

Village of Altamont
Planning Board Meeting
June 28, 2021

Planning Board Members:

Deb Hext, Chairperson	Lance Moore, Building Inspector/Code Enforcer
Stephen Caruso, Board Member	Tresa Matulewicz, Board Liaison
Simon Litten, Board Member	Ginger Hannah, Secretary
Barbara Muhlfelder, Board Member	Todd Pucci, Altamont Police Chief
Applicants/Reps: Don Cropsey and Jeff Thomas for Nadia Raza; Luigi Palleschi for Bozenkill	

Chairperson Hext opened the meeting and said we're recording. Good evening, welcome to the in-person Village of Altamont Planning Board meeting. It's good to be back in front of everybody. Tonight is Monday, June 28 and it is 7:00 PM. My name is Deb Hext, Planning Board Chair, and at this point I'd like everyone to introduce themselves, which the Board Members did as follows: Steve Caruso, Simon Litten, and Barbara Muhlfelder. We also have Ginger Hannah, our Planning Board Secretary and Lance Moore, our Building Inspector.

There's been a change in tonight's agenda. After discussion with our Village Council, Allyson Phillips, it was determined that the request from John Donato to add three additional apartments at 996 Altamont Boulevard is considered a multifamily use, which is not permitted in the business district. Mr. Moore has advised Mr. Donato of options he can pursue if he wishes to go forward. Therefore, this item has been removed from tonight's agenda.

That being said, on with the first item on our Agenda - the Public Hearing for the Curry Patta expansion. To open the Public Hearing, I will read the legal notice (see copy attached). That opens a Public Hearing. Do we have anyone that wishes to comment on this particular agenda item? Please stand up and if you want to, give your name - you don't have to.

My name is Lindsay Giagni and I've been a resident of the Village for almost six years. I reside at 3 Groot Drive with my husband, Chris, and two young children. Tyler he's six and Elena who's three. I'm also a small business owner in the Village of Middleburg and I work with various organizations and not for profits locally. Thank you for giving us the opportunity to speak regarding the addition of the Amendment to the Special Use Permit requested by Curry Patta regarding live entertainment. Over the last six years, I have seen Altamont grow in turnover with many young new families coming to the area, myself included. These families have children who play together and parents who socialize together often. Some of my best friends and sincerest friends are neighbors that I've met because of Altamont.

One unmet need Altamont has is live entertainment. Personally, I would love to have a date night with my husband or a night with friends and have the opportunity to walk to the Village and enjoy music, knowing I'm not far from home or my babysitter. I would rather support our local businesses instead of taking an Uber to Schenectady or Albany, in order to get any type of entertainment. The community members who are desperately looking for more local entertainment options aren't reaching 20 somethings or kids looking to get into trouble. They're people just like me, a 36 year old business professional with young children who would love nothing more than to sit on a patio, enjoying a cold beer while my kids eat chicken nuggets and fries on a Friday night while listening to some music. Don't worry, we're the ones who are sound asleep by 10:00 p.m. My children, along with many others, also love live music, and this is

apparent at our summer concert events, which draw huge crowds for a few short weeks that we have them in the summer. Knowing we have this need, I ask you to consider allowing music and other entertainment to be allowed within the Village, not just for Curry Patta, but for any restaurant or establishment who has the desire within reason to have a show for others to enjoy. Like for summer concerts, I'm sure there can be an agreement on respectful noise volume and curfew.

Working with the establishments we have to fill a need would be beneficial to our local commerce and in line with responsible growth. I don't think anyone is asking for a techno dance club, but there is something to be said about someone playing a guitar and singing "Take Me Home Country Road" on a beautiful Saturday evening. Our local business owners live, employ and support our Village in so many ways. We rise by lifting others, and Altamont as a community can rise and lift our local businesses by allowing more flexibility for entertainment. Thank you for your consideration.

Chairperson Hext said thank you. Anyone else - either pro or con? No? Does the Board have any comments? No. Okay. At this point I would like to ask our Police Chief Todd Pucci to come up and at least address how they would deal with any type of noise issue or complaint, whether it's in the past or going forward.

I'm Todd Pucci, Chief of Police for the Altamont Police Department. Normally for a noise complaint, Guilderland does have a noise ordinance; the Village does not. But for the most part, the Village wouldn't be able to use that ordinance because most of the hours that covers is from 10 at night to 7 in the morning when we're not here anyway, other than until 11 o'clock at night. So the initial response you would get if it's during those hours would be Guilderland and not us.

I did supply the Board with a copy of Guilderland's noise ordinance, and if you see the first paragraph, it does say that they would be able to be the ones who would enforce it anywhere within their jurisdiction, and the Village of Altamont is in their jurisdiction. Secondly, a few years back, I did some articles in our local newsletter on noise and how to proceed, and I also attached a similar letter to the Board so you can review how the Altamont police would respond if there wasn't a Town officer who could answer the call. We would use the penal law 240.20 which is disorderly conduct – sub 2 is unreasonable noise. But the difference being if we have to use that, which we never have to be honest with you, but if we had to, that's actually another criminal code, penal law code. So it's a little different. The code enforcement one would be the better way to go. It's a civil charge, meaning punishment of a fine of some sort.

But historically we haven't had too many noise complaints within the Village these last 24 years I've been here. We've probably had a handful at most. Most of them were graduation parties, stuff of that nature, would come. Once in a while, we get the loud motorcycle muffler performance. We really don't get too many noise complaints. I know there was an establishment on Main Street in the past that had bands out front on their porch. We never got a complaint there. I know the Village has the stuff in the park on Tuesdays, and we never had any complaints there. We have had complaints in the past on the fairgrounds when they've had like SUNY fest, and they were saying ridiculous, inappropriate things on the mic, and that was more or less not a noise complaint, because people expect to hear noise from the fairgrounds. But it was obscenities and that was many years ago - they no longer have SUNY fest over there. There was also Country Fest. And so we really haven't had too many Village problems, but if we did, that is how we would handle them.

So if you have any questions - I know for the most part, the Guilderland code is based on decibels, at a residential area. So if it's coming from a commercial area, the measurement's actually taken at the nearest residential area. So it would have to be really loud to exceed their code. But again, we have had music in that area and we've never had complaints.

Chairperson Hext said so it's not based on the property line of the business in this case.

Chief Pucci said can be. It depends - if you had to draw an ordinance and how you write it up if the Village at some point decided to do an ordinance. I know in the City of Cohoes, it was 25 feet from the residence. So if I'm arriving there and I can hear it on the street 25 feet from the house, it's in violation of the noise ordinance. Guilderland, you'll see, it's more about decibels. But I have seen other ones 100 feet from a building or within a building, an apartment away. So it all depends on how the code is written. Guilderland's is pretty specific with decibel levels at different distances, but most of them are compared to a residential area. So I don't know what would be the closest house up there - it's probably right there at Park Ave.

Chairperson Hext said but if you received a complaint, before you started with fines or any type of penal code or anything like that, you would talk to them, right, and say, hey, we got a complaint.

Chief Pucci said absolutely. My response is usually the first time you go, you advise them and that takes care of it. We really don't normally get to the level where we've got to arrest somebody. It's normally you advise them and they're pretty decent with the police. They're respectful and they turn it down.

Chairperson Hext said okay, good. Does the Board have any questions for Todd? Nope. Does the public have any questions for Todd?

Applicant Rep Jeff Thomas said I would just like to say that Nadia's request is until 10:00 p.m., so it would be handled by Altamont if there ever was a noise complaint. But if we ever got a noise complaint as a landlord, we would turn it down. It's that simple, we would address it, and it could be done with a phone call. It doesn't have to be a complicated situation. If people don't like it, we're noisy, we're not going to do it. We're not going to be noisy. People are going to love it, and hopefully you will all be there.

Chairperson Hext said and just for the record, Jeff, we all know who you are, but could you just...

Applicant Rep Jeff Thomas said I am Jeff Thomas, I'm the owner of Altamont Plaza.

Chairperson Hext said thank you. And thank you, Todd.

Chief Pucci said he'd be the one responsible - he's the landlord. So he's the one who would get the ticket. So I'm glad to hear you say that.

Applicant Rep Jeff Thomas said we work together.

Chairperson Hext said that's what we wanted to hear. All right, good. Thank you. That being said, has everyone had a chance to review the application and does anybody have any questions on the application? Anything that you see that you might want addressed at this point? It looks to me like they have addressed all of our concerns by showing where the stage is

going to be, where the microphones are going to be. They're going to be facing the building and not out into the street. They've agreed to not interfere with any other events in the Village, as best as they can. I mean, if it's a private party, I think we have to be reasonable here. But as far as the library is concerned and that type of thing, I know that there's been conversation back and forth. So, okay. Somebody refresh my memory. Did we go through Part 2 of the EAF last time?

Board Members said yes.

Chairperson Hext said yes, we did, right. See it takes a Village. If nobody has any other questions or concerns, I would like to read the Resolution to approve the Amendment to the Special Use Permit for Curry Patta. But first, let me have a motion to close the public hearing. Motion was made by Board Member Caruso, seconded by Board Member Muhlfelder. **Roll Call: All in favor.**

Chairperson Hext read the Resolution (see attached) approving Site Plan and Special Use Permit Amendment for the Curry Patta. Applicant Rep Thomas asked for number (2c) if Nadia could choose to open earlier, like at 2:00 p.m. on Sundays. Chairperson Hext said we cannot change that language right now, but she could ask Allyson about that.

He asked her to re-read the last sentence. Chairperson Hext re-read the last sentence, "Such mitigation measure may include a requirement that the Applicant use sound level monitoring equipment or further limitation on the frequency, duration or hours when outdoor entertainment will be permitted." She explained that there's a device kind of like a governor on a car that you can put on an amplifier that won't let it go above a certain level.

Applicant Rep Thomas said you're not saying we have to do that, right?

Chairperson Hext said no, not unless we come back and say, look, you've been told a number of times, cut it out, now here's what you've got to do. You don't have to start out that way. Let's hope that this works out. If nobody has anything from the Board, could I have a motion to approve the resolution document and adopt it for the expansion of Curry Patta into the deck? Motion was made by Board Member Muhlfelder, seconded by Board Member Litten. **Roll Call: All in favor.**

Chairperson Hext told Applicant Rep Cropsey to stop by the office tomorrow if you want a copy of that. Ginger will have it for you. Thank you guys.

Chairperson Hext said the next thing on the agenda is to continue Pre-Concept Review of an Application for a Major Subdivision Request by VAMR Development, LLC (Ken Romanski) on Bozenkill Road, Altamont, NY. She asked Luigi to present.

Good evening, Luigi Palleschi with ABD Engineers. We presented this project many times here. It's to create three new residential lots on Bozenkill Road. What you see outlined here is a total of 23.87 acres, and we're looking to subdivide three new lots, right along the frontage of Bozenkill Road. Each of the lots, one, two and three will be about 0.46, six acres to .50 acre, which conforms to the R-20 residential single family zoning. As proposed, we're not requesting any variances. There's water and sewer available for these lots, which we'll make the connection to. There's a little bit of wetlands in the back here. We've talked about that. We did get a wetland biologist out on the site and a letter was provided to the Board verifying the

location of those wetlands. We're not proposing to disturb any of the wetlands. Everything will be disturbed to construct a house, the driveway and the utilities for each of the lots. There was mention about a sidewalk along Bozenkill - the sidewalk that really goes to nowhere, but there are measures in place that, in lieu of sidewalks, some money would be given to the Village.

Chairperson Hext said I already talked to Jeff Moller about that today. The amount that we quoted you last time for - I think it was 300 foot of sidewalk to be put in an escrow - is still an okay quote. So whatever we quoted you back then.

Luigi said right. Thank you. That's pretty much it. Our site disturbance as proposed is going to be less than one acre of disturbance. We do have a basic storm water pollution prevention plan in place. That's your typical - fencing, stabilized construction entrance, meeting the DEC requirements - but these won't have individual practices because it's not required. But we will follow all the measures during the construction. That's pretty much it. We've been going through several meetings and provided documentation that the Board has asked for. So if there's anything else that you need, we're here tonight - hopefully you'll schedule the public hearing for July 26.

Chairperson Hext said did everybody see Jeff's email regarding the SWPPP? He said it was pretty straightforward. He thought that the New York State DEC SPDES permit had expired, but I called DEC and spoke with Mr. Gibson there, I believe. He said that you did renew it in January, so it's good through January 2025, so that's not a concern any longer. He was good with all your water and sewer hookups from previous, so that's still fine. I don't know what everyone's feeling is on the walk around to say that the determination that the wetlands haven't evolved or receded - if we want to accept that, or do we want to delineate it, or do we just want to make a note that it was a concern and that they did provide a biologist that walked through and under his watchful eye said it hasn't done anything, it's still the same. I think as long as we make a note of that, if everybody else is good with that - I'll go with whatever the Board thinks. If you want to have a delineation done, we can do that because it was 2004. The Board Members said I think we're good.

Chairperson Hext said the Albany County Planning Board recommendations were to contact the Town of Guilderland and the Albany County Highway Department. Code Enforcer Lance Moore said he notified the Town of Guilderland. Chairperson Hext said the only other thing they noted is to make sure that the SWPPP and all the water/sewer hookups are the same and we did that. That being said, did everybody read through the EAF?

Chairperson Hext read through the EAF Part 2 (see copy attached). All were the same except for #15 - Impact on Noise, Odor and Light. Board Member Litten said there is going to be lighting in an area that hadn't had lighting in the past. There will be residential lighting, and that's mentioned in Part One. The only issue that I would have is whether there is going to be any restriction on open lighting - lights that shine up.

Chairperson Hext said there's a restriction on that anyway, within our Village Code, that you can't have up lighting, that you can't have light trespass - everything has to be down lighted.

It was agreed to note that as "yes" and answer questions 15 a-f. A-F were all deemed to be "No or small impact may occur." Chairperson Hext said that if there is an issue where some spotlight is shining into someone's bedroom or whatever, Code Enforcer Lance Moore would address that as it's controlled by code as it stands today. But thank you Simon, that's a good point.

Chairperson Hext said on to Part 3 - Determination of Significance is an unlisted action. We've gone through each EAF, and I think that we can conclude if everyone agrees that this is a Neg Dec (Negative Declaration) under SEQRA.

Chairperson Hext said now I'm going to read now the Resolution Document Approving General Concept Plan and Negative Declaration and Scheduling a Public Hearing on Proposed Subdivision Plat (see attached). Chairperson Hext asked that a motion be made to adopt the resolution and set the public hearing. (Date to be determined by end of meeting, either July 26 or 27). Motion was made by Board Member Muhlfelder, seconded by Board Member Litten. **Roll Call: All in Favor**

Chairperson Hext said that brings us to new business. As I just stated, it's becoming more and more apparent that Tuesday would be a better meeting date if it works for everybody. Ginger is in the office on Tuesday. Lance is in the office on Tuesday. Allyson is available on Tuesday. She has a previous commitment on Mondays. All our other Boards meet on Tuesday. Not that that matters, but there have been times even today that I needed to reach out to Ginger and had to reach out to Patty. So I would like to propose that to the Board, if everyone could possibly arrange their schedule to meet on Tuesday. If everyone can't always be there on a Tuesday, as long as we have a quorum, it would be just like a Monday. It really doesn't change everything. If we can all agree to do our best to do that, I will propose it. I will send an email to Kerry and ask her to bring it up at their next meeting, which I believe is July 6.

The Board Members agreed.

Chairperson Hext said it won't become official until it's adopted by the Village Board. But if everybody is okay with that tentatively, we'll say that we'll schedule the Public Hearing for July 27. Thank you very much for agreeing to that. It just makes it a lot easier, especially with Ginger, Allyson and Lance. I think it's a thankless job to be here. I thank you for it.

Chairperson Hext said did everybody have a chance to review the minutes from the April 26, 2021 meeting? Anybody have any questions on that? Motion was made to approve the minutes by Board Member Litten, seconded by Board Member Caruso. **Roll Call: All in Favor.**

It was determined that the next Village Board meeting was July 20, so we would need to keep the next Planning Board meeting on July 26 and change to Tuesdays on August 24 if approved.

Chairperson Hext asked for a motion to approve the minutes of the May 10, 2021 meeting. Motion was made by Board Member Muhlfelder, seconded by Board Member Litten. **Roll Call: All in Favor.**

Board Member Litten said he had a question - he was looking at Part 1 from the Subdivision Application and there was a statement here that there would be sufficient water for the project, which was something like 990 gallons a day. The question I had is do we have some place a value of how much water the Village has?

Chairperson Hext said Jeff Moller, our Department of Public Works Superintendent has reviewed their plans and states that we have enough water, that the plans that they submitted two years ago for the sewer hookups and the water hookups are still in play. You could probably ask Jeff - do you mean what the Village can afford per household per day?

Board Member Litten said we have environmental resources in the Village - we have a certain

amount of tree cover, a certain amount of impervious surface, a certain amount of water that would be available, and a certain amount of receptive capacity for discharging wastewater into the Bozenkill. Projects come before us, each one of which really has a de minimis impact on any of those resources, but there is a cumulative impact. I think it would be good to know really what we regard as our resource base so that we'll have some sort of a number, a value, that we proportion among applicants going forward.

Chairperson Hext said I could ask Jeff Moller, the Superintendent of Public Works to attend our next meeting and answer that question for you. That'll clarify things for everybody. I could ask him but lose something in translation, so I will ask him to attend our next meeting, that we have questions for him - not just on any specific application, but just in general.

Board Member Litten said we have finite resources and what's going on right now today in the west coast is that these resources are really being strained. I think we should think about the future of this community and what we need to do to protect it. The Board Members all agreed.

Chairperson Hext said this isn't just for Board Member Litten, but anytime the Board has a question for anyone, whether it's Lance or whether it's Jeff or whether it's Todd Pucci or whomever, I'd be happy to ask them to come to our meeting and answer those questions. The Fire Department has been here before answering questions for us. So anytime that you have a request like that, or if you wonder how it's determined, shoot me an email, and I'll be sure that someone is represented at the next meeting.

Board Member Litten said we should raise that there are limitations.

Chairperson Hext said we depend on them to look at these plans and say, all right, three houses now, 10 houses in the future, houses use x amount per day, at what point do we say we can't do this anymore? No more building in Altamont. So it's a good question, and I will definitely ask Jeff to be at our next meeting.

Board Member Litten said thank you.

Chairperson Hext said you're welcome.

Motion was made to adjourn the meeting. Motion made by Board Member Caruso, seconded by Board Member Muhlfelder. **Roll Call: All in Favor.**

Meeting was adjourned at 8:05 p.m.

Respectfully submitted,


Ginger Hannah, Planning Board Secretary

Attachments:

- Legal Notice of Public Hearing for Curry Patta
- Resolution to Approve the Amendment to the Special Use Permit for Curry Patta
- Part 2 and Part 3 of the EAF for the Bozenkill Subdivision
- Resolution Document Approving General Concept Plan and Negative Declaration and Scheduling a Public Hearing on Proposed (Bozenkill) Subdivision Plat

VILLAGE OF ALTAMONT PLANNING BOARD

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning Board of the Village of Altamont, New York, will hold a Public Hearing pursuant to Article 355-35 and 355-36(E) on Monday June 28, at 7:00 p.m., on request of Nadia Raza, owner of Curry Patta Corp. to amend the Special Use Permit to allow outdoor entertainment (music) on the covered deck to be constructed at a property at The Plaza at 187 Main Street, Altamont (Tax map ID 48.06-3-1). The Property is zoned Commercial Business District (CBD).

The meeting will be held in person at the Community Room of the Village of Altamont, 115 Main Street, Altamont, NY 12009.

Plans open for public inspection at the Village Offices during normal business hours.

A copy of the Planning Board Agenda and related materials will be available on the Village website by Friday, June 25, 2021 at www.altamontvillage.org.

Dated: June 15, 2021

Deborah Hext
Planning Board Chairperson
Village of Altamont

Lance Moore
Building Inspector and Code Enforcement Officer
Village of Altamont

Abutting, AFD, DPW

curry

RESOLUTION

ALTAMONT PLANNING BOARD

APPROVING 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, reviewed Part 1 and Part 2 of the EAF, and on May 24, 2021 issued a Negative Declaration for the Application;

WHEREAS, the Application was referred to the Albany County Planning Board pursuant to GML 239-m and the County Planning Board deferred to the local board; and

WHEREAS, a public hearing was duly noticed and held on June 28, 2021 at which time interested members of the public commented on the Application; and

WHEREAS, the Planning Board has reviewed the Application, the supplemental documentation submitted by the Applicant and the comments provided at the public hearing and duly deliberated on the Application and considered the criteria and standards for Special Use Permit and Site Plan approval in regard to this Application.

NOW THEREFORE BE IT RESOLVED that the Planning Board of the Village of Altamont hereby approves the Application for Site Plan and Special Use Permit Amendment 10

expand the Sit-Down Restaurant Use in new building addition, outdoor deck and patio subject to the following conditions:

1. The hours of operation of the restaurant shall be limited to 12:00pm to 8:00pm on Tuesdays and Wednesdays; 12:00pm to 10:00pm Thursday through Saturday; and 12:00pm to 9:00pm on Sundays.
2. Outdoor entertainment in form of live cultural and seasonal entertainment, including music such as jazz, string/ violin, guitar and caroling shall be permitted on the new deck subject to the following requirements:
 - a. All artists and equipment, including instruments and amplification devices, used for outdoor entertainment must be located in the area designated on the new deck and must be positioned so they face toward the building and away from adjoining property.
 - b. The Applicant will coordinate with sponsors of community events that involve outdoor entertainment to ensure there is no overlap with the Applicant's outdoor entertainment. Applicant will also coordinate with the library to ensure that outdoor entertainment on the premises does not conflict or unreasonably interfere with any library programs or scheduled events.
 - c. Outdoor entertainment shall be permitted only between the hours of 6:00pm to 10:00pm on Thursday, Friday and Saturday, and 12:00pm to 9:00pm on Sundays.
 - d. Noise from outdoor entertainment must be maintained at reasonable levels. For purposes of this permit condition, the Planning Board will consider any noise from outdoor entertainment to be unreasonable and prohibited if: 1) it exceeds 75 dBA when measured at a residential or commercial property, public space or right of way; or 2) if it otherwise annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of a reasonable person of normal sensitivities. The Planning Board reserves the right to require the Applicant to implement additional noise mitigation measures if deemed necessary by the Code Enforcement Officer to remedy any violations and bring the facility into compliance with this permit condition. Such mitigation measures may include a requirement that the Applicant use sound level monitoring equipment or further limitation on the frequency, duration or hours when outdoor entertainment will be permitted.

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

The motion was moved by Board Member Muhlfelder

The motion was seconded by Board Member Litten

The vote was as follows:

	Aye	Nay
Chairwoman Hext	<u>✓</u>	<u> </u>
Litten	<u>✓</u>	<u> </u>
Caruso	<u>✓</u>	<u> </u>
Muhlfelder	<u>✓</u>	<u> </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 June 28th, 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		Yea/Nay
Litten		Yea/Nay
Caruso		Yea/Nay
Muhlfelder		Yea/Nay

Witness my hand and the seal of the Village of Altamont, this 29th day of July, 2021.

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

	Agency Use Only [If applicable]
Project :	Bozenkill Road Subdivision
Date :	June 28, 2021

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

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

Tips for completing Part 2:

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

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

2. Impact on Geological Features

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

☒ NO☐ YES

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water

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

☐ NO☒ YES

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

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

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

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

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

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

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

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

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

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

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

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

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

13. Impact on Transportation

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

☒ NO☐ YES

(See Part 1. D.2.j)

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

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

14. Impact on Energy

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

☒ NO☐ YES

(See Part 1. D.2.k)

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

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

15. Impact on Noise, Odor, and Light

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

☒ NO☐ YES

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

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

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

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

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

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

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

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

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

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

Reasons Supporting This Determination:

To complete this section:

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

The proposed action is the subdivision of a 23.87 acre parcel (Tax Map # 37.09-1-5.1) into four (4) lots. Three (3) lots would be developed as single-family residences and range in size from 0.46 acres to 0.5 acres. The lots would be served by municipal water and sewer. The remaining 22.45 acres lot (lot 4) will remain undeveloped. The applicant had previously submitted an application for the same subdivision which was granted conditional plat approval on July 22, 2019. The conditions were not satisfied and the conditional approval became null and void pursuant to Section 315-16(G)(2). Therefore, the proposed subdivision has been reviewed as a new application. The Planning Board has reviewed Part 2 of the FEAF and did not identify any moderate or large impacts associated with the proposed project. The Planning Board determined the proposed project will have an impact on land and surface waters. However, the impact is low and not considered significant for the following reasons. Development of the three (3) proposed single-family homes will result in only 0.78 acres of disturbance with the remaining 23.87 acres being left undisturbed. The proposed plat identifies the location of ACOE wetlands on Lot 2 and Lot 3 based on a 2004 wetland delineation. The same engineer who performed the 2004 delineation visited the site in May of 2021 and based on his visual inspection, determined the extent of the delineated wetlands are "substantially concurrent" with the existing boundary. The plat includes a note stating that the existing wetlands will be deed restricted to prevent any future disturbance. Considering a deed restriction will prevent disturbance within the existing ACOE wetlands and the Applicant has represented that Lot 4 will remain undeveloped, no significant adverse impacts to surface waters are anticipated.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☐ Type 1 ☒ Unlisted

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

Upon review of the information recorded on this EAF, as noted, plus this additional support information
Application materials, record of prior Planning Board review, supplemental submissions by applicant and recommendation of the Albany County Planning
board

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

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

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

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

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

Name of Action: Proposed 4-Lot Subdivision on Bozenkill Road

Name of Lead Agency: Village of Altmont Planning Board

Name of Responsible Officer in Lead Agency: Deborah Hext

Title of Responsible Officer: Planning Board Chairwoman

Signature of Responsible Officer in Lead Agency: _____ Date: June 28, 2021

Signature of Preparer (if different from Responsible Officer) _____ Date: _____

For Further Information:

Contact Person: Deborah Hext c/o Planning Board Clerk

Address: Village of Altamont, Village Hall

Telephone Number: 518-861-8554

E-mail: _____

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

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

Other involved agencies (if any)

Applicant (if any)

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

RESOLUTION

ALTAMONT PLANNING BOARD

APPROVING GENERAL CONCEPT PLAN AND NEGATIVE DECLARATION AND SCHEDULING A PUBLIC HEARING ON PROPOSED SUBDIVISION PLAT

WHEREAS, VMAR Development, LLC (Ken Romanski) (the "Applicant") has submitted a concept plan for a four-lot subdivision of land located on Bozenkill Road in the Village of Altamont; and

WHEREAS, the proposed subdivision is located in the Village's R-20, Residential One-Family – 20,000 SF Zoning District; and

WHEREAS, the Applicant has submitted a Full Environmental Assessment Form (EAF) describing the action as a four (4) lot subdivision. Three (3) lots would be developed as single-family residences, ranging in size from 0.46 acres to 0.5 acres (1.42 acres total). The remaining 22.45 acres lot (lot 4) will remain undeveloped; and

WHEREAS, the applicant had previously submitted an application for a subdivision of this property which was conditionally approved on July 22, 2019. The conditions were not satisfied within the requisite timeframe rendering the conditional approval became null and void pursuant to Section 315-16(G)(2). Therefore, the Village of Altamont Planning Board ("Planning Board") is reviewing the proposed subdivision as a new application; and

WHEREAS, the Planning Board held a pre-application meeting pursuant to §315-9 of the Village of Altamont Subdivision Regulations to discuss the concept plan and proposed subdivision, prior approval and conditions and process for Planning Board review; and

WHEREAS, the concept plan includes three hundred (300) linear feet of sidewalks in front of proposed Lots 1, 2 and 3 which was required by the Planning Board's prior approval. The prior approval was conditioned on the Applicant placing funds in escrow for completion of the sidewalks, but that condition was not satisfied; and

WHEREAS, the Planning Board's prior approval was also conditioned on the Applicant paying a park fee pursuant to Chapter A405 of the Village of Altamont Code, but that condition was not satisfied; and

WHEREAS, the concept plan shows the location of an Army Corps of Engineers (ACOE) regulated wetland on Parcel 2 and Parcel 3 that is based on a wetland delineation completed by William H. Smart, P.E. in November 2004; and

WHEREAS, the concept plan includes a note stating the "existing ACOE wetlands to be deed restricted" on Lot 2 and Lot 3 to prevent any physical disturbance in the wetland area; and

WHEREAS, the Planning Board requested additional information confirming the current location of the ACOE wetland on Parcel 2 and 3 and the Applicant submitted a letter from William H. Smart Engineering, LLC stating that he performed a “site walk over” to determine if the 2004 delineation “is still valid” and concluded that the originally delineated boundary is “substantially concurrent with the current boundary”; and

WHEREAS, the Planning Board recognizes a new wetland delineation will be required before the final plat is filed in the County Clerk’s office to determine the precise location of existing ACOE wetlands and to allow a legal description for the restricted land to be prepared and will consider this as a potential condition for final plat approval for this application; and

WHEREAS, the Planning Board will also consider whether its prior condition to fund an escrow for sidewalks and park fees should be included as a condition of final plat approval for this application; and

WHEREAS, the Applicant has submitted a proposed Stormwater Pollution Prevention Plan (SWPPP) dated June 4, 2019. The SWPPP has been submitted the Village of Altamont Superintendent of Public Works to confirm that it meets the requirements included in NYSDEC SPDES General Permit for Stormwater Discharges (GP-0-15-003, May 1, 2015); and

WHEREAS, the proposed subdivision was referred to the Albany County Planning Board pursuant to N.Y. GML 239-n and its recommendations have been received by the Planning Board; and

WHEREAS, the Planning Board has reviewed Part 2 of the Short EAF and did not identify any moderate to large impacts from the proposed action.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Planning Board hereby determines the proposed action will not result in any significant adverse environmental impacts and issues a Negative Declaration under the New York State Environmental Quality Review Act (SEQRA).
2. The Planning Board hereby determines that the concept plan meets the general purposes of the Village of Altamont subdivision regulations, subject to the following specific recommendations and modifications stated below.
3. A preliminary plat shall be submitted to the Planning Board which includes the following modification: A note should be added to the map stating no building permit shall be issued for development on Lot 4 unless and until an amendment to the filed subdivision plat is approved by the Village of Altamont Planning Board.
4. The Applicant shall submit twelve (12) copies of the proposed preliminary plat with

the aforementioned note added.

5. A public hearing on the proposed preliminary plat shall be held on July 26, 2021 at 7:00pm.

6. The Albany County Planning Board and Town of Guilderland shall be given notice of the public hearing pursuant to N. Y. General Municipal Law §239-n and §239-nn.

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 Planning Board:

The motion was moved by Board Member Muhlfelder

The motion was seconded by Board Member Litten

The vote was as follows:

	Aye	Nay
Chairwoman Hext	<u>✓</u>	<u> </u>
Caruso	<u>✓</u>	<u> </u>
Muhlfelder	<u>✓</u>	<u> </u>
Litten	<u>✓</u>	<u> </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 June 28, 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		Yea/Nay
Caruso		Yea/Nay
Muhlfelder		Yea/Nay
Litten		Yea/Nay

Witness my hand and the seal of the Village of Altamont, this 29th day of June, 2021.