

ALTAMONT PLANNING BOARD  
Regular Meeting Agenda – June 28, 2021

1. Open meeting - State time and that the meeting is being recorded
2. Topic & Discussion: Review of Application and ACPB Decision for a Special Use Permit (SUP) request from John Donato to create one 1-bedroom apartment and two 2-bedroom apartments (one with handicapped entry) in a mixed occupancy building at 996 Altamont Blvd., Altamont.
3. Consider Motion: To set a date for public hearing.
4. Topic & Discussion: Public Hearing on Application for an Amendment to a Special Use Permit Request for a Sit Down Restaurant (Curry Patta) from Nadia Raza at 187 Main Street. Amendment is to expand restaurant into the new building addition and outdoor space and allow for outdoor music and entertainment. Read Legal Notice to open Public Hearing.
5. Consider Motion: To close public hearing.
6. Consider: Reading Resolution and making motion to approve Application for Amendment to SUP for Curry Patta.
7. Topic & Discussion: Continue Pre-Concept Review of an Application for a Major Subdivision Request by VAMR Development, LLC (Ken Romanski) on Bozenkill Road, Altamont, NY. Read ACPB Decision. If all materials are in order, review FEAF Part 2 and consider motions to issue a Negative Declaration and to set public hearing for July 26, 2021 meeting.
8. Review of meeting minutes of April 26, 2021 Planning Board Meeting if available.  
Consider Motion: Motion made to approve Minutes of April 26, 2021 Planning Board Meeting.
9. Other Business:  

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10. Consider Motion to Adjourn Meeting. Meeting Adjourned at Time: \_\_\_\_\_

Notice is hereby given that the Regular Planning Board Meeting will be held on Monday, June 28, 2021 at 7:00 p.m. The meeting will be held in the Community Room at the Village of Altamont, 115 Main Street, Altamont NY 12009.

Copies of the Planning Board Agenda and related materials will be available on the Village website by Friday, June 25, 2021 at [www.altamontvillage.org](http://www.altamontvillage.org)

Ginger Hannah

Secretary, Planning Board

June 15, 2021

Village of Altamont  
P.O. Box 643 Altamont, NY 12009  
Telephone (518) 861-8554 Fax (518) 861-5379

## Applicant Checklist for Special Use Permit (SUP)

Return to:

Village of Altamont  
PO Box 643 115 Main Street  
Altamont, NY 12009  
(518) 861-8554 Ext 13

Fees:

\$ 300.00 Commercial  
\$ 50.00 One Family  
\$ 100.00 Two Family  
(Payable at time of Submittal to Village)

APPLICANT INFORMATION:

Name: John Donato  
Address: PO Box 540  
Altamont NY 12009  
Daytime Phone #: 518 281 3774  
Date: \_\_\_\_\_

PROPERTY INFORMATION:

Owner: John Donato  
Location: PO Box 540  
Tax Map #: 48.06-3-2  
Zoning: B (Business)  
Acreage: F 199 1/2 x D 183 1/2  
Request for a: \_\_\_\_\_ SUP

TO BE SUBMITTED:

- 1) 15 copies of signed & notarized SUP application
- 2) 15 copies of completed SUP Conditions Form
- 3) 15 Copies of conditional purchase contract or rental agreement if applicable
- 4) 15 copies of project narrative statement containing the following: reasons which necessitate the need for a SUP, including a brief detailed description of the project
- 5) 15 copies Architectural drawings of proposed project
- 6) 15 copies of survey or plot plan (including a North Arrow) showing proposed project with
  - side setbacks
  - front and rear setbacks
  - all existing buildings
  - location of proposed construction
  - total size of parcel
  - all topographic elevations necessary to show proposed SUP
- 7) 15 copies completed, signed SEQRA if applicable
- 8) 15 copies of Sign Permit if applicable
- 9) 15 copies of Building and Zoning Permit if applicable
- 10) Escrow Fund for Legal/Engineering & other Fees as appropriate (determined by Planning Bd Chair)

OTHER AGENCY APPROVALS OR RECOMMENDATIONS AS REQUIRED

- 1) NYS Department of Transportation 518-765-2841
- 2) Albany County Health Department 518-447-4631
- 3) Albany County Planning Board 518-447-5660

John Donato  
P O Box 540  
Altamont NY 12009  
518-281-3774

Special Use Request for creating 3 additional apartments at 996 Altamont Blvd

#### Narrative

The Building is zoned Business and is classified as a Mixed Occupancy Building. There is currently a Laundromat and four apartments within the building. There is approximately 2500 +/- square feet in the front of the building which had once housed the Auto Parts Store which failed due to lack of business. The space has been available for rent for over a year and has been advertised but due to its location has drawn no interest. Maintaining businesses in Altamont is and has been a struggle, since most area residents shop at big box stores to save money. Today, the majority of residents work outside the village and do their shopping on the way to or from work.

I am requesting to convert that space into 3 apartments. Two apartments would be 2 bedroom apartments and one of the 2 bedroom apartment would have handicap access via the ramp (approximately 900 +/- sq ft each). The third apartment would be a one bedroom apartment (approximately 700 +/- sq ft). I have found that there is a need for affordable apartments within the village as owner of a number of apartment buildings throughout the village, I have had more requests for apartments than I have had available.

There is adequate parking since the number of spaces exceeds what is required for the current occupancy of the building. Being on the edge of the Central Business District (CBD), the immediate area to the left and across the street is Residential (R10) and by creating the three apartments it would limit the traffic follow in and out of the property.

My property taxes have doubled due to the revaluation done by the Town of Guilderland a few years ago. They are currently over \$ 1,000 a month. With increasing taxes and the rise in utilities, the increased income would allow me to continue to maintain and improve the property in the years to come as well as provide the need for housing.

# VILLAGE OF ALTAMONT PLANNING BOARD

115 MAIN STREET, P.O. BOX 643, ALTAMONT, NY 12009 PHONE (518) 861-8554 FAX (518) 861-5379

## APPLICATION FOR SPECIAL USE PERMIT

Return to: Village of Altamont  
115 Main Street, PO Box 643  
Altamont, NY 12009

Fees: \$300.00 Commercial  
\$100.00 Two Family  
\$ 50.00 One Family  
(payable at time of submission)

### A. STATEMENT OF OWNERSHIP AND INTEREST

THE APPLICANT(S) John Donato

is (are) the owner(s) of property situated at the following address:

996 Altamont Blvd Altamont NY 12009

Street PO Box Village State Zip

TAX MAP PARCEL NO. 48.06-3-2. The above described property was acquired by applicant(s) on the following date pre 1990.

### B. REQUEST

The applicant(s) request a Special Use Permit for the above described property under the provisions of Section \_\_\_\_\_ of the Zoning Law of the Village of Altamont for the following purposes: Create 1 one bedroom apartment, 2 two bedroom apartments (one with handicapped entry) in a mixed occupancy Building  
as shown on the attached plan drawn to scale.

### C. REASONS FOR REQUEST

The applicant(s) allege(s) that the approval of said Special Use Permit would be harmony with the intent and purpose of said Zoning Ordinance (local law) and that the proposed use conforms to the standards prescribed therefore in said ordinance (local law) and would not be detrimental to property or persons in the neighborhood for the following reasons: The building is a Mixed Occupancy Building. It is not in the CBD and draws no interest as a commercial venture. Apartments in Altamont are limited and there is a high demand for them. The property borders residential properties.

### D. SPECIAL FEATURES

In addition to meeting the standards prescribed by the Zoning Law of the Village of Altamont, the applicant(s) will provide Ample off-street parking, affordable housing for younger people, Parent + child and even a handicapped access if needed.

in order that the public convenience and welfare will be further served.

THIS PORTION TO BE FILL OUT IN PRESENCE OF NOTARY

TO ME PERSONALLY APPEARED

John Donato  
on the 30<sup>th</sup> day of March, 2021

Attachment: SUP Conditions Form  
(2/21)

Eric S Miller  
Notary Public, State of New York  
Qualified in Schoharie County  
No. 01MI6299131  
Commission Expires March 17, 2022

NOTARIZED SIGNATURE

P.O. Box 540  
Altamont NY 12009  
518-281-3774

Applicant Mailing Address & Phone #

# SPECIAL USE PERMIT (SUP) CONDITIONS

The Village of Altamont Planning Board will not consider any application for a Special Use Permit (SUP) complete until the following application is completed in full and submitted to the Building Department. The Planning Board will evaluate the applicant's responses and determine whether the applicant has adequately met the conditions for a SUP. The applicant is encouraged to attach additional sheets if necessary to fully answer the questions. The following conditions for a SUP are from Article V, Section 355-35 (E) of the Village of Altamont Zoning Law.

- 1) The physical characteristics, topography and other features of the lot and the scale and physical design and other features of any new or existing buildings to be occupied by the use are suitable and adaptable for the proposed use without any modifications which would change the established character of the street or neighborhood setting.

It would actually improve the character of the street and neighborhood.

- 2) The nature and intensity of operations of the use will not be more objectionable to surrounding properties than those of a permitted use.

There are already 4 apartments in the building. There would be less traffic flow with apartments than a business.

- 3) The use is not in such proximity to a religious facility, school, community center, recreation place, or other prominent place of community activity and public assembly so as to regularly conflict with such other activity and thereby constitute a danger to health, safety or general welfare.

The apartments would have no impact on any of the above mentioned places

- 4) The use will not unreasonably increase or introduce traffic congestion or safety hazards or impose traffic volumes on streets and street patterns which are deficient in width, design, sight distance, intersection configuration, or other typical standards necessary to accommodate such traffic changes.

The traffic flow would be less than that required to operate a business - no delivery trucks. Ample off-street parking.

- 5) The use makes adequate provision for off-street parking in accordance with these regulations.

yes - there is ample parking both on the left and right sides of the building

- 6) The use and the proposed design of building and other structure and site facilities for the use are appropriate in the proposed location and have incorporated reasonable efforts to harmonize with surrounding uses and mitigate any adverse impacts on surrounding uses, including but not limited to traffic congestion and hazards, untimely scheduling of activities, removal of trees and other established natural features, and excessive stormwater runoff, noise, nuisance, odors, glare or vibration.

yes - less delivery vehicles traffic flow. the building would be repurposed for what is needed in the village today.

- 7) The cumulative impacts of the use in the proposed location will not unreasonably interfere with or diminish the continued use, preservation, stability, value, enjoyment, prosperity or growth of the neighborhood or community.

No - it would improve the neighborhood while maintaining the property. It would probably stand vacant for many years and become an eyesore if it were to remain as commercial space.

- 8) The effect of the proposed use on the other properties in the neighborhood and the enjoyment by the inhabitants of their properties, and whether it will materially affect the value of such properties and the use and enjoyment of such properties by the occupants and any other effect of such use on the health, welfare and safety of the occupants of such properties.

yes - it will be less in and out traffic, more of a residential feel and more in harmony with the neighborhood.

- 9) The use will not conflict in any way with the Comprehensive Plan.

No - actually according to comprehensive plan - more affordable apartments is one of the original goals.

John Donato  
P O Box 540  
Altamont NY 12009  
518-281-3774

# Special Use Request for creating 3 additional apartments at 996 Altamont Blvd

## Narrative

The Building is zoned Business and is classified as a Mixed Occupancy Building. There is currently a Laundromat and four apartments within the building. There is approximately 2500<sup>+</sup> square feet in the front of the building which had once housed the Auto Parts Store which failed due to lack of business. The space has been available for rent for over a year and has been advertised but due to its location has drawn no interest. Maintaining businesses in Altamont is and has been a struggle, since most area residents shop at big box stores to save money. Today, the majority of residents work outside the village and do their shopping on the way to or from work.

I am requesting to convert that space into 3 apartments. Two apartments would be 2 bedroom apartments and one of the 2 bedroom apartments would have handicap access via the ramp. The third apartment would be a one bedroom apartment. I have found that there is a need for affordable apartments within the village as owner of a number of apartment buildings throughout the village, I have had more requests for apartments than I have had available.

There is adequate parking since the number of spaces exceeds what is required for the current occupancy of the building. Being on the edge of the Central Business District (CBD), the immediate area to the left and across the street is Residential (R10) and by creating the three apartments it would limit the traffic follow in and out of the property.

My property taxes have doubled due to the revaluation done by the Town of Guilderland a few years ago. They are currently over \$ 1,000 a month. With increasing taxes and the rise in utilities, the increased income would allow me to continue to maintain and improve the property in the years to come as well as provide the need for housing.

Apt #1	app	900 <sup>+</sup>	sq ft
Apt #2	app	900 <sup>+</sup>	sq ft
Apt #3	app	700 <sup>+</sup>	sq ft

# Short Environmental Assessment Form

## Part 1 - Project Information

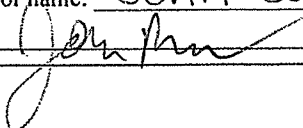
### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
John Donato			
Name of Action or Project: Create 3 apartments in a mixed occupancy building			
Project Location (describe, and attach a location map): 996 Attamont Blvd Attamont			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor: John Donato		Telephone: 518 281-3774	
		E-Mail:	
Address: P.O. Box 540			
City/PO: Attamont		State: NY	Zip Code: 12009
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?		NO	YES
If Yes, list agency(s) name and permit or approval: Attamont Bldg Dept Yes Attamont Planning Board		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ acres	
b. Total acreage to be physically disturbed?		<input checked="" type="checkbox"/> _____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ <div style="text-align: right;">outside</div> <div style="text-align: right;">to runoff</div>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
Already in place - no change on structure			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor name: <u>John Donato</u> Date: <u>3/29/21</u> Signature: <u></u>		

Project:

Date:

***Short Environmental Assessment Form***  
***Part 2 - Impact Assessment***

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Agency Use Only [If applicable]	
Project:	
Date:	

### *Short Environmental Assessment Form*

#### *Part 3 Determination of Significance*

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
_____ Name of Lead Agency	_____ Date
_____ Print or Type Name of Responsible Officer in Lead Agency	_____ Title of Responsible Officer
_____ Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (if different from Responsible Officer)

**PRINT FORM**



Donato



ALBANY COUNTY PLANNING BOARD  
NOTIFICATION

RECOMMENDATION DATE: May 21, 2021

**Case #:** 02-210503702  
**Applicant:** John Donato Apartments  
**Project Location:** 996 Altamont Blvd  
**Tax Map Number:** 48.06-3-2  
**Referring Agency:** Village of Altamont Planning Board  
**Considerations:** Special use permit to convert existing building into three (3) apartments.

**ACPB** Defer to local consideration.

**Recommendation:**

1. This board has found that the proposed action will have no significant countywide or intermunicipal impact.

**Advisory:**

1. Since this is a change of use, NYSDOT may want the owner/applicant to revise the access to channelize the existing 60' wide northerly driveway.

Gopika Muddappa, Interim Senior Planner  
Albany County Planning Board

**NOTE:**

- This recommendation is rendered in compliance with applicable requirements of Section 239 of New York State General Municipal Law. Final determination on this matter rests with the appropriate municipal body.
- A recommendation of "APPROVE" or "MODIFY LOCAL APPROVAL" should not be interpreted as a recommendation by this body that the referring agency approve the matter referred. Such recommendation does not indicate that this body has reviewed all local concerns; rather the referral has met certain countywide considerations. Evaluation of local criteria is the responsibility of the referring agency.
- General Municipal Law Section 239 requires that the local agency notify the county within thirty days of its final action. Please use the OFFICIAL NOTICE OF LOCAL ACTION form that is attached for this purpose.
- General Municipal Law Section 239 sets forth the procedural requirements for taking local action contrary to the County Planning Board's recommendation of objection or conditional approval.
- Albany County is required to submit a Municipal Separate Storm Sewer System Permit (MS4) (No. GP-0-10-002) Notice of Intent (NOI) to comply with the NYS DEC permit for the control of wastewater and stormwater discharges in accordance with the Clean Water Act. Construction Activity Permit No. GP-0-1-001 issued by NYSDEC is also required for activity with soil disturbances of one acre or more. The law is required by the Clean Water Act to control point source discharges to ground water as well as surface waters.

449 New Salem Road, Voorheesville, NY 12186

TELEPHONE: (518) 655-7932 FAX: (518) 765-3459

John D

In compliance with Article 12-B, Section 239 of New York State General Municipal Law, this serves as official notification to the Albany County Planning Board of the action taken on the application described above.

**LOCAL ACTION ON ACPB RECOMMENDATION:**

- ☐ AGREED WITH COUNTY PLANNING BOARD RECOMMENDATIONS TO MODIFY OR DISAPPROVE
- ☐ OVER-RULED COUNTY PLANNING BOARD RECOMMENDATIONS TO MODIFY OR DISAPPROVE

**LOCAL DECISION ON PROJECT:**

- ☐ PROJECT APPROVED
- ☐ PROJECT DISAPPROVED

VOTE RECORDED: \_\_\_\_\_ DATE OF LOCAL ACTION: \_\_\_\_\_

Set forth the reasons for any action contrary to the ACPB recommendations (use additional sheets if needed):

SIGNED: \_\_\_\_\_ TITLE: \_\_\_\_\_

## Applicant Checklist for Special Use Permit (SUP)

Return to:

Village of Altamont  
PO Box 643 115 Main Street  
Altamont, NY 12009  
(518) 861-8554 Ext 13

Fees:

\$ 300.00 Commercial  
\$ 50.00 One Family  
\$ 100.00 Two Family  
(Payable at time of Submittal to Village)

APPLICANT INFORMATION:

Name: Nadira Raza  
Address: 1143 Leese Lane  
Altamont NY 12009  
Daytime Phone #: 518-495-1715  
Date: 3/26/21  
Email: nadira.raza@gmail.com

PROPERTY INFORMATION:

Owner: Jeff Thomas  
Location: 187 Main St. Altamont NY 12009  
Tax Map #: 48.06-3-1  
Zoning: CENTRAL BUSINESS DISTRICT  
Acreage: < 1.0  
Request for a: AMENDED SUP

TO BE SUBMITTED:

- 1) 15 copies of signed & notarized SUP application
- 2) 15 copies of completed SUP Conditions Form
- 3) 15 Copies of conditional purchase contract or rental agreement if applicable
- 4) 15 copies of project narrative statement containing the following: reasons which necessitate the need for a SUP, including a brief detailed description of the project
- 5) 15 copies Architectural drawings of proposed project
- 6) 15 copies of survey or plot plan (including a North Arrow) showing proposed project with
  - side setbacks
  - front and rear setbacks
  - all existing buildings
  - location of proposed construction
  - total size of parcel
  - all topographic elevations necessary to show proposed SUP
- 7) 15 copies completed, signed SEQRA if applicable
- 8) 15 copies of Sign Permit if applicable
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- 1) NYS Department of Transportation 518-765-2841
- 2) Albany County Health Department 518-447-4631
- 3) Albany County Planning Board 518-447-5660

VILLAGE OF ALTAMONT PLANNING BOARD

115 MAIN STREET, P.O. BOX 643, ALTAMONT, NY 12009 PHONE (518) 861-8554 FAX (518) 861-5379

APPLICATION FOR SPECIAL USE PERMIT

Return to: Village of Altamont  
115 Main Street, PO Box 643  
Altamont, NY 12009

Fees: \$300.00 Commercial  
\$100.00 Two Family  
\$ 50.00 One Family  
(payable at time of submission)

A. STATEMENT OF OWNERSHIP AND INTEREST

THE APPLICANT(S) Curny Patta.

is (are) the owner(s) of property situated at the following address:

187 Main Street, Altamont NY 12009.  
Street PO Box Village State Zip

TAX MAP PARCEL NO. 48.06-3-1 The above described property was acquired by  
applicant(s) on the following date 3/26/21

B. REQUEST

The applicant(s) request a Special Use Permit for the above described property under the provisions of Section  
of the Zoning Law of the Village of Altamont for the following purposes:

amended SUP for entertainment music  
from 6-9pm, low volume, nothing too  
loud.

as shown on the attached plan drawn to scale. (See narrative)

C. REASONS FOR REQUEST

The applicant(s) allege(s) that the approval of said Special Use Permit would be harmony with the intent and  
purpose of said Zoning Ordinance (local law) and that the proposed use conforms to the standards prescribed  
therefore in said ordinance (local law) and would not be detrimental to property or persons in the neighborhood  
for the following reasons:

to replace a Restaurant w/  
a restaurant specializing in  
Pakistani cuisine.

D. SPECIAL FEATURES

In addition to meeting the standards prescribed by the Zoning Law of the Village of Altamont, the applicant(s)  
will provide employment for the village youth

and to offer a new cuisine  
to the village

in order that the public convenience and welfare will be further served.

THIS PORTION TO BE FILL OUT IN PRESENCE OF NOTARY

TO ME PERSONALLY APPEARED

Nisha Patta  
on the 19 day of April, 2021

NOTARIZED SIGNATURE

Attachment: SUP Conditions Form

(2/21)

PATRICIA BLACKWOOD  
NOTARY PUBLIC, STATE OF NEW YORK  
QUALIFIED IN ALBANY COUNTY  
NO. 01BL6194251  
MY COMMISSION EXPIRES SEPT. 29, 2024

Applicant Mailing Address & Phone #

# SPECIAL USE PERMIT (SUP) CONDITIONS

The Village of Altamont Planning Board will not consider any application for a Special Use Permit (SUP) complete until the following application is completed in full and submitted to the Building Department. The Planning Board will evaluate the applicant's responses and determine whether the applicant has adequately met the conditions for a SUP. The applicant is encouraged to attach additional sheets if necessary to fully answer the questions. The following conditions for a SUP are from Article V, Section 355-35 (E) of the Village of Altamont Zoning Law.

- 1) The physical characteristics, topography and other features of the lot and the scale and physical design and other features of any new or existing buildings to be occupied by the use are suitable and adaptable for the proposed use without any modifications which would change the established character of the street or neighborhood setting.

Curry Patta Restaurant intends to occupy a previously approved 1470 sq ft addition and uncovered deck at Allamont

Corners to provide for additional seating capacity and will not change the character of the street or the neighborhood setting.

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- 2) The nature and intensity of operations of the use will not be more objectionable to surrounding properties than those of a permitted use.

The proposed use of additional space will be consistent with the use of the existing restaurant and will include indoor and outdoor entertainment. Typical entertainment will include live cultural and seasonal entertainment, including music such as: jazz, string/violin, guitar and caroling. It is the intention to maintain exterior entertainment sound levels at reasonable levels so as not to create an adverse impact upon adjoining municipal, commercial or residential properties.

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- 3) The use is not in such proximity to a religious facility, school, community center, recreation place, or other prominent place of community activity and public assembly so as to regularly conflict with such other activity and thereby constitute a danger to health, safety or general welfare.

The use of the expanded restaurant will be operated similarly to the existing restaurant, and will not conflict with the use of nearby properties and uses. Any outdoor entertainment will not overlap with other community events that may be scheduled or occur.

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- 4) The use will not unreasonably increase or introduce traffic congestion of safety hazards or impose traffic volumes on streets and street patterns which are deficient in width, design, sight distance, intersection configuration, or other typical standards necessary to accommodate such traffic changes.

The Altamont Corners property has received prior approvals for uses such as a restaurant, and no unreasonable increase in traffic or congestion is anticipated with the proposed request.

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- 5) The use makes adequate provision for off-street parking in accordance with these regulations.

Adequate off-street parking is available on site. Forty four (44) parking spaces are provided at Altamont Corners.

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- 6) The use and the proposed design of building and other structure and site facilities for the use are appropriate in the proposed location and have incorporated reasonable efforts to harmonize with surrounding uses and mitigate any adverse impacts on surrounding uses, including but not limited to traffic congestion and hazards, untimely scheduling of activities, removal of trees and other established natural features, and excessive stormwater runoff, noise, nuisance, odors, glare or vibration.

The previously approved addition has been designed with architectural elements consistent with the existing building.

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The use of the space as an expansion of the existing restaurant will be consistent with its current operation. Any outdoor entertainment will be conducted so as not to conflict with other community events and will conform to reasonable decibel noise levels. We will collaborate with the library and Village officials to enhance cross-functional community planning efforts.

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- 7) The cumulative impacts of the use in the proposed location will not unreasonably interfere with or diminish the continued use, preservation, stability, value, enjoyment, prosperity or growth of the neighborhood or community.

The proposed expanded restaurant will continue to provide for, and fill a need, for a quality restaurant and entertainment venue for village residents.

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- 8) The effect of the proposed use on the other properties in the neighborhood and the enjoyment by the inhabitants of their properties, and whether it will materially affect the value of such properties and the use and enjoyment of such properties by the occupants and any other effect of such use on the health, welfare and safety of the occupants of such properties.

The use of the expanded space as a restaurant with entertainment will continue to enhance the enjoyment and attraction of living in the Village of Altamont.

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- 9) The use will not conflict in any way with the Comprehensive Plan.

A restaurant use is a use permitted by Special Use Permit and is consistent with the Village of Altamont Master Plan.

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## WRITTEN NARRATIVE AMENDMENT

RE: Curry Patta Special Use Permit Request

TO: Chairman Hext and Members of the Board

At the April 26, 2021 Planning Board Meeting a number of questions were raised regarding the pending Special Use Request of the Curry Patta restaurant expansion.

First, there was conflicting information on the application form and in the written narrative regarding the hours of operation of the restaurant, and the days and times proposed for outdoor entertainment. The following will provide the needed clarification:

- The hours of operation for the restaurant will be as follows: Tuesday and Wednesday 12:00PM to 8:00PM; Thursday through Saturday 12:00PM to 10:00PM; Sunday 12:00pm to 9:00PM; the restaurant will be closed on Mondays.
- With respect to entertainment, it is our intention to provide entertainment on the deck during our hours of operation on Thursday, Friday and Saturday at 6:00PM to 10:00PM, and on Sundays 12:00PM to 9:00PM.
- As stated in the original narrative and at the meeting, typical entertainment will include live cultural and seasonal entertainment, including music such as jazz, string/violin, guitar and caroling.
- As stated in our original application, outdoor entertainment will not conflict with other community events that may be scheduled or occur.
- We also anticipate offering belly dancing two (2) times per month during our hours of operation.
- Attached is a plan of the approved outdoor deck depicting the location on the deck where an artist would set up for entertainment. It should be noted that all equipment used by the artist, including any amplification devices, will be placed in a manner facing the building. This effort will aid in the mitigation of concerns regarding the noise levels creating a possible disturbance to neighboring property owners.

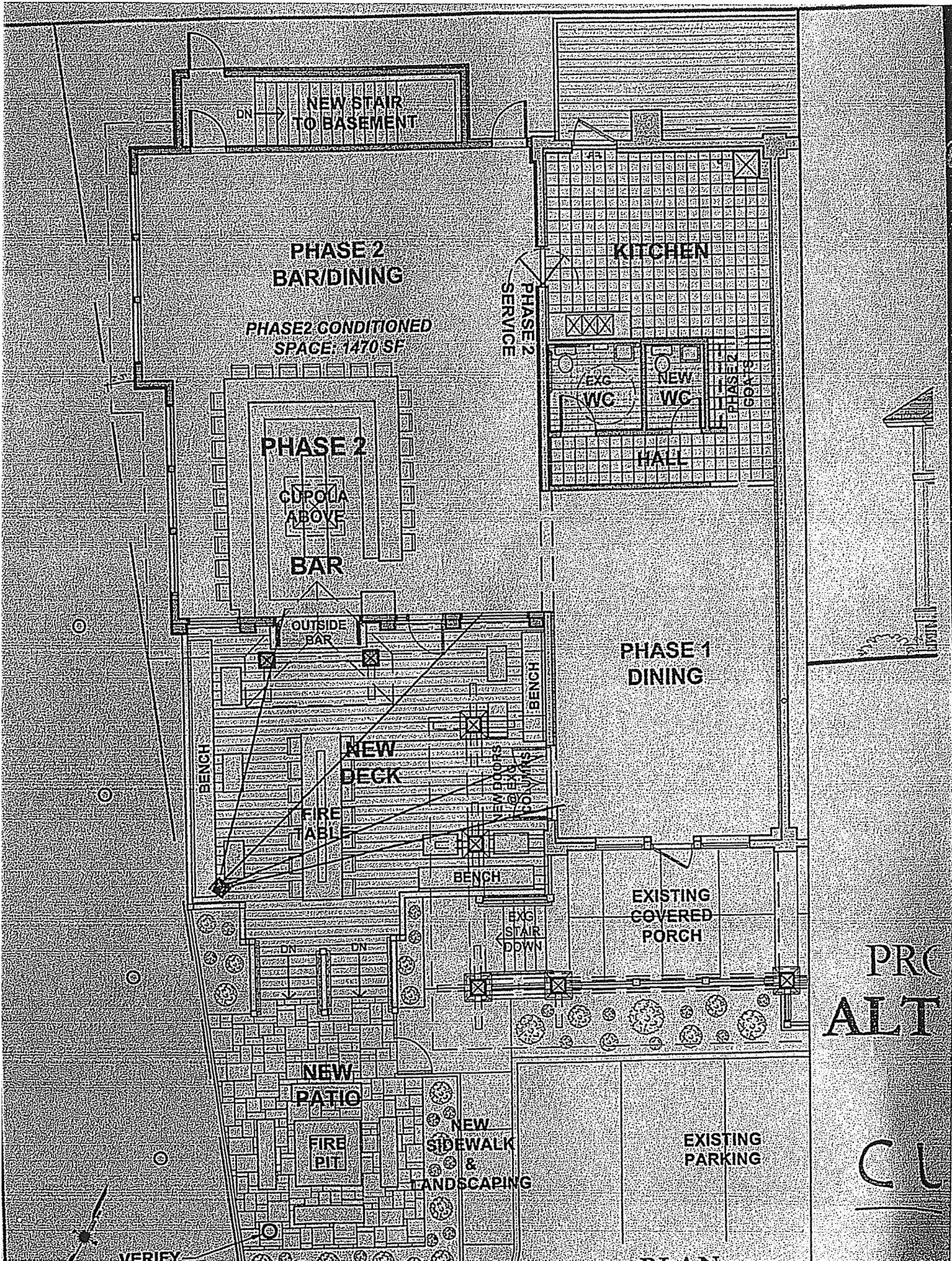
Second, regarding the plaza parking, there is a lease requirement for all tenants and their employees to park at the rear of the plaza. This arrangement will ensure that all front parking spaces will be available for patrons of the plaza businesses.

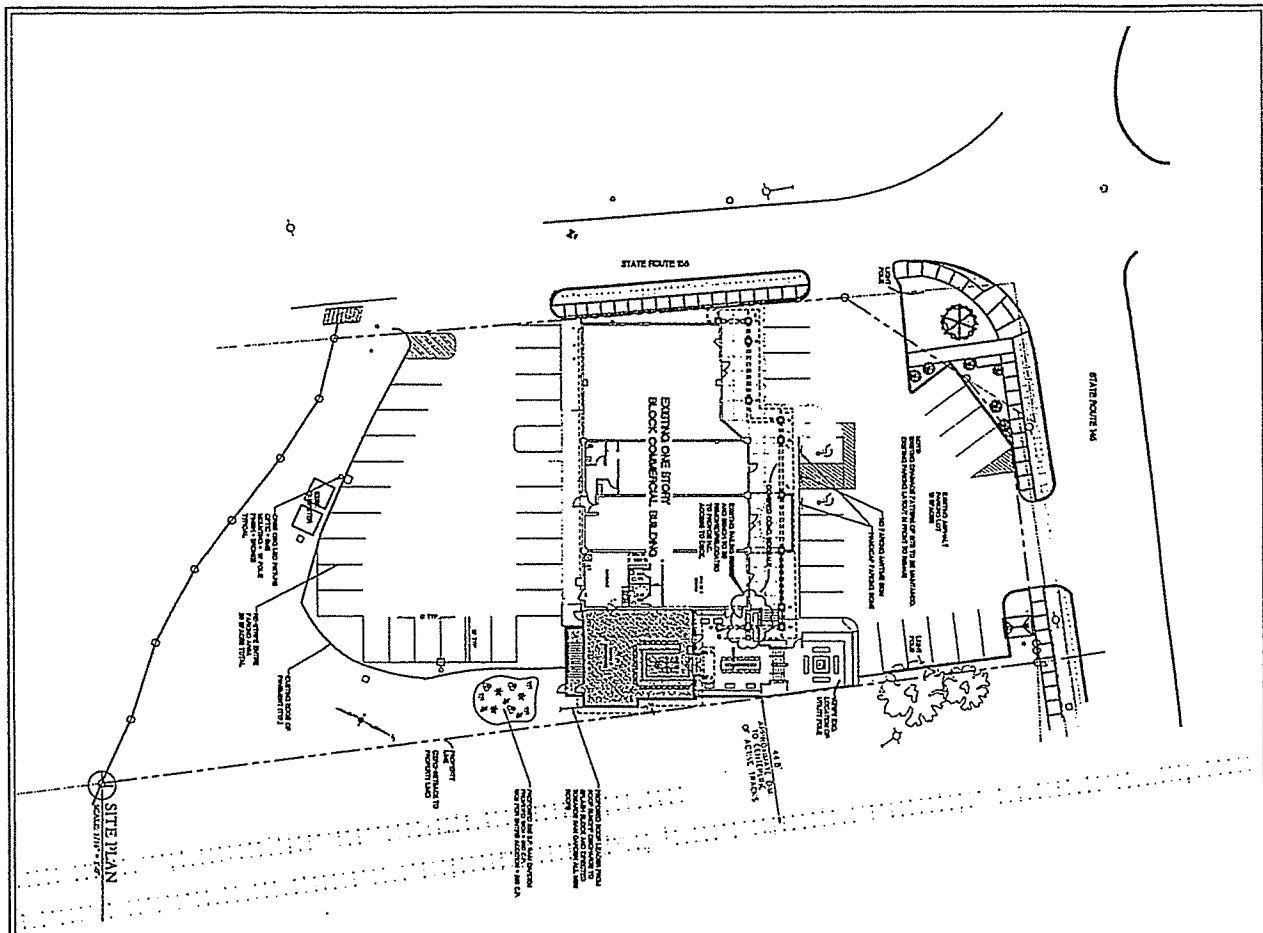
Additionally, there was much concern expressed regarding the original request to allow cigar and hookah smoking. After discussion with the owner Jeff Thomas, it has been decided to withdraw this portion of the Special Use Permit Request, as it would be inconsistent with his vision for the property and its patrons.

Finally, one component of the request that was not discussed, was the placement of the dumpsters and their appearance. As part of the construction of the approved addition, and other improvements to the parcel, a new dumpster enclosure will be constructed. The enclosure will accommodate and screen all trash receptacles used at the plaza and be built to compliment the architecture of the plaza building. The enclosure will also help to contain fugitive trash.

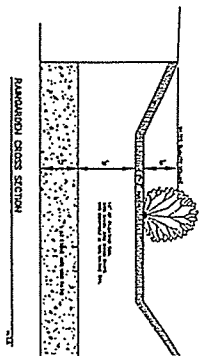
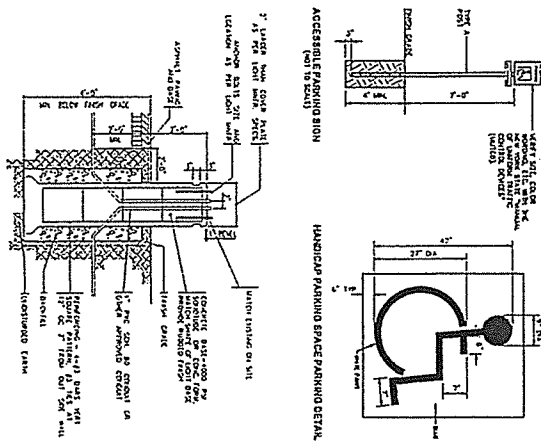
I trust the above points address the Board's concerns. We look forward to the approval of our request. Thank you in advance for your consideration.

Nadia Raza/Curry Patta





CONCRETE LIGHT POLE BASE DETAIL - LP-2  
SCALE: 1/2" = 1'-0"



SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
	1/2\"/>		1/2\"/>
	1/2\"/>		1/2\"/>
	1/2\"/>		1/2\"/>
	1/2\"/>		1/2\"/>

NOTE: 72 HOURS PRIOR TO ANY CONSTRUCTION ACTIVITIES, THE CONTRACTOR SHALL CONTACT THE DIG SAFELY NEW YORK TO LOCATE ALL UNDERGROUND UTILITIES. 1-800-962-7962

COUNTY OF ALBANY		STATE OF NEW YORK	
SHEET 1 OF 1		SHEET 1 OF 1	
DATE: JANUARY 6, 2021		DATE: JANUARY 6, 2021	

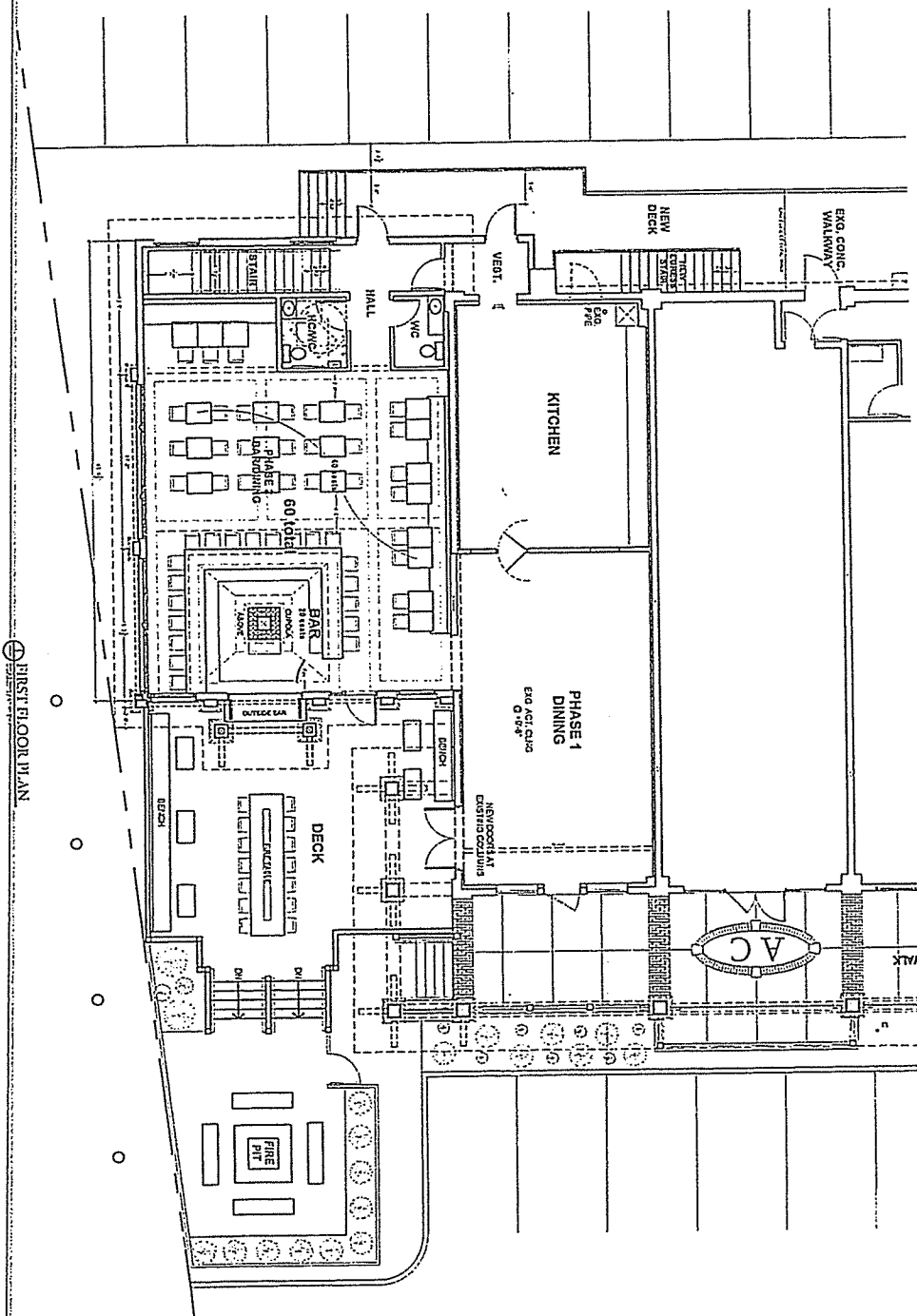
**BRETT L. STEENBURGH, P.E. PLLC**

2832 Reservoir Road  
Berkshire, NY 12309  
(518) 265-0675  
bsteenburg@digsafer.com

ENGINEERING THAT TRANSFORMS IMAGINATION INTO REALITY  
A comprehensive civil engineering firm with a design focus

Scale of these drawings shall be as shown on the drawings and shall be subject to change without notice. The contractor shall be responsible for obtaining all necessary permits and approvals. The contractor shall be responsible for obtaining all necessary permits and approvals. The contractor shall be responsible for obtaining all necessary permits and approvals.

DATE	DESCRIPTION
1/6/21	ISSUED AS PER ALBANY COUNTY RECORDS
1/6/21	ISSUED AS PER ALBANY COUNTY RECORDS
1/6/21	ISSUED AS PER ALBANY COUNTY RECORDS



# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
CURRY PATTA RESTAURANT EXPANSION			
Name of Action or Project:			
187 MAIN STREET			
Project Location (describe, and attach a location map):			
ALBANY, N.Y. 12009			
Brief Description of Proposed Action:			
USE OF A PREVIOUSLY APPROVED ADDITION TO AN EXISTING SHOPPING PLAZA TO EXPAND AN EXISTING RESTAURANT			
Name of Applicant or Sponsor:		Telephone: 518 565 4444	
JEFF THOMAS		E-Mail: JNT DEVELOPMENT@GMAIL.COM	
Address:			
122 OLD STAGE ROAD			
City/PO:		State:	Zip Code:
EAST BERNIS		NEW YORK	12059
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO <input type="checkbox"/>
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO <input type="checkbox"/>
If Yes, list agency(s) name and permit or approval:			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		< 1.0 acres	
b. Total acreage to be physically disturbed?		NA acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		< 1.0 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): RAILROAD <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. 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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. 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 checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, <div style="margin-left: 20px;">           a. Will storm water discharges flow to adjacent properties?   <i>NA</i>            b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?            If Yes, briefly describe:   <u>STATE STORM SYSTEM</u> </div>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE  Applicant/sponsor/name: <u>JEFF THOMAS</u> Date: <u>04.13.2021</u> Signature: <u>[Signature]</u> For <u>JEFF THOMAS</u> Title: <u>OWNER'S REPRESENTATIVE</u>		

Agency Use Only [If applicable]	
Project:	Curry Patta Expansion - SUP Mod
Date:	May 24, 2020

## Short Environmental Assessment Form

### Part 2 - Impact Assessment

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### *Short Environmental Assessment Form Part 3 Determination of Significance*

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The proposed action is a modification of the Special Use Permit for a Sit Down Restaurant. The modification will allow the restaurant to expand in an approved building addition and adjacent covered deck and patio. The proposed action will include the introduction of outdoor dining and outdoor entertainment. A revised narrative submitted as a supplement to the application describes the outdoor entertainment as being live cultural and seasonal entertainment, including music such as jazz, string/ violin, guitar and caroling. The Applicant has provided a plan showing a designated area on the outdoor deck where an artist and their equipment would be set and has represented that all equipment and amplification devices located in the designated area would be positioned so that that all sound is directed toward the deck and building and not the adjacent properties, parking areas or public spaces. The Applicant has represented that it will maintain exterior sound levels at reasonable levels so as not to create any adverse impact upon the neighborhood. It has also represented that outdoor entertainment will be scheduled so that it does not overlap with other community events that may be scheduled to occur. The Planning Board will have the ability to impose conditions on any special permit that is issued requiring the Applicant to operate in accordance with these representations and may include additional measures deemed necessary to ensure that noise from the outdoor entertainment does not exceed reasonable levels. It is further noted that the original request to permit cigar and hookah smoking has been withdrawn and is therefore, not considered part of the action being reviewed. Based on the forgoing and the additional reasons discussed in the Planning Board's review of Part 2 of the EAF, the Planning Board determines the proposed action will not result in a significant adverse environmental impact.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Village of Altamont Planning Board	May 24, 2021
Name of Lead Agency	Date
Deborah Hext	Chairwoman
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

## **RESOLUTION**

### **ALTAMONT PLANNING BOARD**

#### **ADOPTING A NEGATIVE DECLARATION AND SCHEDULING A PUBLIC HEARING ON THE APPLICATION FOR SITE PLAN AND SPECIAL USE PERMIT AMENDMENT**

WHEREAS, Nadia Raza (the “Applicant”) has submitted a sketch plan for a proposed expansion of an existing Sit Down Restaurant located in the Altamont Corners Shopping Plaza. The expansion would occupy a new 1,470 SF single story addition to the existing multi-tenant building adjacent to the Applicant’s leased restaurant and adjacent outdoor space. The proposed expansion of the Sit-Down Restaurant would provide additional seating capacity for the adjacent restaurant space and create an open outdoor deck and patio area with additional seating and service areas and outdoor music and entertainment; and

WHEREAS, the existing shopping plaza and approved expansion is located in the Village’s Central Business Zoning District (CBD); and

WHEREAS, the Applicant has submitted an application for Special Use Permit modification that included a Short Environmental Assessment Form (EAF) and supplemental narrative. The Applicant supplemented its application with additional information including a revised sketch plan that identified a designated area where outdoor artists and equipment, including amplifiers, would be located. A revised narrative was also submitted which clarified the proposed hours of operation, the type and frequency of outdoor entertainment that was proposed, and withdrew a prior request for the Special Use Permit modification to allow cigar and hookah smoking; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (SEQRA), the Planning Board classified the action as an Unlisted Action under SEQRA; and

WHEREAS, the Planning Board has reviewed Part 1 and Part 2 of the EAF, the application documents and supplemental submissions made by the Applicant; and

#### **NOW THEREFORE BE IT RESOLVED AS FOLLOWS:**

1. The Planning Board hereby determines that the proposed Project will result in no significant adverse impacts on the environment and adopts the attached Negative Declaration with reasoned elaboration completing its SEQRA review of the proposed action.
2. The Planning Board hereby schedules a public hearing on the application for Special Use Permit Modification to be held on June 28, 2021 at 7:00. The public hearing shall be held remotely in accordance with the Village of Altamont COVID Response Plan.

3. A complete statement of the application, including the application for Special Use Permit modification, sketch plan, supplemental submissions and Negative Declaration shall be referred to the Albany County Planning Board pursuant to N. Y. General Municipal Law §239-m.

IT IS FURTHER RESOLVED, that the Planning Board of the Village of Altamont hereby authorizes and requires the Planning Board Chair and the Planning Board Secretary/ Clerk and Village Attorney to take the appropriate steps to effectuate this resolution including any filing and distribution requirements.

WHEREUPON, this Resolution was declared adopted by the Village of Altamont Zoning Planning Board:

The motion was moved by Board Member Barbara Muhlfelder.

The motion was seconded by Board Member Steve Caruso

The vote was as follows:

	Aye	Nay
Chairwoman Hext	<u>✓</u>	_____
Litten	<u>✓</u>	_____
Caruso	<u>✓</u>	_____
Muhlfelder	<u>✓</u>	_____
<del>Hitt</del>	<u>(resigned)</u> <u>from Board</u>	_____

STATE OF NEW YORK                    }  
COUNTY OF ALBANY                   }  
VILLAGE OF ALTAMONT                }

I have compared the preceding copy with the original Resolution on file in this office adopted by the Village of Altamont Planning Board at a meeting held May 24, 2021, and I DO HEREBY CERTIFY the same to be a correct transcript therefrom and of the whole of the original. I further certify the vote thereon was as follows:

MEMBERS PRESENT	MEMBERS ABSENT	VOTE
Chairwoman Hext		<del>Yea</del> /Nay
Litten		<del>Yea</del> /Nay
Caruso		<del>Yea</del> /Nay
Muhlfelder		<del>Yea</del> /Nay
<del>Hitt</del>		<del>Yea</del> /Nay (resigned) from Board

Witness my hand and the seal of the Village of Altamont, this 25<sup>th</sup> day of May, 2021.





**ALBANY COUNTY PLANNING BOARD  
NOTIFICATION**

**RECOMMENDATION DATE: June 17, 2021**

**Case #:** **02-210603725**  
**Applicant:** **Amendment to SUP**  
**Project Location:** 187 Main Street  
**Tax Map Number:** 48.06-3-1  
**Referring Agency:** Village of Altamont Legislative Board  
**Considerations:** Amendment of local law for Special Use Permit modification to allow outdoor music and entertainment to the proposed expansion of existing restaurant.

**ACPB** Modify local approval to include

**Recommendation:**

1. Notification of the amendment to special use permit should be sent to all adjacent municipalities including all required notices pursuant to GML §239-nn.

**Advisory:**

Gopika Muddappa, Senior Planner  
Albany County Planning Board

**NOTE:**

- This recommendation is rendered in compliance with applicable requirements of Section 239 of New York State General Municipal Law. Final determination on this matter rests with the appropriate municipal body.
- A recommendation of "APPROVE" or "MODIFY LOCAL APPROVAL" should not be interpreted as a recommendation by this body that the referring agency approve the matter referred. Such recommendation does not indicate that this body has reviewed all local concerns; rather the referral has met certain countywide considerations. Evaluation of local criteria is the responsibility of the referring agency.
- General Municipal Law Section 239 requires that the local agency notify the county within thirty days of its final action. Please use the OFFICIAL NOTICE OF LOCAL ACTION form that is attached for this purpose.
- General Municipal Law Section 239 sets forth the procedural requirements for taking local action contrary to the County Planning Board's recommendation of objection or conditional approval.
- Albany County is required to submit a Municipal Separate Storm Sewer System Permit (MS4) (No. GP-0-10-002) Notice of Intent (NOI) to comply with the NYS DEC permit for the control of wastewater and stormwater discharges in accordance with the Clean Water Act. Construction Activity Permit No. GP-0-1-001 issued by NYSDEC is also required for activity with soil disturbances of one acre or more. The law is required by the Clean Water Act to control point source discharges to ground water as well as surface waters.

**449 New Salem Road, Voorheesville, NY 12186**  
**TELEPHONE: (518) 655-7932 FAX: (518) 765-3459**

In compliance with Article 12-B, Section 239 of New York State General Municipal Law, this serves as official notification to the Albany County Planning Board of the action taken on the application described above.

**LOCAL ACTION ON ACPB RECOMMENDATION:**

- ☐ AGREED WITH COUNTY PLANNING BOARD RECOMMENDATIONS TO MODIFY OR DISAPPROVE  
☐ OVER-RULED COUNTY PLANNING BOARD RECOMMENDATIONS TO MODIFY OR DISAPPROVE

**LOCAL DECISION ON PROJECT:**

- ☐ PROJECT APPROVED  
☐ PROJECT DISAPPROVED

VOTE RECORDED: \_\_\_\_\_ DATE OF LOCAL ACTION: \_\_\_\_\_

**Set forth the reasons for any action contrary to the ACPB recommendations (use additional sheets if needed):**

SIGNED: \_\_\_\_\_ TITLE: \_\_\_\_\_

# VILLAGE OF ALTAMONT

## APPLICATION FOR SUBDIVISION

**RETURN TO:**

Village of Altamont  
PO Box 643 115 Main Street  
Altamont, NY 12009  
(518) 861-8554

**FEES:**

Major Sub-division Application Fee \$ 1,500.00  
Minor Sub-division Application Fee \$ 150.00  
Fee in lieu of 10% Park/Green Space Fee  
\$ 1,500.00 per lot (payable with Building Permit Application)

**APPLICANT INFORMATION:**

Name: VAMR Development, LLC (Ken Romanski)  
division: Bozenkill Road Subdivision

Address: 1614 McGuire School Road  
Delanson, NY 12053

Daytime Phone: 518-461-0605

**RELATIONSHIP TO PROPERTY**

- ☒ Owner  
☐ Contract Vendor  
☐ Other – Explain: \_\_\_\_\_

Email \_\_\_\_\_

**SUB-DIVISION INFORMATION:**

Name of Sub- \_\_\_\_\_

General Location: Bozenkill Road, Altamont

Zoning: R-20 Total Acreage: 23.87±

Tax Map Number(s): 37.09-1-5.1

Presenter (if other than applicant):

Luigi A. Palleschi, P.E., ABD Engineers, LLP

Address: 411 Union Street, Schenectady, NY 12305

Daytime Phone: 518-377-0315

**PROPERTY DESCRIPTION:**

Generally describe any easement or other restrictions on the property: \_\_\_\_\_

Does the site contain any of the following : ☐ Stream ☐ Pond ☐ Other Body of Water ☒ Wetlands  
☐ Floodplain ☐ Steep Slopes ☐ Historic/Archeological Resources

If yes, elaborate: Federal Wetlands as shown on map

Water Source: ☐ Well ☒ Hook-up to existing Village Water ☐ Extension of Village Water District

Sewer Source: ☐ Septic ☒ Hook-up to existing Village Sewer ☐ Extension of Village Sewer District

Will there be any land dedicated to the Village for a park or open space commonly owned by a Homeowner's Association? If yes, what is the percentage and proposed ownership of the open space? \_\_\_\_\_

X MAJOR SUB-DIVISION – 3 or more lots

\_\_\_\_\_ MINOR SUB-DIVISION – 2 lots

**CONCEPT PLAN**

This application must be accompanied by 10 copies of a concept plan containing ALL INFORMATION required by the Village of Altamont Sub-division Regulations and a check payable to the Village of Altamont, in the amount required by the above application fee.



## APPLICATION FOR SUBDIVISION PAGE 2

Please note: The applicant/owner is responsible for payment of engineering fees for services deemed necessary by the Village of Altamont Planning Board.

Has applicant satisfied NYS Storm Water Management Requirements? Yes

Within 60 day after final approve and endorsement of the sub-division plat the applicant must file the plat for recording with the County Clerk. If not recorded within such time period, final approval of the plat shall expire and become null and void. To complete the Village process, the Village shall receive two copies of the said file plat.

### AGREEMENT

The applicant hereby certifies that he/she is the owner of record for the above listed property or has duly authorized, in writing, by the owner of record to make this application. Further, by signing this application, the owner gives permission for a representative(s) of the Village of Altamont to walk the property for the purposes of conducting a Site Review.

SIGNATURE OF APPLICANT: [Signature] DATE: 4/9/21

SIGNATURE OF OWNER: [Signature] DATE: 4/9/21

### OFFICE USE ONLY

APPLICATION RECEIVED ON: \_\_\_\_\_

Concept Hearing set for: \_\_\_\_\_

FEE RECEIVED: \_\_\_\_\_

Approved for concept hearing:

Notifications made on:

\_\_\_\_\_ Planning Board Chair

\_\_\_\_\_ Albany County Planning Board

Materials sent to:

\_\_\_\_\_ Village of Altamont Public Works

\_\_\_\_\_ Board members

\_\_\_\_\_ Altamont Fire Department

\_\_\_\_\_ Village Attorney

\_\_\_\_\_ Board Liaison

## APPLICATION FOR SUBDIVISION PAGE 3

### CONTENTS OF THE SKETCH PLAN REQUIRED:

The sketch plan shall be a scale drawing, based on tax map information or some other similarly accurate base map, and other supporting documentation which contains the following:

1. The subdivision name or title, the entire tract shown on one sheet; North direction, which shall be oriented toward the top of the plan; the plan date; and the label "Sketch Plan";
2. The subdivision boundaries and the owners of all contiguous properties;
3. The zoning classification and tax map number(s) of the property to be subdivided, and all of contiguous;
4. The total acreage of the subdivision, the proposed number, layout and size of lots, and the streets;
5. Any proposed recreation areas, drainage systems, water supply, waste water and storm water systems and any other proposed utilities;
6. All the utilities available and all the streets, whether proposed, mapped or built, adjacent to the tract;
7. All existing restrictions on the use of land, including easements and covenants;
8. All existing structures, wooded areas, State or Federal wetlands, watercourses, and other significant features within the part to be subdivided and within two hundred (200) feet of the proposed subdivision boundaries;
9. The building envelope, which is determined by showing all the yard and other applicable setbacks in which proposed structures may be built;
10. If applicable, the location and required setbacks from watercourses, wetlands, angle of repose reserves, protected slope reserves, and the 100 year floodplain. All federal wetland delineations must be approved by the Army Corps of Engineers and all New York State wetlands delineations must be approved by the New York State Department of Environmental Conservation;
11. Topographic conditions shall be shown by contours which shall also be indicated at intervals of not more than 10 feet; and
12. Any other information the subdivision reviewer or the Planning Commission deems appropriate.
13. A vicinity map shall appear on the face of the sketch plan.

*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: Bozenkill Road Subdivision		
Project Location (describe, and attach a general location map): Bozenkill Road, Altamont, NY		
Brief Description of Proposed Action (include purpose or need):  Project includes the land subdivision of the main 23.87 AC± parcel (Tax Map Parcel # 37.09-1-5.1) into (4) lots. (3) new lots will be developed as Single-Family Residences, totaling 1.42 AC±. The remaining 22.45 AC± lot (Lot 4) to the north, will remain undeveloped.  The (3) residential lots range in acreage from 0.46 AC± to 0.50 AC±, & will be served by public water & sanitary sewer services.		
Name of Applicant/Sponsor: VAMR Development, LLC (Ken Romanski)	Telephone: (518) 461-0605	
	E-Mail: kromanski@cma.com	
Address: 1614 McGuire School Road		
City/PO: Delanson	State: NY	Zip Code: 12053
Project Contact (if not same as sponsor; give name and title/role): Same as Applicant	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Same as Applicant	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:

## B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input type="checkbox"/> Yes <input checked="" 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	Village Planning Board - Subdivision Approval	July 2018
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Village DPW - Water & Sewer Approval	February 2019
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Albany County Planning Board - GML 239 Referral, Albany County DPM - Driveway Permits	February 2019
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input 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"> <li>If Yes, complete sections C, F and G.</li> <li>If No, proceed to question C.2 and complete all remaining sections and questions in Part 1</li> </ul>	
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 checked="" type="checkbox"/> Yes <input 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): NYS Heritage Areas: Mohawk Valley Heritage Corridor	
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):	

<b>C.3. Zoning</b>	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<u>R-20. Residential One-Family</u>	
b. Is the use permitted or allowed by a special or conditional use permit?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action? If Yes,	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. What is the proposed new zoning for the site? _____	
<b>C.4. Existing community services.</b>	
a. In what school district is the project site located?	<u>Guilderland Central School District</u>
b. What police or other public protection forces serve the project site?	<u>Village of Altamont Police Department</u>
c. Which fire protection and emergency medical services serve the project site?	<u>Village of Altamont Fire Department</u>
d. What parks serve the project site?	<u>Angel Park, Bozenkill Park, Shilling Park, &amp; Orisini Park</u>

#### D. Project Details

<b>D.1. Proposed and Potential Development</b>	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? <u>Residential</u>	
b. a. Total acreage of the site of the proposed action?	<u>23.87±</u> acres
b. Total acreage to be physically disturbed?	<u>0.78±</u> acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	<u>23.87±</u> acres
c. Is the proposed action an expansion of an existing project or use?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____	
d. Is the proposed action a subdivision, or does it include a subdivision?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes,	
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) <u>Residential</u>	
ii. Is a cluster/conservation layout proposed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Number of lots proposed?	<u>4</u>
iv. Minimum and maximum proposed lot sizes? Minimum <u>0.46 AC±</u> Maximum <u>22.45 AC±</u>	
e. Will the proposed action be constructed in multiple phases?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. If No, anticipated period of construction: <u>18±</u> 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?

If Yes, show numbers of units proposed.

☒ Yes ☐ No

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	3			
At completion of all phases	3			

g. Does the proposed action include new non-residential construction (including expansions)?

☐ Yes ☒ No

If Yes,

i. Total number of structures \_\_\_\_\_

ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length

iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?

☐ Yes ☒ No

If Yes,

i. Purpose of the impoundment: \_\_\_\_\_

ii. If a water impoundment, the principal source of the water: \_\_\_\_\_

☐ Ground water ☐ Surface water streams ☐ Other specify: \_\_\_\_\_

iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_

iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres

v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

#### D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

☐ Yes ☒ No

If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

• Volume (specify tons or cubic yards): \_\_\_\_\_

• Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?

☐ Yes ☐ No

If yes, describe. \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?

☐ Yes ☐ No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?

☐ Yes ☒ No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_

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

iii. Will the proposed action cause or result in disturbance to bottom sediments?

☐ Yes ☐ No

If Yes, describe:

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?

☐ Yes ☐ No

If Yes:

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

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?

☒ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ 990± gallons/day

ii. Will the proposed action obtain water from an existing public water supply?

☒ Yes ☐ No

If Yes:

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

iii. Will line extension within an existing district be necessary to supply the project?

☐ Yes ☒ No

If Yes:

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

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

☐ Yes ☒ No

If Yes:

- Applicant's sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

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

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

d. Will the proposed action generate liquid wastes?

☒ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ 990± gallons/day

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

iii. Will the proposed action use any existing public wastewater treatment facilities?

☒ Yes ☐ No

If Yes:

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

<ul style="list-style-type: none"> <li>• Do existing sewer lines serve the project site? _____</li> <li>• Will a line extension within an existing district be necessary to serve the project? If Yes:               <ul style="list-style-type: none"> <li>• Describe extensions or capacity expansions proposed to serve this project: _____</li> </ul> </li> </ul>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? If Yes: <ul style="list-style-type: none"> <li>• Applicant/sponsor for new district: _____</li> <li>• Date application submitted or anticipated: _____</li> <li>• What is the receiving water for the wastewater discharge? _____</li> </ul>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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): _____ _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____ _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? If Yes: <ul style="list-style-type: none"> <li>i. How much impervious surface will the project create in relation to total size of project parcel?                  _____ Square feet or _____ acres (impervious surface)                  _____ Square feet or _____ acres (parcel size)</li> <li>ii. Describe types of new point sources. _____</li> <li>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)?                  _____                  _____           <ul style="list-style-type: none"> <li>• If to surface waters, identify receiving water bodies or wetlands: _____</li> <li>• Will stormwater runoff flow to adjacent properties? _____</li> </ul> </li> </ul>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? If Yes, identify: <ul style="list-style-type: none"> <li>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</li> <li>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</li> <li>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</li> </ul>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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? If Yes: <ul style="list-style-type: none"> <li>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) _____</li> <li>ii. In addition to emissions as calculated in the application, the project will generate:             <ul style="list-style-type: none"> <li>• _____ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)</li> <li>• _____ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)</li> <li>• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)</li> <li>• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)</li> <li>• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)</li> <li>• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)</li> </ul> </li> </ul>	<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)? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>			
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>			
<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend  <input type="checkbox"/> Randomly between hours of _____ to _____</p> <p>ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____  <u>Typical electric usage for 3-Bedroom Single-Family Homes</u></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):  <u>National Grid</u></p> <p>iii. Will the proposed action require a new, or an upgrade, to an existing substation? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ Approx. 7am - 5pm</li> <li>• Saturday: _____ Approx. 8am - 4pm</li> <li>• Sunday: _____ N/A</li> <li>• Holidays: _____ N/A</li> </ul> </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ N/A</li> <li>• Saturday: _____ N/A</li> <li>• Sunday: _____ N/A</li> <li>• Holidays: _____ N/A</li> </ul> </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ Approx. 7am - 5pm</li> <li>• Saturday: _____ Approx. 8am - 4pm</li> <li>• Sunday: _____ N/A</li> <li>• Holidays: _____ N/A</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ N/A</li> <li>• Saturday: _____ N/A</li> <li>• Sunday: _____ N/A</li> <li>• Holidays: _____ N/A</li> </ul>
<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ Approx. 7am - 5pm</li> <li>• Saturday: _____ Approx. 8am - 4pm</li> <li>• Sunday: _____ N/A</li> <li>• Holidays: _____ N/A</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ N/A</li> <li>• Saturday: _____ N/A</li> <li>• Sunday: _____ N/A</li> <li>• Holidays: _____ N/A</li> </ul>		

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☒ Yes ☐ No  
 If yes:  
 i. Provide details including sources, time of day and duration:  
General construction equipment for home-building & utility installation activities, during the hours of operation.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☒ No  
 Describe: No major tree clearing is required.

n. Will the proposed action have outdoor lighting? ☒ Yes ☐ No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
Typical residential home lighting fixtures.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☒ No  
 Describe: \_\_\_\_\_

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☒ No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☒ No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally, describe the proposed storage facilities: \_\_\_\_\_

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☒ No  
 If Yes:  
 i. Describe proposed treatment(s): \_\_\_\_\_

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

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☒ No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 • Operation: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: \_\_\_\_\_  
 • Operation: \_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • 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	0.00 AC	0.20 AC±	+ 0.20 AC±
• Forested	14.29 AC±	14.29 AC±	0.00
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	8.23 AC±	7.65 AC±	-0.58 AC±
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.22 AC±	0.22 AC±	0.00
• Wetlands (freshwater or tidal)	1.13 AC±	1.13 AC±	0.00
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

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

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

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

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

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

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☒ No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No  
☐ Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
☐ Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☒ No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): \_\_\_\_\_

r. Is the project site subject to an institutional control limiting property uses? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>													
<ul style="list-style-type: none"> <li>• If yes, DEC site ID number: _____</li> <li>• Describe the type of institutional control (e.g., deed restriction or easement): _____</li> <li>• Describe any use limitations: _____</li> <li>• Describe any engineering controls: _____</li> <li>• Will the project affect the institutional or engineering controls in place? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>• Explain: _____</li> </ul>													
<b>E.2. Natural Resources On or Near Project Site</b>													
a. What is the average depth to bedrock on the project site? _____ > 5± feet													
b. Are there bedrock outcroppings on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %													
c. Predominant soil type(s) present on project site: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">HnB</td> <td style="width: 40%; text-align: right;">5.6± %</td> </tr> <tr> <td>Ae</td> <td style="text-align: right;">53.9± %</td> </tr> <tr> <td>LoD</td> <td style="text-align: right;">31.9± %</td> </tr> </table>		HnB	5.6± %	Ae	53.9± %	LoD	31.9± %						
HnB	5.6± %												
Ae	53.9± %												
LoD	31.9± %												
d. What is the average depth to the water table on the project site? Average: _____ > 5± feet													
e. Drainage status of project site soils: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;"><input checked="" type="checkbox"/> Well Drained:</td> <td style="width: 60%; text-align: right;">32.8± % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> Moderately Well Drained:</td> <td style="text-align: right;">5.6± % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> Poorly Drained</td> <td style="text-align: right;">61.6± % of site</td> </tr> </table>		<input checked="" type="checkbox"/> Well Drained:	32.8± % of site	<input checked="" type="checkbox"/> Moderately Well Drained:	5.6± % of site	<input checked="" type="checkbox"/> Poorly Drained	61.6± % of site						
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f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;"><input checked="" type="checkbox"/> 0-10%:</td> <td style="width: 60%; text-align: right;">100 % of site</td> </tr> <tr> <td><input type="checkbox"/> 10-15%:</td> <td style="text-align: right;">_____ % of site</td> </tr> <tr> <td><input type="checkbox"/> 15% or greater:</td> <td style="text-align: right;">_____ % of site</td> </tr> </table>		<input checked="" type="checkbox"/> 0-10%:	100 % of site	<input type="checkbox"/> 10-15%:	_____ % of site	<input type="checkbox"/> 15% or greater:	_____ % of site						
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<input type="checkbox"/> 10-15%:	_____ % of site												
<input type="checkbox"/> 15% or greater:	_____ % of site												
g. Are there any unique geologic features on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> 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)? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>													
ii. Do any wetlands or other waterbodies adjoin the project site? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>													
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? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>													
iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">• Streams:</td> <td style="width: 40%;">Name 863-677</td> <td style="width: 50%;">Classification C</td> </tr> <tr> <td>• Lakes or Ponds:</td> <td>Name</td> <td>Classification</td> </tr> <tr> <td>• Wetlands:</td> <td>Name Federal Waters, Federal Waters, Federal Waters,...</td> <td>Approximate Size 1.13 AC±</td> </tr> <tr> <td>• Wetland No. (if regulated by DEC)</td> <td colspan="2"></td> </tr> </table>		• Streams:	Name 863-677	Classification C	• Lakes or Ponds:	Name	Classification	• Wetlands:	Name Federal Waters, Federal Waters, Federal Waters,...	Approximate Size 1.13 AC±	• Wetland No. (if regulated by DEC)		
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v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If yes, name of impaired water body/bodies and basis for listing as impaired: _____													
i. Is the project site in a designated Floodway? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>													
j. Is the project site in the 100-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>													
k. Is the project site in the 500-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>													
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">i. Name of aquifer:</td> <td>Principal Aquifer</td> </tr> </table>		i. Name of aquifer:	Principal Aquifer										
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<p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>_____</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></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"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Species and listing (endangered or threatened): _____</p> <p>Northern Long-eared Bat</p> <p>_____</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p>	
<p><b>E.3. Designated Public Resources On or Near Project Site</b></p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p>	









	<p align="center"><b>ALBANY COUNTY PLANNING BOARD</b>  <b><u>NOTIFICATION</u></b></p> <p align="center"><b>RECOMMENDATION DATE: May 21, 2021</b></p>
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**Case #:** 02-210503698  
**Applicant:** **Bozenkill Road Subdivision**  
**Project Location:** Bozenkill Road  
**Tax Map Number:** 37.09-1-5.1  
**Referring Agency:** Village of Altamont Planning Board  
**Considerations:** Subdivision review to divide the parcel into four (4) lots of which three (3) lots are proposed to be developed as Single-Family residences.

**ACPB** Modify local approval to include

**Recommendation:**

1. Notification of the application should be sent to the Town of Guilderland , including all required notices pursuant to GML §239-nn.
2. A Notice of Intent filed with the New York State Department of Environmental Conservation affirming that a Stormwater Pollution Prevention Plan has been prepared and is being implemented, or submission of a Stormwater Pollution Prevention Plan (SWPPP) that is consistent with the requirements included in the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges (GP-0-15-003, May 1, 2015) for construction activities that disturb more than one acre of land.
- 3.A highway work permit from the Albany County Department of Public Works for driveway construction, drainage and public utility connections within the county right of way is required.

**Advisory:**

 <hr/> <p>Gopika Muddappa, Interim Senior Planner  Albany County Planning Board</p>
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**NOTE:**

- This recommendation is rendered in compliance with applicable requirements of Section 239 of New York State General Municipal Law. Final determination on this matter rests with the appropriate municipal body.
- A recommendation of "APPROVE" or "MODIFY LOCAL APPROVAL" should not be interpreted as a recommendation by this body that the referring agency approve the matter referred. Such recommendation does not indicate that this body has reviewed all local concerns; rather the referral has met certain countywide considerations. Evaluation of local criteria is the responsibility of the referring agency.
- General Municipal Law Section 239 requires that the local agency notify the county within thirty days of its final action. Please use the OFFICIAL NOTICE OF LOCAL ACTION form that is attached for this purpose.
- General Municipal Law Section 239 sets forth the procedural requirements for taking local action contrary to the County Planning Board's recommendation of objection or conditional approval.
- Albany County is required to submit a Municipal Separate Storm Sewer System Permit (MS4) (No. GP-0-10-002) Notice of Intent (NOI) to comply with the NYS DEC permit for the control of wastewater and stormwater discharges in accordance with the Clean Water Act. Construction Activity Permit No. GP-0-1-001 issued by NYSDEC is also required for activity with soil disturbances of one acre or more. The law is required by the Clean Water Act to control point source discharges to ground water as well as surface waters.

449 New Salem Road, Voorheesville, NY 12186

TELEPHONE: (518) 655-7932 FAX: (518) 765-3459

In compliance with Article 12-B, Section 239 of New York State General Municipal Law, this serves as official notification to the Albany County Planning Board of the action taken on the application described above.

**LOCAL ACTION ON ACPB RECOMMENDATION:**

- ☐ AGREED WITH COUNTY PLANNING BOARD RECOMMENDATIONS TO MODIFY OR DISAPPROVE
- ☐ OVER-RULED COUNTY PLANNING BOARD RECOMMENDATIONS TO MODIFY OR DISAPPROVE

**LOCAL DECISION ON PROJECT:**

- ☐ PROJECT APPROVED
- ☐ PROJECT DISAPPROVED

VOTE RECORDED: \_\_\_\_\_ DATE OF LOCAL ACTION: \_\_\_\_\_

Set forth the reasons for any action contrary to the ACPB recommendations (use additional sheets if needed):

SIGNED: \_\_\_\_\_ TITLE: \_\_\_\_\_

William H. Smart Engineering, PLLC  
8 Greystone Drive  
Voorheesville, New York 12186  
(518) 857-727

May 30, 2021

Mr. Luigi Palleschi, P.E.  
ABD Engineers and Surveyors  
411 Union Street  
Schenectady, NY 12305

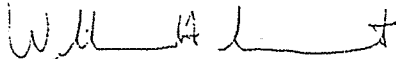
Re: Wetland Review  
3 Lot Subdivision, Bozenkill Road  
Village of Altamont, NY

Dear Luigi,

In November 2004 I conducted a wetland delineation of the subject property. At your request I performed a site walk over to determine if my original delineation is still valid. That investigation revealed that the originally delineated wetland boundary is substantially concurrent with the current boundary.

If you have questions or require more information feel free to contact me at any time.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. H. Smart', with a stylized flourish at the end.

William H. Smart, P.E.  
NYS 064510

Trinity Abstract, Inc.  
TR-ALB-18115

## WARRANTY DEED

Albany County Clerk  
Deed Books (Record Room)  
Book 2801 Page 927

THIS INDENTURE, made the 17<sup>th</sup> day of May, Two Thousand, Five.



BETWEEN TROY C. MILLER, residing at 10 Indian Maiden Pass, Altamont, New York, JEFF PERLEE, residing at 170 Maple Avenue, Altamont, New York and BARBARA FRATERRIGO, residing at 21 Ableman Avenue, Albany, New York, parties of the first part, and, VAMR DEVELOPMENT, LLC, with a principal place of business located at 1614 McGuire School Road, Delanson, New York, party of the second part,

WITNESSETH that the parties of the first part, in consideration of One and No/100 Dollars (\$1.00) lawful money of the United States and other good and valuable consideration paid by the party of the second part, do hereby grant and release unto the party of the second part, its successors and assigns forever,

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, situate, lying and being in the Town of Guilderland, Village of Altamont, County of Albany and State of New York, described in Schedule "A" which is annexed hereto.

BEING a portion of the premises conveyed to the party of the first part, by deed from Ronald J. Shelmerdine dated June 29, 2004, and recorded in the Albany County Clerk's Office on July 2, 2004 in Book 2772 of Deeds at Page 989.

RESERVING therefrom an easement, sixty feet in width, for ingress and egress, water and utilities over the parcel described above. Said easement shall run to the benefit of the parties of the first part, their heirs and/ or assigns. It is contemplated that said easement shall run over the subdivision road(s), as approved by the Village of Altamont Planning Board, to be constructed as part of the development of the premises herein conveyed. The development costs of which shall be borne by the party of the second part, it being understood that any connection between said developed subdivision road(s) and the remaining lands of the party of the second part shall be at the sole cost and expense of the party of the first part, its successors and/ or assigns. If the party of the second part, its successors and/ or assigns should fail to install road(s) and other infrastructure in the above-described premises within thirty (30) months of the date of this Deed, then the party of the first part its successors and/ or assigns shall be deemed to have an easement, sixty (60') feet in width, for ingress and egress, water and utilities over the parcel above described, providing reasonable access to Bozenkill Road, until such time as the road(s) and other infrastructure are installed at the above-described premises, whether by the party of the second part or its successors and/ or assigns. The location and description of said easement shall be determined by mutual agreement of the parties, their successors and/ or assigns and the parties of the first part, their heirs and/ or assigns shall be responsible to pay all costs thereof.

Said easement will be more particularly described in the future, and will be memorialized in an easement instrument to be recorded in the Albany County Clerk's Office, which instrument shall supersede and replace the easement language herein.

AND ALSO GRANTING an easement, sixty feet in width, for ingress and egress, water and utilities over the remaining lands obtained by the parties of the first part in the above-referenced deed, to the adjoining property now owned by Altamont Orchards Realty, LLC. Said easement shall run the benefit of the party of the second part, its successors and/ or assigns. The location and description of said easement shall be determined by mutual agreement of the parties, their successors and/ or assigns. Improvement and maintenance of the easement granted hereunder shall be at the expense of the party of the second part, its successors and/ or assigns.

Said easement will be more particularly described in the future, and will

Albany County Clerk  
Document Number 9488473  
Rcvd 05/23/2005 2:27:05 PM



\* Record & Return To: \*  
Andrew T. Pelle Mar. Esq.  
65 Altamont Road  
Bozenkill, NY 12018



ALBANY COUNTY PLANNING BOARD  
NOTIFICATION

RECOMMENDATION DATE: May 21, 2021

**Case #:** 02-210503698  
**Applicant:** **Bozenkill Road Subdivision**  
**Project Location:** Bozenkill Road  
**Tax Map Number:** 37.09-1-5.1  
**Referring Agency:** Village of Altamont Planning Board  
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**Advisory:**

Gopika Muddappa, Interim Senior Planner  
Albany County Planning Board

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- General Municipal Law Section 239 requires that the local agency notify the county within thirty days of its final action. Please use the OFFICIAL NOTICE OF LOCAL ACTION form that is attached for this purpose.
- General Municipal Law Section 239 sets forth the procedural requirements for taking local action contrary to the County Planning Board's recommendation of objection or conditional approval.
- Albany County is required to submit a Municipal Separate Storm Sewer System Permit (MS4) (No. GP-0-10-002) Notice of Intent (NOI) to comply with the NYS DEC permit for the control of wastewater and stormwater discharges in accordance with the Clean Water Act. Construction Activity Permit No. GP-0-1-001 issued by NYSDEC is also required for activity with soil disturbances of one acre or more. The law is required by the Clean Water Act to control point source discharges to ground water as well as surface waters.

**449 New Salem Road, Voorheesville, NY 12186**

**TELEPHONE: (518) 655-7932 FAX: (518) 765-3459**

In compliance with Article 12-B, Section 239 of New York State General Municipal Law, this serves as official notification to the Albany County Planning Board of the action taken on the application described above.

**LOCAL ACTION ON ACPB RECOMMENDATION:**

- ☐ AGREED WITH COUNTY PLANNING BOARD RECOMMENDATIONS TO MODIFY OR DISAPPROVE
- ☐ OVER-RULED COUNTY PLANNING BOARD RECOMMENDATIONS TO MODIFY OR DISAPPROVE

**LOCAL DECISION ON PROJECT:**

- ☐ PROJECT APPROVED
- ☐ PROJECT DISAPPROVED

VOTE RECORDED: \_\_\_\_\_ DATE OF LOCAL ACTION: \_\_\_\_\_

**Set forth the reasons for any action contrary to the ACPB recommendations (use additional sheets if needed):**

SIGNED: \_\_\_\_\_ TITLE: \_\_\_\_\_

Village of Altamont  
Regular Planning Board Meeting  
April 26, 2021

Planning Board Members:

Deb Hext, Chairperson  
Stephen Caruso, Board Member  
Dan Hitt, Board Member  
Barbara Muhlfelder, Board Member  
Simon Litten, Board Member

Lance Moore, Building Inspector/Code Enforcer  
Tresa Matulewicz, Board Liaison  
Ginger Hannah, Secretary

Applicants/Reps: Jeff Thomas, Don Cropsey, Nadia  
Raza, Michael Schramm, Luigi Palleschi

Guests: 20

The Planning Board Meeting was held online using Zoom video communication due to COVID. Chairperson Hext opened the meeting at 7:00 p.m. and welcomed everyone. She stated that due to COVID, this meeting is being held remotely and all audio and video portions of this meeting are being recorded. She said my name is Deb Hext, the Planning Board Chair. She asked the Board Members to introduce themselves, which they did as follows: Barbara Muhlfelder, Steve Caruso, Dan Hitt, and Simon Litten. Chairperson Hext said we also have representing the Village tonight: Code Enforcer and Building Inspector Lance Moore; Ginger Hannah, Planning Board Secretary and our new Village Board Liaison, Tresa Matulewicz – welcome Tresa.

Chairperson Hext stated that the first item on the Agenda is a Public Hearing on a Special Use Permit (SUP) request from Jeff Thomas for use of space at 187 Main Street, Altamont, NY for operation of a Body Art (Tattoo) Studio. She read the Legal Notice, a copy of which is attached. She said that opens the public hearing on the Body Arts / Tattoo Studio. Does any member of the public have any questions? I can't see if you're raising your hand so maybe everybody can help me here. I'm not seeing anything. Does anyone on the phone have any questions?

Applicant Rep. Don Cropsey said, Deb? This is Don Cropsey. I'm here representing Jeff Thomas on this application and to answer any questions that might come up.

Chairperson Hext said is Michael (Schramm) on?

Applicant Cropsey said he should be, I believe he is.

Chairperson Hext said Okay. Since I don't see any hands or anything, does anybody on the Board have any questions for the applicant or for Don?

Board Member Muhlfelder said I do - a couple of things. It was mentioned, the three artists plus possibly walk-ins when COVID is over. What is the status now though? Because I know hair salons are open. I don't know about massage therapy or masseuses. Does anybody know? Would he be allowed to have walk-ins now?

Applicant Rep Cropsey said his intention is not to have walk-ins right now for a couple reasons. One is because of COVID and in his narrative he described how people will contact him. He will have a conference with individuals and if they come to an agreement for some of his work, he'll have a schedule and book individually on an appointment basis. At some future point when COVID is over, he

will have walk in people, but in order to do that, he would have to get the Department of Health to modify his permit.

Board Member Muhlfelder asked what is "divine wine" that was on the back wall?

Chairperson Hext said oh, I see what it is. You know what it is. I think it's the paint color.

Board Member Muhlfelder said I have no further questions. Those were my two, so I'm good.

Chairperson Hext said does anybody - I'm going to give the public another chance here - have any questions for Michael or for Don? Okay. With that, could I have a motion to close the public hearing?

Board Member Muhlfelder made a motion to close the public hearing. Seconded by Board Member Hitt.  
**Roll Call: All in Favor.**

Chairperson Hext said now at this point we would normally make a motion to approve the application, but the Albany County Planning Board deferred the ruling on this until their next meeting which is May 20, I believe. However we have the option to hold a special meeting on May 10, which would be 30 days of a non-response from Albany County, so it wouldn't hold Michael up until the next meeting. So if everybody on the Board is agreed to holding a special meeting on May 10 specifically to address Michael's application, we can do that. Michael, does that work for you? I know it's kind of out of our hands. I don't know when they got it. They said they didn't get it until the ninth and their cutoff was the fifth, but they have 30 days from the day that they say they received the referral. So that would bring us to the ninth, which is a Sunday. So that's why I'm saying the Monday would be the 10th.

Board Member Muhlfelder said I'm not sure I'm going to be here. I'm heading to Massachusetts on Friday and probably won't even know until Sunday. I'll let you know if I'm going stay over until Tuesday or not. Chairperson Hext said Okay. That's fair. We'd still have a quorum. I'm just trying to work something out for Michael.

Applicant Schramm said I understand the position you're in completely and will work with you. I appreciate all your efforts and I completely understand.

Chairperson Hext asked for a motion from the Board to hold a special meeting on May 10 at 7:00 PM to review and perhaps approve the Special Use Permit for the tattoo parlor located at 187 Main Street. Board Member Caruso made the motion, seconded by Board Member Muhlfelder. **Roll Call: All in Favor.**

Chairperson Hext said Okay. Thank you, Michael. The documentation and everything that you provided is right spot on. I really appreciate it. And I appreciate you working with us as well.

Applicant Rep Cropsey asked if the meeting is going to be for decision only – is the public hearing closed?

Chairperson Hext said the public hearing has been closed. The meeting will be for decision only on the Special Use Permit.

Applicant Rep Cropsey said sounds great.

Chairperson Hext said Okay. The next topic is the pre-concept meeting to review an application for a major subdivision request by VAMR Development, Ken Romanski, on Bozenkill Road. This is not a public hearing, so the public normally cannot have any input. However, if somebody has any specific questions for the applicant, I would rather get them out there now than come before us in a month or two and have questions that could have possibly been answered tonight. So I will allow any questions for the applicant, both by the Board obviously or any from the public. No? Okay. Well, if nobody has any questions, who is on for VAMR?

Applicant Rep Palleschi said good evening this is Luigi Palleschi with ABD Engineers.

Chairperson Hext said good, thank you. I know you've come before us in the past. I believe the last time was two or three years ago.

Mr. Palleschi said it's going to be close to two years now - July 22, 2019 as my records show.

Chairperson Hext said can you, for those of us who weren't on the Board or those of us who weren't in the meetings, give us a synopsis of what you're planning?

Mr. Palleschi said yes, absolutely. So basically back on July 22, 2019, this major subdivision was before the Board. It was approved and a negative SEQRA declaration was also granted. There were some conditions that were put on the subdivision and unfortunately, due to the conditions, the filing of the subdivision never got filed with the Albany County Clerk's office and subdivision approval has now expired. So we're here before the Board again for another approval. We have not changed anything as part of our proposal. Our proposal is a four lot major subdivision. You have four lots - three of those lots are fronting right on Bozenkill Road and the fourth lot is to remain. The three new lots as developed would total 1.42 acres and the remaining 22.5+ to the north will remain undeveloped. The three lots that are fronting on Bozenkill Road range from about 0.46 - they're at about a half an acre each. All three of those lots will be served by public water and sanitary sewer services. And our proposal is to also extend sidewalks as required by code and due to the sidewalks is one of the reasons of the conditions that never got agreed to moving forward and hence lapse of the approval here and we weren't able to file the subdivision.

Chairperson Hext said the last time I remember we had agreed on an escrow for sidewalks.

Applicant Rep Palleschi said it was either/or, and what Romanski was hoping to do was find a home buyer for one of the lots so that he could get that lot under contract and move forward with the agreement. And since that time as well, Mr. Romanski has worked with several builders and he's ready to move forward and make this agreement happen so that we can file the subdivision plan as soon as possible. As soon as we get our approvals and signatures we will file it and it'll be a filed subdivision map and us moving forward with the project.

Chairperson Hext said this is just a concept meeting, so we won't be doing much tonight. The only other question I have, again from the last time, is I know you had applied for a four lot subdivision, but we only gave approval for a three lot subdivision. We did not give approval for that fourth lot.

Applicant Rep Palleschi said well it is a four lot subdivision. The fourth lot is just remaining as undeveloped land right now.

Chairperson Hext said we only gave approval for three lots. That fourth lot we left off the whole approval process only because it opens up a question as to could you build on that fourth lot without coming back before the Board. So, Steve, you were on the Board with me at the time.

Board Member Caruso said yes, Deb, it seemed to me that we did it that way to try to make sure they weren't allowed to develop that fourth lot without having them come back to us.

Chairperson Hext said right, exactly. That's why we did it the way we wrote it up.

Applicant Rep Palleschi said we understand that if the fourth lot would be further developed, we would certainly have to come before this Board. But I guess either way, it's three new residential homes being built fronting on Bozenkill. But then you have to do something with that fourth lot, which is a lot. But we know in order to develop that fourth lot, yes, we would need to come before the Board. Am I understanding it correctly? Mr. Romanski, if this gets approved, would be able to build three single family homes right now, and then that fourth lot we'd have to come before the Board, is that right?

Board Member Caruso said I believe that's correct.

Applicant Rep Palleschi said it's a four lot subdivision because ultimately you have one lot today and if it gets reapproved, it becomes four lots, but we're looking to build the three single family, residential homes that are fronting on Bozenkill as shown on the plan.

Chairperson Hext said we're going to have to pull the conditions from the last meetings on it to verify it. But I am pretty sure that we definitely said we'll approve the three lots only and not consider that fourth lot because another concern was that you'll store your equipment there -- I remember there were a lot of concerns over that fourth lot being approved and left empty. So I think that's something that we as a Board would have to discuss a little further down the line, once we pull the conditions from the prior approvals. Lance, were you with us then? I don't remember.

Lance said yes, Deb, those were the conditions - you're absolutely correct. I was there. I can dig up the minutes, but that was the agreement.

Chairperson Hext said okay. So again, we can explore this further on down the line, but it's just one of the conditions that I remember from last time that I wanted you to be aware of going forward that if we give approval, and that's down the line, it will be for the three lot subdivision, not for that fourth lot.

Applicant Rep Palleschi said I see that with the fourth lot we would just have to make application to the Board, correct?

Chairperson Hext said correct.

Applicant Rep Palleschi said All right. I think we're on the same page then.

Chairperson Hext said Okay good. Thank you. So has the Board had a chance to review the plans? I know there's a lot of wetlands back there, and I also know that the last time the Army Corps of Engineers delineated the wetlands was 2004. I think that's a little ancient. I just have a question whether or not that has been done more recently than 2004.

Applicant Rep Palleschi said no, we have not updated the wetlands. We're not proposing to disturb any wetlands. We are keeping far away from the wetlands with the proposal of the homes.

Chairperson Hext said regarding the wetlands as delineated in 2004 - what's to say that those wetlands haven't expanded?

Applicant Rep Palleschi said I've walked the property. We've actually surveyed the wetland boundary and set up clearing limits and walking the property verifies where we staked out the limits. The wetlands have not encroached those limits.

Board Member Muhlfelder said I drove by and I noticed that it was quite wet along the edge of the road, the property. And that could just be from the rain, but I was wondering if anybody had walked it or gone in to see again how wet it actually is.

Applicant Rep Palleschi said the wetness along the roadway is the drainage ditch. The water that runs off the Bozenkill Road. And as part of the plan, you actually see the proposed drainage that is needed to take care of the runoff from the road along the front. All of the subdivision plans, details, grading and drainage have all been reviewed and approved by the town designated engineer, which is Barton and Laguidice and we had received final sign off from them prior to the subdivision approvals back in 2019. So all of the grading, drainage and the plan details are exactly the same as what was previously approved back in 2019. So that'll certainly help along the front of Bozenkill Road.

Chairperson Hext said that doesn't mean though that the same steps won't have to be taken as far as getting permission from the County Department of Public Works for the curb cuts, sending the plans to our DPW for sewer and water. This is just really like you're starting this whole thing all over again. If we don't do it that way, something's going to get missed along the way.

Applicant Rep Palleschi said that's understandable. But you know we have all of that documentation in our files where things were reviewed before. And again, if we're not changing anything, nothing has changed. We would expect the same results, I guess. But I certainly understand we have to go through those motions again.

Board Member Litten said I've got a question here. The maps that you have with Army Corps wetland — there's a big finger into one of the properties from the Army Corps. I tried to find a shape file for that, and I was unable to find the Army Corps shape files that would be used to make that map. Presumably you've got those.

Applicant Rep Palleschi said yes, that's because they were delineated. Those shape map files, you don't always find them on the Army Corps websites. When you go on the Army Corps websites, it shows you the general areas of federal wetlands, but it's up to the owner and the engineer to hire a wetland biologist, to do a wetland delineation. And then that biologist goes out there, flags those wetlands and delineates them. And that's what we survey and map out on our plans. We do everything we can to avoid impact to those wetlands like we have with these three lots. So the houses are going to be

positioned upfront along the front setback lines along Bozenkill Road, leaving plenty of backyard for the homes and still having a separation distance to the federal wetlands. And as we went through before, the recommendations from the Board and the engineer, we actually are proposing signage around those wetland areas for deed restrictions. There is signage that was requested and asked for as part of a condition. And we've noted it on the subdivision plan, so any homeowners know where the wetlands are going to be, and they can't, after this home is sold, they can't then go ahead and disturb them. It'll be part of their deed that they're restricted.

Board Member Litten said so in that one property, there's that finger labeled on your map Army Corps wetland that then divides the property. So there's property beyond that-- would entry to that be restricted to the buyer of the property?

Applicant Rep Palleschi said no, the buyer of the property could in fact walk across wetlands and get to the back, but they wouldn't be able to cut trees or disturb anything within that finger of wetlands.

Board Member Litten said who would enforce that?

Board Member Hitt said the Corps of Engineers enforces the regulations under Section 404. So it's not up to the Board or anybody else, it's strictly the enforcement division of the Corps of Engineers.

Board Member Litten said so if the homeowner decided to dump fill in there and put grass seed in there or something, and just make that part of his backyard, the only way to enforce that would be for the Army Corps to know about it and then do something about it? The Village would not?

Board Member Hitt said that's the way the regulations are written and someone would have to turn the property owner in to the enforcement division of the Corps of Engineers. That's the way it is all across the country for national wetlands, for federal wetlands. The nationwide permits actually allow single family owners to fill some wetlands. So what's shown here is far more restrictive than what the 404 regulations call out. I would suggest that given the wetland delineation was done in 2004, that it just be verified by a biologist that it's still accurate. I'm not saying it has to be re-delineated, but just have somebody verify what was said before that it's still the same limit. Typically when they go beyond a few years, a Corps of Engineers would require that it be re-delineated, but I don't think that's really necessary for this purpose.

Applicant Rep Palleschi said they can provide that.

Chairperson Hext said thank you. That's what I was looking for. Like I said, I know last time that was a point of contention as well. She said also there's a deed - existing 60 foot wide easement for ingress and egress. This was from I think, 2005. She asked Applicant Rep Palleschi to send a copy of that deed to Ginger to send to Attorney Allyson to review.

Applicant Rep Palleschi said he would. He asked if this was not reviewed in 2019, as everything is exactly the same, they're not changing anything.

Chairperson Hext said I can't answer that. It wasn't the same attorney, so it may have been. She said other than that, does anybody else on the Board have any questions? Okay, then what we could do is

we could make a motion to classify the subdivision as an unlisted action under SEQRA. And we would then refer the application to the Albany County Planning Board. Once we get all of the SEQRA, application, everything filled out and it's approved, then can move forward with the public hearing. So next month would be to review SEQRA and the normal steps that we would take for a subdivision. Does that make sense?

Board Member Hitt said Deb? Was it said earlier that the SEQRA was completed before, or was it just started last time around?

Applicant Rep Palleschi said yes it was, it was a negative declaration.

Board Member Hitt said I defer to the attorney when she gets back, but I would suggest that maybe you don't need to start over. It could just be a re-evaluation to determine that the negative declaration is still valid. Allyson could give an opinion on that. If nothing has changed, then the original SEQRA determination could be determined to still be valid.

Chairperson Hext said I guess what's important here is - Lance to pull all of the documentation from the date of the last meeting, July 22, 2019, so we could get the minutes from that which would have any conditions in it and the full file on that as well. We'll hold off listing this action until we get a determination on whether or not it's still good. The negative declaration will be pulled too.

Chairperson Hext said what we can do is at least approve that pre-concept plan as it's presented to us tonight. We will still have to review the SEQRA at the next meeting before we schedule the public hearing, because no application is considered complete until that neg DEC is voted on. So we can't schedule the public hearing for next month. That would probably be June.

Applicant Rep Palleschi said is it possible to schedule for next month and then just remove it from the schedule if need be?

Chairperson Hext said she would check with Allyson, but what we'll do is schedule the next meeting for May 24 to review the final site plan and hopefully be able to schedule the public hearing, but we can let you know that within the next couple of days. If Allyson's okay with it, and if you get the deed from 2005 about the ingress and egress to her to be able to review, I should be able to let you know within the next day or two. She asked if he had Ginger's email and he said yes, so she said just send everything in there and then it is official and she'll get it out to us and to our attorney.

Applicant Rep Palleschi said okay, and if anybody else, Ginger, or Allyson, or you, or any of the Board members have any other questions, feel free to reach out to me anytime by email or phone.

Chairperson Hext said All right. Good. Thank you.

Applicant Rep Palleschi said all right I'll get this information over there, and then I'll hope to see you on May 24. Okay. Thank you.

Chairperson Hext said all right. Thank you. Have a good night. She then said now we're going to move on to Nadia. Nadia, we have all of your information that you sent in and you're looking to amend your Special Use Permit for a sit-down restaurant at 187 Main Street to expand the restaurant into a new and

additional outdoor space and allow for music and entertainment. Did everybody have a chance to review Nadia's application and her narrative? Okay. Does anybody have any questions? I kind of hope you do.

A lengthy discussion was held between the Board, Jeff Thomas, Don Cropsey and Nadia Raza about her providing music and entertainment. Board members expressed concerns about noise levels, ability to comply with the Town of Guilderland noise ordinance, and that the property is in a mixed-use area, as well as the following bulleted items. It was agreed that Nadia would rewrite the application, conditions and narrative and provide the following information to the Board for the next regular meeting:

- Days you will offer music
- Times each day you will offer music
- Type of music offered (band, guitar, etc.)
- Will it be amplified? If so, which way will the amplifiers face?
- How will you control the sound so there are no complaints re: noise from neighbors?
- Where will it be located? Inside or Outside? Where specifically?
- When and how often will you offer the cigar and hookah bar?
- Where will the cigar and hookah bar be located?
- What are the NYS regulations regarding smoking in/near restaurants and how will you comply with them?

Jeff said it's a small deck. It's about 690 square feet. And what she could do is have a guitar player, probably acoustic guitar player. He would have a tripod there, they play all the time. They don't come in with huge amplifiers. The speaker would be faced back to the building to limit the noise. I honestly envision people coming up and possibly enjoying it from standing on the grass. I think you're going to be very happy. And if we were to get any complaints, as a landlord we would not want to do anything to hurt our relationship with the Village and nor would Nadia - she's in business to make money and to attract people to come there. So, we're going to work real closely with everyone to make it a win-win for everyone and make it a nice entertainment. I just want you to feel good about the fact that we want to work with the Village. We don't want to be loud. We don't want to be crazy, none of that, but she may want to have a guitar player out there with a small microphone, acoustic guitar player, and have some live entertainment.

Discussion continued, and then Chairperson Hext said one thing that we can decide on tonight is to classify this action under SEQRA. So this is an unlisted action because it doesn't fall under Type 2 and it doesn't fall under Type 1. So before we can set the public hearing, we have to have a neg DEC (negative declaration) on the SEQRA. So can I have a motion to classify this under SEQRA as an unlisted action and then refer the application to the Albany County Planning Board? Motion was made by Board Member Hitt, seconded by Board Member Muhlfelder. **Roll Call: All in Favor.**

Chairperson Hext said does anybody have any other questions for Nadia at this time or for Jeff or for Don?

Applicant Nadia asked about putting out a streetscape (outdoor table) like Jeff had done last year in the parking lot, since the addition is going to take awhile. She has guests that are requesting outdoor seating and her space is limited. She wanted permission before we did that. I didn't want to do something that somebody would oppose.

Chairperson Hext said I don't believe that's allowed by code. I know that they did it last year. If you do that, you're definitely going to have to put that on the application, but Lance, can you speak to that as far as the code is concerned?

Code Enforcer Moore said I don't have a book right in front of me. It's on a State highway, so we'd have to get permission there. One of the major concerns was parking in the front. So if you take away another spot, there's less parking in the front where I think most of the people who would like to park for Paisano's pick up. So I'll look it up, but I think they're at the max of cars that are allowed in the front.

Applicant Raza said this would be very temporary also, just until my addition is developed.

Chairperson Hext said she should put it on the new application, and we'll look more into the code.

Jeff said the streetscape is a non-permanent structure. It only takes up one parking spot and it would only be there until our addition is complete. It would help her get another table setting outside. I got a lot of positive feedback. We would take it down as soon as the addition was open, probably in three months. If we make an application on something like that, by the time the application goes through, it's not going to be needed anymore.

Chairperson Hext said as a board we can't just say, yeah, go ahead. We have to see if it's allowed by our code. We have to see how many parking spaces you have to have there now based on what's allowed for the Altamont Corners itself.

Applicant Raza said my staff and I park our cars out in the front parking lot. If this was something that code would say we're okay with you doing this, I would take all of our cars to the back parking lot and not allow my staff to use the front one anymore. That's how strongly I feel about having this. She wanted to know if she would have to wait for another meeting for that decision.

Chairperson Hext said she would look into it tomorrow, and would let Applicant Raza know whether she has to wait or she can put it up for a month or something, especially considering COVID is still an issue. We might be able to do something based on that.

Applicant Raza said that would be amazing.

Applicant Rep Cropsey said Deb, regarding SEQRA, you had determined it to be an unlisted action. Part 2 needs to be filled out by the Planning Board as the lead agency. Chairperson Hext said yes, but we're not going to finalize that tonight.

Chairperson Hext said Okay, I know we have a few takeaways. Lance - you're going to look into as far as parking is concerned for Nadia and whether or not it's an allowed use under our code to have a table out in the parking lot.

Board Liaison Matulewicz said -With COVID and municipalities making concessions for outdoor dining, would that be a factor in this?

Chairperson Hext said we might be able to allow it temporarily. I just have to make sure that the parking situation is okay. If they have to have 44 spaces and taking one away makes it 43, then our hands could

be tied, but you know, that's why I'm not saying yes and I'm not saying no. But I think we might be able to use the COVID card.

It was agreed that Applicant Rep Cropsey would send an email request tomorrow for review by Village Attorney Phillips detailing Applicant Nadia's request for a table in the parking lot, which spot it would occupy, that the employees would park in the back freeing up 4 parking spaces, and that they would make sure that it doesn't impact the other tenants in the Plaza. Chairperson Hext said to Nadia she would be in touch tomorrow about what was discussed.

Chairperson Hext said that since the last meeting minutes were not available, they will be reviewed at the next meeting. She asked if anybody would like to discuss any other business. No response.

Applicant Mike Schramm from Crossroad Tattoo asked about the sign permit that was submitted. Chairperson Hext asked the Board if they had a chance to review the sign permit – and said it looks fine. Board Member Caruso had no issues with it; Board Member Muhlfelder said it's a nice design. Chairperson Hext asked if Mike was going to illuminate the sign. He said yes, externally illuminate - it's up in the soffit. The existing lighting is up there. No internal lighting. He asked if he can get it into production or has to specifically wait until after the meeting.

Chairperson Hext said you can, I don't see a problem going forward with your application, but I guess that's up to you. If for some reason we approve your application on the 10th and the Albany County Planning Board comes back with some stipulation -- I guess that's up to you. I can't speak for Albany County.

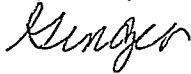
Applicant Schramm asked if I was looking to get that exact copy put on the windows, is there any kind of stipulation against that in the future, like vinyl decals on the window that have the company name?

Chairperson Hext said you'd have to include that in your draft that you would do something in the windows.

Applicant Schramm said Okay. No problem. I think that's all the questions I had.

Chairperson Hext said so I have no problem with the sign permit as long as no one else on the Board does. We can approve that tonight. Any questions anyone? No response. She said can I have a motion to adjourn? Board Member Hitt made the motion. Board Member Muhlfelder seconded it. **Roll Call: All in Favor.** Meeting was adjourned at 8:28 p.m.

Respectfully Submitted,



Ginger Hannah  
Planning Board Secretary

Village of Altamont  
Special Planning Board Meeting  
May 10, 2021

Planning Board Members:

Deb Hext, Chairperson	Lance Moore, Building Inspector/Code Enforcer
Stephen Caruso, Board Member	Tresa Matulewicz, Board Liaison
Dan Hitt, Board Member	Ginger Hannah, Secretary
Barbara Muhlfelder, Board Member	
Simon Litten, Board Member	Applicants/Reps: Don Cropsey and Michael Schramm

The Special Planning Board Meeting was held online using Zoom video communication due to COVID. Chairperson Hext opened the meeting at 7:03 p.m. and welcomed everyone. She stated that due to COVID, this meeting is being held remotely and all audio and video portions of this meeting are being recorded. She said my name is Deb Hext, the Planning Board Chair. She asked the Board Members to introduce themselves, which they did as follows: Simon Litten, Steve Caruso, Dan Hitt. Barbara Muhlfelder joined the meeting at 7:04. Chairperson Hext said we also have representing the Village tonight: Code Enforcer and Building Inspector Lance Moore; Ginger Hannah, Planning Board Secretary and Village Board Liaison, Tresa Matulewicz.

Chairperson Hext thanked everyone for joining. She said we only have one item on the agenda tonight, which is to review the resolution document for the Special Use Permit request from Jeff Thomas to use a space located at 187 Main Street, Altamont, for the operation of a body art / tattoo studio. Albany County has responded since our last meeting and deferred to local consideration, which means they're basically leaving the decision up to us. So I have no questions for the applicant. I've reviewed everything. It looks okay to me. Has everyone had a chance to look at the draft resolution document?

The Board Members responded yes.

Board Member Muhlfelder said I have some comments on that. There were a lot of typos, I think it has to be retyped.

Chairperson Hext said it's just a draft Barb. There may be a few more things that we'll have to add to the conditions. She asked Applicant Schramm if he had a chance to review the draft resolution.

Applicant Schramm said yes I have.

Simon asked what happens to ink not used on a customer.

Michael said I have a product called - it's a solidifier - and that gets dropped into the ink caps and it solidifies any leftover ink and then it's disposed of in the garbage.

Board Member Litten said so it doesn't go to the wastewater?

Applicant Schramm said no.

Simon said his concern was to keep that out of the wastewater.

Chairperson Hext said I've already noted that on the resolution document as number seven that the disposal of any leftover ink will be treated in accordance with a solidifying material and will not be disposed of into the wastewater. When Allyson does the final resolution document, I will have her add that as number seven to the resolution document. So just so that you're aware of that, Michael, that we will be adding another condition to the resolution document.

Applicant Schramm said Okay.

Chairperson Hext asked if anyone else had anything to add. She asked Board Member Muhlfelder to send the typos to her, and she will forward them to Allyson and ask her to then send the final resolution document for us to review.

Board Member Muhlfelder said okay.

Chairperson Hext said thank you. If no one has anything else for Michael or Don Cropsey, I will read the end of the resolution document. I'm not going to read all the whereas so I will start with: Now, therefore be it resolved that the Planning Board of the Village of Altamont hereby approves the application for Special Use Permit, subject to the following conditions: (1) The operator of the approved personal business service and all employees shall obtain and keep current any necessary permits or licenses from the Albany County and/or New York State Health Departments to perform body art tattoo services, and shall comply with any requirements or conditions of said licenses and approvals.

[Note: Discussion was had about days and it was agreed that (2) would read:] (2) The hours of operation shall be limited to 9:00 AM to 9:00 PM, Monday through Saturday, and Sunday every other weekend. (3) There shall be no more than three body artists performing services onsite at the same time as represented in the application and submissions to the New York State Department of Health. (4) Any change to the internal layout and location of artists' stations that is required by Albany County and/or New York State Health Departments (i.e., to provide unobstructed access from the lobby to the bathroom) must be submitted to the Altamont Planning Board for review. (5) All biological waste/sharps are to be kept in approved containers as required by Albany County and/or New York State Department of Health and disposed of by a licensed contractor. (6) A change in use from a body art studio to a different Personal Service Use shall require review by the Planning Board and Special Use Permit amendment. (7) Disposal of ink will be disposed of using solidifier and will not be dumped into the wastewater. Whereupon this resolution was adopted by the Village Planning Board.

Could I have a motion to approve the draft resolution document and the Special Use Permit? Motion made by Board Member Caruso. Seconded by Board Member Hitt. **Roll Call: All in Favor.**

Chairperson Hext said Michael, congratulations. Good luck. Thank you for bringing business into Altamont. We definitely appreciate it.

Applicant Schramm said thank you all. I appreciate your hard work and efforts, and I appreciate your getting together for the special meeting as well. I'm looking forward to serving Altamont and the community.

Chairperson Hext said thank you for being so patient with us. I really appreciate.

Applicant Schramm said I totally understand.

Chairperson Hext said Thank you. With that, could I have a motion to adjourn? Motion to adjourn was made by Board Member Hitt, seconded by Board Member Muhlfelder. **Roll Call: All in Favor.**

Chairperson Hext thanked everyone for their time tonight. Meeting was adjourned at 7:12 p.m.

Respectfully submitted,

Ginger Hannah, Planning Board Secretary