

Village of Altamont
Planning Board Special Meeting
August 23, 2021

Planning Board Members:

Deb Hext, Chairperson	Lance Moore, Bldg. Inspector/Code Enforcer
Stephen Caruso, Board Member	Tresa Matulewicz, Board Liaison
Simon Litten, Board Member	Ginger Hannah, Secretary
Robert Freeman, Board Member	
Barbara Muhlfelder, Board Member - Absent	
Applicant Rep: Don Cropsey for VAMR/Bozenkill Subdivision	
Guests: 1	

Deb Hext, Chairperson opened the meeting and said good evening everyone. Welcome to the Village of Altamont Planning Board Special Meeting. It is Monday, August 23, 2021. My name is Deb Hext, I'm the Planning Board Chair. Will the rest of the Board please introduce themselves? Board Members introduced themselves as follows: Steve Caruso, Simon Litten, and Bob Freeman. We also have tonight our Secretary of the Planning Board, Ginger Hannah, and our Building Inspector, Lance Moore.

Chairperson Hext stated that this is a Special Planning Board Meeting to consider the options to amend the Resolution Granting Conditional Plat Approval for the Bozenkill Major Subdivision that was approved at the July 26, 2021 Planning Board Meeting.

Chairperson Hext read the 3 options on the Resolution approved at the July 26, 2021 Planning Board Meeting Granting Conditional Plat Approval (see attached).

A discussion was held between the Planning Board Members and Don Cropsey, Applicant Representative about the following:

- Options for the construction of 300 feet of sidewalks, grading and erosion control, catch basins, grading the road level, the SWPPP as approved by DPW Superintendent Moller, flooding, who would maintain sidewalks, putting in a crusher run, when the \$8,000 per lot should be paid for each 100 feet of sidewalk, possibility of getting a grant for additional sidewalk if we have money set aside, planting of street trees/greenery in front of each home.
- Chairperson Hext suggested that the following also be added to the Amended Resolution: Applicant agrees to grade with a crusher run along the edge of the right of way to provide a walkable surface.
- It was determined that option #2 was the best for the Village and the Applicant.

The Resolution will read as follows:

NOW THEREFORE BE IT RESOLVED that the Planning Board of the Village of Altamont hereby approves the final plat subject to the following conditions:

- (1) The final plat shall include a note 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.
- (2) The Applicant shall provide an updated wetland delineation for wetlands on Lots 1, Lot 2 and Lot 3. The updated wetland delineation shall be submitted to the Planning Board and the final plat shall be modified to accord with the updated wetland delineation. The Applicant shall provide a legal description of the areas that will be deed restricted to ensure no impacts to wetlands that based on the updated wetland delineation.
- (3) The final plat shall include a note stating no building permit shall be issued for development on Lot 1, Lot 2, or Lot 3 until the Applicant provides \$24,000 to be held in escrow for the construction of 300 linear feet of sidewalk as shown on the subdivision plat. Said escrow shall be paid in \$8,000 increments when applications for building permits to construct on Lot 1, Lot 2 and Lot 3 are submitted to the Village. In preparation for an eventual sidewalk, applicant agrees to install a 24" concrete storm drain pipe and two catch basins and backfill with a crusher run along the edge of the right of way to provide a walkable surface.
- (4) Pursuant to Chapters A405-1(G) and 315-28(B) of the Altamont Village Code, the Applicant shall make a payment in the amount of \$1,500 per lot (\$6,000) to the Village parks fund.

IT IS FURTHER RESOLVED, in accordance with Village of Altamont Subdivision Regulations, Section 315-18, the aforementioned conditions must be satisfied within the time proscribed under the law and Planning Board Chairwoman shall not sign the final plat until such time as the Applicant demonstrates the aforementioned conditions have been satisfied.

IT IS FURTHER RESOLVED, that within thirty (30) days of the date this resolution is filed in the Village Clerk's Office, the Applicant shall reimburse the Village for costs in the amount of \$57.50 incurred to transcribe the public hearing on this application and the amount of \$1,000 to reimburse the Village for attorney fees incurred in connection with the Planning Board's review of this application. The Planning Board Chairwoman shall not sign the final plat if these fees are not satisfied within the thirty (30) day period set forth herein.

Chairperson Hext asked for a motion to approve the amended resolution with the additional condition regarding prep work for the future permanent sidewalk as follows: Applicant agrees to grade with a crusher run along the edge of the right of way to provide a walkable surface. Motion made by Board Member Litten, seconded by Board Member Freeman. **Roll Call: All Present in Favor.**

Chairperson Hext asked if everyone had a chance to review the minutes of the previous Planning Board Meeting on July 26, 2021. All said yes. Motion was made to approve

the minutes by Board Member Caruso, seconded by Board Member Litten. **Roll Call: All Present in Favor.**

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

Chairperson Hext said Thank you everyone. Meeting was adjourned at 7:35 p.m.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Ginger Hannah".

Ginger Hannah, Secretary

Attached: Draft to Amend Resolution with 3 options, Final Amended Resolution Granting Conditional Plat Approval, Letter dated August 10, 2021 from ABD Engineers, Completed ACPB Notification

Draft
RESOLUTION

ALTAMONT PLANNING BOARD

GRANTING CONDITIONAL PLAT APPROVAL

WHEREAS, VAMR 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 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 Chapters A405 and 315-28(B) 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 to the Village of Altamont Superintendent of Public Works and he has confirmed it meets the requirements included in NYSDEC SPDES General Permit for Stormwater Discharges (GP-0-20-001, January 1, 2020); and

WHEREAS, the Planning Board reviewed Part 2 of the Short EAF and did not identify any moderate to large impacts from the proposed action and proceeded to adopt a Negative Declaration on June 28, 2021 thereby completing its SEQRA review for the project; and

WHEREAS, by resolution adopted June 28, 2021, the Planning Board also confirmed the concept plan met the general purposes of the Village of Altamont subdivision regulations, provided the final plat was modified to include the specific recommendation that a preliminary plat shall be submitted to the Planning Board which includes a note 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; and

WHEREAS, the proposed subdivision was referred to the Albany County Planning Board pursuant to N.Y. General Municipal Law §239-n and it responded that a 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; and

WHEREAS, the Planning Board duly noticed and held a public hearing on the proposed final plat on July 26, 2021 at which time all interested members of the public were heard; and

WHEREAS, the Planning Board has reviewed the Application, the proposed final plat with modifications recommended by the Planning Board and comments provided at the public hearing and duly deliberated on the Application and considered the criteria and standards for subdivision approval; and

WHEREAS, the Planning Board voted to adopt a proposed resolution granting conditional plat approval with certain modifications and subject to final review by its legal counsel. The Planning Board has conferred with counsel, considered additional information submitted by the Applicant and engaged in further deliberations.

NOW THEREFORE BE IT RESOLVED that the Planning Board of the Village of Altamont hereby approves the final plat subject to the following conditions:

- 1) The final plat shall include a note 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.
- 2) The Applicant shall provide an updated wetland delineation for wetlands on Lots 1, Lot 2 and Lot 3. The updated wetland delineation shall be submitted to the Planning Board and the final plat shall be modified to accord with the updated wetland delineation. The Applicant shall provide a legal description of the areas that will be deed restricted to ensure no impacts to wetlands that is based on the updated wetland delineation.
- 3) The Applicant shall fund an escrow account in the amount of \$24,000 for the 300 linear feet of sidewalk shown on the subdivision plat.

Or

The final plat shall include a note stating no building permit shall be issued for development on Lot 1, Lot 2, or Lot 3 until the Applicant provides \$24,000 to be held in escrow for the construction of 300 linear feet of sidewalk as shown on the subdivision plat. Said escrow shall be paid in \$8,000 increments when applications for building permits to construct on Lot 1, Lot 2 and Lot 3 are submitted to the Village.

Or

The final plat shall include a note stating no building permit shall be issued for development on Lot 1, Lot 2, or Lot 3 until the Village Building inspector certifies that 300 linear feet of sidewalk has been constructed as shown on the subdivision plat.

- 4) Pursuant to Chapters A405-1(G) and 315-28(B) of the Altamont Village Code, the Applicant shall make a payment in the amount of \$1,500 per lot (\$6,000) to the Village parks fund.

IT IS FURTHER RESOLVED, in accordance with Village of Altamont Subdivision Regulations, Section 315-18, the aforementioned conditions must be satisfied within the time

proscribed under the law and Planning Board Chairwoman shall not sign the final plat until such time as the Applicant demonstrates the aforementioned conditions have been satisfied.

IT IS FURTHER RESOLVED, that within thirty (30) days of the date this resolution is filed in the Village Clerk's Office, the Applicant shall reimburse the Village for costs in the amount of \$57.50 incurred to transcribe the public hearing on this application and the amount of \$1,000 to reimburse the Village for attorney fees incurred in connection with the Planning Board's review of this application. The Planning Board Chairwoman shall not sign the final plat if these fees are not satisfied within the thirty (30) day period set forth herein.

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 _____.

The motion was seconded by _____.

The vote was as follows:

	Aye	Nay
Chairwoman Hext	_____	_____
Caruso	_____	_____
Muhlfelder	_____	_____
Litten	_____	_____
Freeman	_____	_____

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 August ____, 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
Freeman		Yea/Nay

Witness my hand and the seal of the Village of Altamont, this ____ day of ____, 2021.

RECEIVED
B NOV 16 2021
Village of Altamont

(AMENDED) RESOLUTION
ALTAMONT PLANNING BOARD
GRANTING CONDITIONAL PLAT APPROVAL

WHEREAS, VAMR 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 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 Chapters A405 and 315-28(B) 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 to the Village of Altamont Superintendent of Public Works and he has confirmed it meets the requirements included in NYSDEC SPDES General Permit for Stormwater Discharges (GP-0-20-001, January 1, 2020); and

WHEREAS, the Planning Board reviewed Part 2 of the Short EAF and did not identify any moderate to large impacts from the proposed action and proceeded to adopt a Negative Declaration on June 28, 2021 thereby completing its SEQRA review for the project; and

WHEREAS, by resolution adopted June 28, 2021, the Planning Board also confirmed the concept plan met the general purposes of the Village of Altamont subdivision regulations, provided the final plat was modified to include the specific recommendation that a preliminary plat shall be submitted to the Planning Board which includes a note 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; and

WHEREAS, the proposed subdivision was referred to the Albany County Planning Board pursuant to N.Y. General Municipal Law §239-n and it responded that a 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; and

WHEREAS, the Planning Board duly noticed and held a public hearing on the proposed final plat on July 26, 2021 at which time all interested members of the public were heard; and

WHEREAS, the Planning Board has reviewed the Application, the proposed final plat with modifications recommended by the Planning Board and comments provided at the public hearing and duly deliberated on the Application and considered the criteria and standards for subdivision approval; and

WHEREAS, the Planning Board voted to adopt a proposed resolution granting conditional plat approval with certain modifications and subject to final review by its legal counsel. The Planning Board has conferred with counsel, considered additional information submitted by the Applicant and engaged in further deliberations.

NOW THEREFORE BE IT RESOLVED that the Planning Board of the Village of Altamont hereby approves the final plat subject to the following conditions:

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- 2) The Applicant shall provide an updated wetland delineation for wetlands on Lots 1, Lot 2 and Lot 3. The updated wetland delineation shall be submitted to the Planning Board and the final plat shall be modified to accord with the updated wetland delineation. The Applicant shall provide a legal description of the areas that will be deed restricted to ensure no impacts to wetlands that is based on the updated wetland delineation.
- 3) The final plat shall include a note stating no building permit shall be issued for development on Lot 1, Lot 2, or Lot 3 until the Applicant provides \$24,000 to be held in escrow for the construction of 300 linear feet of sidewalk as shown on the subdivision plat. Said escrow shall be paid in \$8,000 increments when applications for building permits to construct on Lot 1, Lot 2 and Lot 3 are submitted to the Village. In preparation for an eventual sidewalk, applicant agrees to install a 24" concrete storm drainpipe and two catch basins and backfill with a crusher run along the edge of the right of way to provide a walkable surface.
- 4) Pursuant to Chapters A405-1(G) and 315-28(B) of the Altamont Village Code, the Applicant shall make a payment in the amount of \$1,500 per lot (\$6,000) to the Village parks fund.

IT IS FURTHER RESOLVED, in accordance with Village of Altamont Subdivision Regulations, Section 315-18, the aforementioned conditions must be satisfied within the time proscribed under the law and Planning Board Chairwoman shall not sign the final plat until such time as the Applicant demonstrates the aforementioned conditions have been satisfied.

IT IS FURTHER RESOLVED, that within thirty (30) days of the date this resolution is filed in the Village Clerk's Office, the Applicant shall reimburse the Village for costs in the amount of \$57.50 incurred to transcribe the public hearing on this application and the amount of \$1,000 to reimburse the Village for attorney fees incurred in connection with the Planning Board's review of this application. The Planning Board Chairwoman shall not sign the final plat if these fees are not satisfied within the thirty (30) day period set forth herein.

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 Litten

The motion was seconded by Board Member Freeman

The vote was as follows:

	Aye	Nay
Chairwoman Hext	<u>✓</u>	_____
Caruso	<u>✓</u>	_____
Muhlfelder	<u>absent</u>	_____
Litten	<u>✓</u>	_____
Freeman	<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 August 23, 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		<u>Yea</u> /Nay
Caruso		<u>Yea</u> /Nay
Muhlfelder	<i>muhlfelder - absent</i>	Yea/Nay
Litten		<u>Yea</u> /Nay
Freeman		<u>Yea</u> /Nay

Witness my hand and the seal of the Village of Altamont, this 24th day of August, 2021.

PARTNERS
JOSEPH J. BIANCHINI, P.E.
LUIGIA. PALLSCHI, P.E.
MARK C. BLACKSTONE, P.L.S.

ABD ENGINEERS, LLP.
411 Union Street
Schenectady, NY 12305
518-377-0315 Fax 518-377-0379
www.abdeng.com

DEDICATED
RESPONSIVE
PROFESSIONAL

August 10, 2021

Re: Bozenkill Road
4 Lot Subdivision
Village of Altamont
Project # 4645A

Deborah Hext, Chairperson
Village of Altamont Planning Board
115 Main Street
P.O. Box 643
Altamont, NY 12009


Dear Deb:

As you are aware, the above referenced subdivision was granted final approval by the Village of Altamont Planning Board at the public hearing held on July 26, 2021 with Conditional Plat Approval. As such, per phone conversation on August 3, 2021, the Applicant is requesting the Village of Altamont Planning Board to consider an amendment to the current resolution. The Applicant would like the resolution to consider either of the following options:

- Developer will provide a pro-rated amount of the requested sidewalk escrow for each lot separately, or \$8,000, at the time of a Building Permit request for each individual lot, or
- Developer will commence construction of each sidewalk upon request of a Building Permit for each separate lot, and will complete construction of the sidewalk on the individual lot prior to issuance of a Certificate of Occupancy, or
- Developer will commence construction of the full 300 feet of sidewalk spanning all 3 lots, upon request of the first Building Permit. The full 300 feet of sidewalk shall be complete prior to issuance of the first Certificate of Occupancy

We would greatly appreciate being scheduled for the August 24, 2021 Planning Board agenda for consideration on the above request. Should you have any questions or need anything further, please do not hesitate to contact me.

Very truly yours,
ABD ENGINEERS, LLP


Luigi A. Palleschi, P.E.
Partner

LAP:clv
encl.
cc: Ken Romanski (via email)
Don Cropsey (via email)
Allyson Phillips, Village Attorney (via email)
Village of Altamont Administration (via email)

4645A-08102021



**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
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:

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

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: all in favor DATE OF LOCAL ACTION: 8/23/21

(Board member Muhlfelder was absent)

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

SIGNED: Ginger Hannah TITLE: Secretary to Planning Bd + Admin Asst VOA