <p>_____</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p> <p>_____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes: The proposed project is not commercial, industrial, or recreational</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes: The proposed project is not commercial or industrial</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ 	

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

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

E. Site and Setting of Proposed Action

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

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

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.67	4.07	+3.40
• Forested	89.87	65.59	-24.28
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.94	21.83	+20.89
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)	42.52	42.51	-0.01
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. If Yes: explain: _____		
d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes,		
i. Identify Facilities: _____		
e. Does the project site contain an existing dam?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Dimensions of the dam and impoundment:		
• Dam height:	_____ feet	
• Dam length:	_____ feet	
• Surface area:	_____ acres	
• Volume impounded:	_____ gallons OR acre-feet	
ii. Dam's existing hazard classification: _____		
iii. Provide date and summarize results of last inspection: _____		
f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Has the facility been formally closed?		<input type="checkbox"/> Yes <input type="checkbox"/> No
• If yes, cite sources/documentation: _____		
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____		
iii. Describe any development constraints due to the prior solid waste activities: _____		
g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____		
h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:		<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Yes – Spills Incidents database	Provide DEC ID number(s): _____	
<input type="checkbox"/> Yes – Environmental Site Remediation database	Provide DEC ID number(s): _____	
<input type="checkbox"/> Neither database		
ii. If site has been subject of RCRA corrective activities, describe control measures: _____		
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, provide DEC ID number(s): _____		
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____		

v. Is the project site subject to an institutional control limiting property uses?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> • If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? <input type="checkbox"/> Yes <input type="checkbox"/> No • Explain: _____ 		
E.2. Natural Resources On or Near Project Site		
a. What is the average depth to bedrock on the project site? _____		5 feet
b. Are there bedrock outcroppings on the project site?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____		2 %
c. Predominant soil type(s) present on project site:		
Lewbeach		69 %
Onteora		18 %
Willowemoc		11 %
d. What is the average depth to the water table on the project site? Average: _____		4 feet
e. Drainage status of project site soils: <input checked="" type="checkbox"/> Well Drained: _____		71 % of site
<input checked="" type="checkbox"/> Moderately Well Drained: _____		27 % of site
<input checked="" type="checkbox"/> Poorly Drained _____		2 % of site
f. Approximate proportion of proposed action site with slopes: <input checked="" type="checkbox"/> 0-10%: _____		49.8 % of site
<input checked="" type="checkbox"/> 10-15%: _____		29.0 % of site
<input checked="" type="checkbox"/> 15% or greater: _____		21.2 % of site
g. Are there any unique geologic features on the project site?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, describe: _____		
h. Surface water features.		
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ii. Do any wetlands or other waterbodies adjoin the project site?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes to either i or ii, continue. If No, skip to E.2.i.		
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:		
• Streams: Name 879-234		Classification C
• Lakes or Ponds: Name _____		Classification _____
• Wetlands: Name Federal Waters, Federal Waters, Federal Waters,...		Approximate Size _____
• Wetland No. (if regulated by DEC) _____		
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, name of impaired water body/bodies and basis for listing as impaired: _____		
i. Is the project site in a designated Floodway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
j. Is the project site in the 100-year Floodplain?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
k. Is the project site in the 500-year Floodplain?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Name of aquifer: _____		

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <p>Typical local wildlife _____ squirrel, rabbit, deer, birds, etc. _____</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat: _____</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
<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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Species and listing (endangered or threatened): _____</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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Species and listing: _____</p> <p>_____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>Some hunting may occur on the private lands surrounding the property and will not be affected by the proposed project.</p>	
<p>E.3. Designated Public Resources On or Near Project Site</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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>i. If Yes: acreage(s) on project site? _____</p> <p>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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>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?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Describe possible resource(s): _____		
ii. Basis for identification: _____		
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Identify resource: _____		
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____		
iii. Distance between project and resource: _____ miles.		
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Identify the name of the river and its designation: _____		
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?		<input type="checkbox"/> Yes <input type="checkbox"/> No

F. Additional Information

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

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

G. Verification

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

Applicant/Sponsor Name Scott Ouimet P.E. Date 2022-03-01

Signature  Title Engineer for Applicant

PRINT FORM

E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
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]	No
E.3.i. [Designated River Corridor]	No

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

Agency Use Only [If applicable]
Project :
Date :

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

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

Tips for completing Part 2:

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

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</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 involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input 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: _____		<input type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☒ NO

☐ YES

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	<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"/>

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☐ NO

☒ YES

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<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.	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.	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.	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"/>

1. Other impacts: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

☐ NO

☒ YES

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2)

☒ NO

☐ YES

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

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

g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air

The proposed action may include a state regulated air emission source.
(See Part 1. D.2.f., D.2.h, D.2.g)

☒ NO

☐ YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

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

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.)

☒ NO

☐ YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

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

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

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

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

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) If "Yes", answer questions a - e. If "No", go to Section 11. <div style="text-align: right;"> <input checked="" type="checkbox"/> NO <input 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 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"/>
If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

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

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) If "Yes", answer questions a - c. If "No", go to Section 13.			
		<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 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.
(See Part 1. D.2.j)

☒ NO

☐ YES

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

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

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.
(See Part 1. D.2.k)

☒ NO

☐ YES

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

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

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.
(See Part 1. D.2.m., n., and o.)

☒ NO

☐ YES

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

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

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

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)
If "Yes", answer questions a - m. If "No", go to Section 17.

☒ NO

☐ YES

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

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.
(See Part 1. C.1, C.2. and C.3.)

☒ NO

☐ YES

If "Yes", answer questions a - h. If "No", go to Section 18.

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

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.
(See Part 1. C.2, C.3, D.2, E.3)

☒ NO

☐ YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

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

PRINT FULL FORM

Agency Use Only [If Applicable]

Project :

Date :

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

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

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

Reasons Supporting This Determination:

To complete this section:

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

Review of Parts 1 and 2 of the Long EAF reveal that no moderate to large impacts have been identified. As a 12-lot residential subdivision, several small impacts may occur that considered in the context of mitigation measures are not severe and will not result in significant negative consequences. These include:

Impacts on Land - the implementation of subdivision will involve clearing of vegetation, construction of roads, structures, wells and septs, power lines, and drainage systems. Given the plans for the development of the site and requirements for utilities and stormwater controls, the potential impacts on land are small.

Impacts on Surface Water - the project will involve the need to install a culvert to carry an access road over an existing stream which will be reviewed and permitted by the USACOE. Because the nature of this impact is very minor (approx. 4,345 SF) and design and installation of the culvert will be in conformance with best practices under USACOE permitting, the impact is small.

Impacts on Ground Water - the subdivision proposes the installation of on site wells and septs. Groundwater will be used for potable purposes and returned to the water table through the leach fields constructed as part the septic systems, the design standards and approvals for which are protective of groundwater quality. Given the small quantity of water demand and discharged of treated wastewater, the potential impacts to the environment are small. As a result of the foregoing considerations, these potential impacts are all considered minor or small and will not result in significant adverse environmental impacts.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☐ Type 1 ☒ Unlisted

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

Upon review of the information recorded on this EAF, as noted, plus this additional support information <u>Subdivision application and preliminary plat</u>	
and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the <u>Town of Windham Planning Board</u> as lead agency that:	
<input checked="" type="checkbox"/> 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.	
<input type="checkbox"/> 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.d).	
<input type="checkbox"/> 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: <u>Windham Luxury Estates Subdivision</u>	
Name of Lead Agency: <u>Town of Windham Planning Board</u>	
Name of Responsible Officer in Lead Agency: <u>Tom Poelker</u>	
Title of Responsible Officer: <u>Chairman</u>	
Signature of Responsible Officer in Lead Agency:	Date:
Signature of Preparer (if different from Responsible Officer)	Date:
For Further Information: Contact Person: <u>Windham Planning Board Secretary</u> Address: <u>371 NY Route 296, Hensonville, NY 12439</u> Telephone Number: <u>518-734-4170</u> E-mail: <u>windhamplanningboard@gmail.com</u>	
For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to: Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of) Other involved agencies (if any) Applicant (if any) Environmental Notice Bulletin: http://www.dec.ny.gov/enb/enb.html	

PRINT FULL FORM

RESOLUTION OF THE PLANNING BOARD
TOWN OF WINDHAM

SEQR
WINDHAM LUXURY ESTATES SUBDIVISION

June 2, 2022

WHEREAS, in early 2022, the Town of Windham Planning Board (“the Planning Board”) received an application for a Major Subdivision together with a SEQR Long EAF Part 1 and Preliminary Plat; and,

WHEREAS, the Planning Board conducted a Sketch Plan Conference with the Applicant’s Engineer; and,

WHEREAS, in consideration of the application materials and sketch plan conference discussion, the Planning Board preliminarily classified the Windham Luxury Estates Subdivision as an Unlisted action under SEQR involving more than one agency in review, permitting and/or funding of the action; and,

WHEREAS, the Planning Board adopted a resolution to act as Lead Agency and circulated the resolution to the other involved agencies; and,

WHEREAS, the Planning Board has reviewed materials related to the proposed project and conducted a review for the purpose of determining the significance of the project per 6 NYCRR Part 617.7, and

WHEREAS, the Planning Board has reviewed Parts 1, 2 and 3 of the Long Environmental Assessment form (attached); NOW THEREFORE,

BE IT RESOLVED

1. More than 30 days has elapsed since the circulation for concurrence on Lead Agency status and no other involved agency expressed an interest in acting as Lead Agency, therefore the Town of Windham Planning Board is hereby deemed Lead Agency.
2. Review of Parts 1 and 2 of the Long EAF reveal that no moderate to large impacts have been identified. As a 12-lot residential subdivision, several small impacts

RESOLUTION OF THE PLANNING BOARD
TOWN OF WINDHAM

SEQR
WINDHAM LUXURY ESTATES SUBDIVISION

June 2, 2022

may occur that considered in the context of mitigation measures are not severe and will not result in significant negative consequences. These include:

- a. Impacts on Land - the implementation of subdivision will involve clearing of vegetation, construction of roads, structures, wells and septics, power lines, and drainage systems. Given the plans for the development of the site and requirements for utilities and stormwater controls, the potential impacts on land are small.
 - b. Impacts on Surface Water - the project will involve the need to install a culvert to carry an access road over an existing stream which will be reviewed and permitted by the USACOE. Because the nature of this impact is very minor (approx. 4,345 SF) and design and installation of the culvert will be in conformance with best practices under USACOE permitting, the impact is small.
 - c. Impacts on Ground Water - the subdivision proposes the installation of on-site wells and septics. Groundwater will be used for potable purposes and returned to the water table through the leach fields constructed as part the septic systems, the design standards and approvals for which are protective of groundwater quality. Given the small quantity of water demand and discharged of treated wastewater, the potential impacts to the environment are small.
3. As a result of the foregoing considerations, these potential impacts are all considered minor or small and will not result in significant adverse environmental impacts. Therefore, the Windham Luxury Estates Subdivision determination of significance is hereby a Negative Declaration.
 4. This resolution shall take effect immediately.

RESOLUTION OF THE PLANNING BOARD
TOWN OF WINDHAM

SEQR
WINDHAM LUXURY ESTATES SUBDIVISION

June 2, 2022

RESOLUTION OFFERED BY: _____

RESOLUTION SECONDED BY: _____

VOTE: _____

①

Bridget Lopez
Maria Elena Papson
Alan & Sarah Trinkle
The Konofsky family

June 22, 2022

Dear Windham Planning Board, Windham Town Board, Windham Code Enforcement Officer, Town of Windham Attorney, and Windham Highway Superintendent:

The purpose of this letter is to convey the serious concerns we and many of our neighbors continue to have about the proposed subdivision on Galway Road in Windham, New York.

Many of us continue to be upset about the limited time we had to respond to the letters we received or were made aware of. Several concerned neighbors were unable to attend the meeting due to lack of timely notice. The letters were dated May 23, 2022 and by the time they were received, only a week's notice was provided. It should also be noted that the letters were received on a Friday before a holiday weekend. One week does not allow home/land owners sufficient notice to respond and make arrangements to attend a meeting. We are therefore requesting that the Town Board change the notice requirement to 30 days.

We are also expecting that town leaders and elected officials act responsibly in order to protect residents/visitors when such an extensive development is being proposed outside of the hamlet in a quiet, charming section of town with only 14 houses on a small, dead-end road. We sincerely appreciate the thoughtful and professional engagement conducted by the Windham Planning Board at the meetings held on June 2, 2022 and June 7, 2022. We also acknowledge the efforts of our Windham Highway Superintendent who, we were told, dedicated many hours over the course of several days during his busy work schedule looking for the owner in order to stop the work being completed at the proposed site as a result of the owner not receiving the required permitting.

As you are aware, the new owner at the Galway site renovated the existing house without proper permitting. Photos have been provided of the structure prior to and following the renovation. The Town of Windham Tax Assessor also has photos ((before and after renovation) for you to view. A second floor was clearly added to the structure and a new driveway was added. This was obviously a major renovation, yet neither the owner nor his contractor followed a process that is in place to protect the residents and visitors of Windham. In addition to this failure to comply with town and state requirements during the renovation process, large amounts of mud were accumulated and left on Galway Road while construction was being completed. This mud presented hazards and obstacles for current residents and visitors. Once again, this issue was addressed by the Highway Superintendent. Thank you again, Gary.

Galway Road is frequently patrolled by the Town of Windham Police and DEP Police. We observe these vehicles on Galway Road on a regular basis. A building permit is

supposed to be prominently posted during construction. One was not, yet the project continued.

Following this blatant failure to comply with town and state regulations, the owner, who was working with Kaaterskill Engineering, began construction of a new road without seeking proper permitting. On June 2, 2022 a representative from the engineering firm stated that they were unaware of this road construction, yet they must have visited the site regularly in order to develop the plans and specifications for the set of detailed plans they created and presented on June 2, 2022. This unapproved road construction resulted in large trees being uprooted, damage to existing stone walls, a new culvert being placed in the town right of way and loads of new gravel dumped and spread out. The Town Road was also damaged.

We are aware that DEP officials visited the site on June 3, 2022 in order to inspect the damages after complaints were made.

Please address the following questions: Has the owner faced any consequences for all of the above offenses (completing a major renovation without permitting, creating a driveway without permitting, installing a culvert in the town right of way, building a road without proper permitting, leaving large amounts of mud on Galway Road, and damaging Galway Road?) Will the tax payers of Windham be responsible for the repair work required for the damage to Galway Road or the necessary removal of the culvert? Did taxpayers pay for the removal of mud as a result of the renovation project? How can we be assured that the building that was renovated is safe if construction was not approved and monitored by the Code Enforcement Officer? Did a licensed electrician complete the electrical work? How do we know if the wiring is safe? This could be a serious fire hazard and therefore a safety concern for all. Since the homeowner expanded the building, is the septic system appropriate for the larger home? If it is not, the failure may result in ground water contamination and potentially impact neighbors' drinking water supply. We suspect that the system is outdated and undersized and not in compliance with DEP and NY State Health Department septic system requirements.

We expect that the owner will have to apply for and be granted a building permit and that the Code Enforcement Officer will inspect the construction as he would have if the owner was just beginning the project. This is a matter of public concern and we expect a full public accounting of how the town brought the owner into compliance.

In addition to the renovation of the house, at the June 7, 2022 Windham Planning Board Meeting, Kaaterskill Engineering addressed many of the concerns that were brought to the attention of the Planning Board and Town Board on or before June 2, 2022. Following their presentation, we continue to have major concerns about this massive development.

After reviewing the January 2022 Town of Windham Comprehensive Plan, it is apparent that we are not alone in desiring balanced and responsible development. According to the plan, 58% of the people in Windham are in favor of zoning and only 9% of the residents oppose it. One of the recommendations in the 2002 Comprehensive Plan was to create a "Zoning Advisory Committee." On page 54, the plan clearly states, "Now more than ever, the Town of Windham should consider stronger land use controls (including zoning) to assist with planning for future growth in a more proactive manner, rather than reacting to development proposals as they appear before the Town for approval." In our previous letter we asked if this committee existed. We were recently informed that this committee is now being formed. Why has it taken 20 years to respond to public wishes? Our small, rural Old Road and Galway neighborhood may now suffer because regulations were not put in place earlier to protect residents and visitors.

Water-In order to respond to neighbors' concerns regarding the impacts on water quantity and quality, the engineer stated simple distance requirements for the siting of well and septic systems. This response has no bearing on understanding the area's hydrology. This type of response was insulting and irresponsible and does not address the issue. When a new well was constructed on Galway Road (much further away than 250 feet water quantity and quality were impacted for others. This resulted in lack of water, undue stress, and a financial burden. This is a MAJOR concern that MUST be addressed. We expect a hydrology report to ensure that the quality and quantity of neighbors' water supply are not impacted by this luxury home development.

As we continue to read and study the January 2022 Comprehensive Plan we have become more confident that the proposed project goes against the primary goal of the plan which is to "provide a balance between the need to accommodate future growth and the need to preserve the quality of life and natural resources that make Windham a special place to live (Windham Comprehensive Plan, p. 1).

Let us point out some key concerns:

On pages 57-60 of the January 2022 Comprehensive Plan, 8 major goals and several objectives for each are listed. Town approval of this proposed housing development would not meet any of these goals. Let's look at Goals 1, 2, and 4 in particular.

Goal #1. "Promote growth that is in keeping with the Town's character." "Maintain local control over land use while promoting quality commercial and residential growth that is in keeping with the existing character of the town."

This proposed development is not keeping with the existing character of the town, Galway Road is a quiet, charming dead-end road with 14 homes. This single development almost doubles the number of homes in a very quiet and charming neighborhood.

1.1 "Concentrate future growth and development in the designated hamlet areas and locations with access to centralized water and/or sewer infrastructure."

This proposed development is not located in the hamlet and does not have access to centralized water and/or sewer infrastructure.

1.2 "Ensure that any new development is in keeping with the Town's historic character and preserves the scenic beauty upon which the tourism industry depends."

This proposed development does NOT preserve the scenic beauty upon which the tourism industry depends.

1.3 "Protect scenic vistas and limit development on ridgetops."

The engineering company has not provided proof that the proposed homes will not impact scenic views. Where will these luxury homes be seen from? It further appears that homes will be constructed at the top and near the top of ridges. This project will DEFINITELY impact views on Galway.

1.4 "Strengthen existing land use laws and explore creative land use tools and incentives that encourage low impact development."

The proposed addition of 12 homes does not encourage "low impact development."

1.5 "Encourage the creative use of properties in residential areas to support the tourism economy, while protecting public safety and mitigating potential impacts on neighboring properties."

We do not feel that this proposed development protects public safety (fire and rescue) and may have impacts on neighboring properties (water, noise, traffic, future largescale development)

Goal #2. "Provide a range of housing opportunities for residents by approving the affordability and quality of local housing."

This proposed 12 home development describes "luxury" homes which does not meet any of the identified 7 objectives in the January 2022 Comprehensive Plan under Goal # 2.

Goal #4. "Protect open space and natural resources while allowing for orderly growth and development, particularly in the hamlet areas."

4.1 "Concentrate future growth and development in the designated hamlet areas and locations with access to centralized water and/or sewer infrastructure. "

(See above)

4.2 "Improve the town's resiliency and reduce the potential damage caused by floods and other natural disasters."

We have concerns about stormwater runoff and damage to Galway Road and Old Road during storms, floods, and/or natural disasters.

4.3 "Foster a sense of stewardship along streams and watercourses and support efforts to maintain or improve fisheries resources."

Failure to comply with numerous regulations does not "...foster a sense of stewardship along streams and watercourses..."

4.4 "Encourage "working landscapes" where undeveloped land may be actively used in agricultural or forestry production."

This project only proposes to break land into smaller parcels which makes it more difficult to obtain this objective.

On page 56, The Comprehensive Plan also clearly highlights several "Issues and Opportunities."

"Windham's economy is tourism based and new development should not detract from the natural resources and scenic views upon which this industry depends."

This proposed plan "detracts from the natural resources and scenic views upon which the industry depends."

"Significant investments have taken place to provide centralized water and sewer service in the hamlet areas, and future development should be concentrated in those areas with public infrastructure."

This 12 home development is not located in the hamlet area with access to public infrastructure.

"...viewshed protection and enacting land use controls regulating the density, placement and type of development on steep slopes and ridgelines should be a high priority for the future."

This proposed development will include development on steep slopes and ridgelines.

Windham Mountain generates significant demand for second homes, which has driven up home prices and made it difficult for full time residents to find affordable housing.

A luxury home development of this size does not address this issue. Windham needs affordable housing to attract full time residents. Windham needs full time residents to enter the workforce, attend our school, and stimulate the local economy.

On page 61 the January 2022 plan states that the listed 8 goals and corresponding objectives, "...will guide future development and help the town achieve its desired vision. That vision will only be realized if the plan is properly administered and implemented."

We are expecting that all town officials properly administer and implement the essential components of the Comprehensive Plan in order to help protect the residents and visitors of Windham while simultaneously enabling the town to achieve the vision they have so clearly identified.

We understand that zoning has not been approved in Windham. Town Law, however, allows Town Boards to regulate land use. According to Chapter 62, Article 16, Section 272-A, 11(a) "All town land use must be in accordance with a comprehensive plan..."

Furthermore, Town Law 263 states, "Such regulations shall be made in accordance with a comprehensive plan and designed to lessen congestion in the streets, to secure safety from fire, flood, panic and other dangers; promote health and general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population...Such regulations shall be made with reasonable consideration, among other things, as to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout such municipality."

Town Law 263 "...to secure safety from fire, flood, panic and other dangers; promote health and general welfare..." -We strongly believe the town must exercise this authority in order to protect the safety and welfare of the residents and visitors of Old Road and Galway Road. A local fire chief and assistant chief have highlighted several concerns surrounding this project. The road will be steep which causes problems for fire trucks and other emergency vehicles as they attempt to respond to fires and other emergencies. The road will have to be privately maintained by its owners. Our snow and ice season is long and difficult. How will they maintain a road on a consistent basis? Plowing and sanding will be required consistently. Maneuvering emergency vehicles is difficult on long and steep roads. The local department has voiced concerns about Windmont, Club Road and the road leading to the east side of Windham Mountain. At a recent large structure fire at the end of Galway Road there was not enough water on site. The home burned to the ground. Where is the water supply and how accessible will it be to each of the 12 homes especially during the winter months? These homes will more than likely be weekend

homes which means owners will not be present on a regular basis. This makes responding to these events more dangerous because someone will not always be present to report a fire. Furthermore, when mutual aid equipment is damaged on the way, at or when returning from a Windham fire or other emergency, the town is responsible for these damages. This occurred at the structure fire on Galway. If a truck is totaled as a result of poor road conditions, it can take up to 2 years to replace it. This impacts the public safety of all residents. And what if one of our emergency responders is injured or killed when responding to a situation on a steep, snow covered and/or icy road? If the local fire chiefs are concerned about these issues, we should all be concerned as well. When these issues were passionately communicated on June 7, 2022, we feel that our concerns were diminished by the engineer who made a brief statement about road specifications.

Town Law 263 "...to prevent the overcrowding of land; to avoid undue concentration of population..." 12 homes on one development should be considered overcrowding and does not avoid undue concentration of population. The engineer commented about the number of acres that will remain forest and failed to speak about almost doubling the number of homes on a small, rural, dead-end road. Other large landowners on Galway could preserve forests and construct numerous homes as well. Maintaining forests does not address adding this number of homes in a concentrated area. We must not overcrowd our small, rural roads. This type of development does not preserve "the character of the district" or encourage "the most appropriate use of land..." (Town Law 263). Furthermore, the engineer for the proposed 12 luxury home development, stated that town officials were not concerned about the traffic and that the estimated calculations showed an increase of 10 cars. This response to our concerns appears extremely irresponsible. How can 12 homes result in 10 cars? Most homes have at least 2 cars. This does not include guests, recreational vehicles, delivery trucks, construction vehicles... How are these calculations made?

In closing, it should be noted that we have never complained about any other development on Old Road or Galway Road. Any construction thus far has been responsible and has had a low impact to current residents. We have consistently welcomed new neighbors over the years. This large scale, luxury home development is alarming to us for many reasons.

We appreciate the thoroughness and engagement of the Windham Planning Board members thus far and the efforts of the Windham Highway Superintendent.

We are optimistic that all of our concerns will be addressed by the town leadership during the recess period and that we will be provided with responses to all of our concerns on or before the July 7th meeting.

Thank you in advance for your time and attention and to your dedication to our spectacular town and the residents and visitors of Windham.

Sincerely,

Bridget Lopez
36 Galway Road
Windham, NY 12496

Maria Elana Papson
41 Galway Road
Windham, NY 12496

Thank you in advance for your time and attention and to your dedication to our spectacular town and the residents and visitors of Windham.

Sincerely,

Alan & Sarah Trinkle
439 Old Road
Windham, NY 12496

to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout such municipality."

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How are these calculations made?

In closing, it should be noted that we have never complained about any other development on Old Road or Galway Road. Any construction thus far has been responsible and has had a low impact to current residents. We have consistently welcomed new neighbors over the years. This large scale, luxury home development is alarming to us for many reasons.

We appreciate the thoroughness and engagement of the Windham Planning Board members thus far and the efforts of the Windham Highway Superintendent.

Thank you in advance for your time and attention and to your dedication to our spectacular town and the residents and visitors of Windham.

Sincerely,
The Kunofsky Family

vehicles as they attempt to respond to fires and other emergencies. The road will have to be privately maintained by its owners. Our snow and ice season is long and difficult. How will they maintain a road on a consistent basis? Plowing and sanding will be required consistently. Maneuvering emergency vehicles is difficult on long and steep roads. The local department has voiced concerns about Windmont, Club Road and the road leading to the east side of Windham Mountain. At a recent large structure fire at the end of Galway Road there was not enough water on site. The home burned to the ground. Where is the water supply and how accessible will it be to each of the 12 homes especially during the winter months? These homes will more than likely be weekend homes which means owners will not be present on a regular basis. This makes responding to these events more dangerous because someone will not always be present to report a fire. Furthermore, when mutual aid equipment is damaged on the way, at or when returning from a Windham fire or other emergency, the town is responsible for these damages. This occurred at the structure fire on Galway. If a truck is totaled as a result of poor road conditions, it can take up to 2 years to replace it. This impacts the public safety of all residents. And what if one of our emergency responders is injured or killed when responding to a situation on a steep, snow covered and/or icy road? If the local fire chiefs are concerned about these issues, we should all be concerned as well. When these issues were passionately communicated on June 7, 2022, we feel that our concerns were diminished by the engineer who made a brief statement about road specifications.

Town Law 263 "...to prevent the overcrowding of land; to avoid undue concentration of population..." 12 homes on one development should be considered overcrowding and does not avoid undue concentration of population. The engineer commented about the number of acres that will remain forest and failed to speak about almost doubling the number of homes on a small, rural, dead-end road. Other large landowners on Galway could preserve forests and construct numerous homes as well. Maintaining forests does not address adding this number of homes in a concentrated area. We must not overcrowd our small, rural roads. This type of development does not preserve "the character of the district" or encourage "the most appropriate use of land..." (Town Law 263). Furthermore, the engineer for the proposed 12 luxury home development, stated that town officials were not concerned about the traffic and that the estimated calculations showed an increase of 10 cars. This response to our concerns appears extremely irresponsible. How can 12 homes result in 10 cars? Most homes have at least 2 cars. This does not include guests, recreational vehicles, delivery trucks, construction vehicles...

How are these calculations made?

In closing, it should be noted that we have never complained about any other development on Old Road or Galway Road. Any construction thus far has been responsible and has had a low impact to current residents. We have consistently welcomed new neighbors over the years. This large scale, luxury home development is alarming to us for many reasons. We appreciate the thoroughness and engagement of the Windham Planning Board members thus far and the efforts of the Windham Highway Superintendent. We are optimistic that all of our concerns will be addressed by the town leadership during the recess period and that we will be provided with responses to all of our concerns on or before the July 7th meeting. Thank you in advance for your time and attention and to your dedication to our spectacular town and the residents and visitors of Windham.

Sincerely,

Russell Pelham
36 Galway Rd Windham, NY 12496

Russell Pelham Executor/Caretaker of
461 Old Rd Windham, NY 12496

Joseph Pelham
36 Galway Rd Windham, NY 1249

Same letter by
different date
& Signatories