

At a Regular Meeting of
the Town Board of the
Town of North Greenbush
held at 7PM p.m. on November
9, 2023 at the Town Offices

IN THE MATTER OF THE ADOPTION
OF THE 2024 ANNUAL BUDGET

WHEREAS, the Town Board has met at the time and place specified in the notice of Public Hearings on the Preliminary Budget, Special District Assessment Rolls and Operation & Maintenance Charges and heard all persons desiring to be heard thereon,

NOW, THEREFORE, BE IT

RESOLVED, that the Special District Assessment rolls are hereby approved, and be it,

RESOLVED, that the Final Budget attached hereto, including the Operation and Maintenance charges, be and hereby are approved and adopted as the annual budget of the Town of North Greenbush for the fiscal year beginning the first day of January 2024, and such budget as so adopted be entered in detail in the minutes of the proceedings of this Town Board meeting, and be it

FURTHER RESOLVED, that the Town Clerk shall prepare and certify in duplicate copies of said annual budget as adopted by the Town Board and deliver one copy thereof to the Supervisor and any other authority deemed necessary. The Final Budget adopted shall also include a \$50,000.00 increase to Sales Tax Revenue and an adjustment to the tax rate accordingly.

Councilperson Hoffman moved, **Supervisor Bott** seconded, and the Town Board voted as follows:

Councilman Rogers	<u>AYE</u>
Councilwoman Merola	<u>AYE</u>
Councilwoman Hoffman	<u>AYE</u>
Councilman Gordon	<u>AYE</u>
Supervisor Bott	<u>AYE</u>

Resolution 2023-11-83

TOWN OF NORTH GREENBUSH

2023 BUDGET ADJUSTMENTS

Attached are the 2023 Budget Adjustments. The Town Board authorizes the Comptroller to make necessary and routine budget adjustments not to exceed \$10,000. The following budget adjustments are required to amend the 2023 adopted budget due to significant expenditures approved by the board for vehicles.

The following is a short explanation of the larger adjustments:

General Fund- \$38,712.50; Board approved purchase through Resolution 2023-10-80 for a 2023 Chevrolet Traverse.

Increase 1430.2 Building Department-\$38,712.50 Decrease 200.01.000.00 \$38,712.50

Water Fund:

-\$70,375.00; The purchase of a replacement vehicle through Resolution 2023-10-79 for a 2023 Chevrolet 3500 4X4 truck with Utility body and Up-fit/Snowplow.

Increase 83404.8.4 \$70,375.00 Decrease 200.08.000.00 \$70,375.00

Summary: The budget adjustments for 2023 YTD total \$109,087.50

At a Meeting of the Town Board
of the Town of North Greenbush
held at 7:00 p.m. on November, 9
2023 at the Town Offices

IN THE MATTER AUTHORIZING THE TOWN COMPTROLLER TO MAKE
NECESSARY BUDGET ADJUSTMENTS FOR 2023

WHEREAS, the Town of North Greenbush has incurred significant costs for vehicles that were not included in the 2023 adopted budget. The purchases were approved by the Town Board through resolutions and the Town Comptroller reviewed the impact these expenditures had on the 2023 adopted budget and recommends the following budget adjustments to amend the 2023 adopted budget; and,

NOW THEREFORE BE IT RESOLVED that the Town Board accepts recommended budget amendments submitted by the Town Comptroller and authorizes the Town Comptroller to make the budget adjustments.

Councilperson Merola moved, **Councilperson Rogers** seconded, and the Town Board voted as follows:

Councilwoman Hoffman	<u>AYE</u>
Councilwoman Merola	<u>AYE</u>
Councilman Rogers	<u>AYE</u>
Councilman Gordon	<u>AYE</u>
Supervisor Bott	<u>AYE</u>

Resolution 2023-11-84

At a Regular Meeting of
the Town Board of the Town
of North Greenbush held at 7:00
p.m. on November 9, 2023, at the
Town Offices

IN THE MATTER OF ADOPTING REVISED RETENTION AND
DISPOSITION SCHEDULE FOR NYS LOCAL GOVERNMENT RECORDS

RESOLVED, the North Greenbush Town Board hereby adopts the revised Retention and Disposition Schedule for New York Local Government Records (LGS-1), which is effective April 1, 2022, and issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records for use by all town officers in legally disposing of valueless records listed therein; and,

BE IT FURTHER RESOLVED, that in accordance with Article 57-A:

(a) only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein; and,

(b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

Councilperson Gordon moved, **Councilperson Merola** seconded, and the Town Board voted as follows:

Councilwoman Hoffman	<u>AYE</u>
Councilwoman Merola	<u>AYE</u>
Councilman Rogers	<u>AYE</u>
Councilman Gordon	<u>AYE</u>
Supervisor Bott	<u>AYE</u>

Resolution 2023-11-85

Records to be Destroyed for Town Clerk's Office

<u>ITEM</u>	<u>NEEDED RETENTION</u>	
1.) Assessment Rolls (Final) 2013 and back	retention	10 years
2.) Assessment Roll (Tentative) 2018 and back	retention	5 years
3.) Dog Vaccines and Rabies 2020 and back	retention	3 years
4.) Dog Licenses New and Renewal 2020 and back	retention	3 years
5.) Animal Shelter 2020 and back	retention	3 years
6.) Decals License (hunting/fishing) 2018 and back	retention	6 years

**FILES TO BE DESTROYED
COMPTROLLER**

Date	Files
1/1/2005-12/31/2005	G/L Entries and Deposits
1/1/2005-12/31/2005	G/L Entries and Deposits
1/1/2005-7/31/2005	Vouchers
8/1/2005-12/31/2005	Vouchers
1/1/2006-12/31/2006	Cash Receipts
1/1/2006-12/31/2006	Vouchers and G/L Entries
1/1/2006-12/31/2006	Vouchers and G/L Entries
1/1/2007-12/31/2007	Deposits
1/1/2007-6/30/2007	Deposits
1/1/2009-12/31/2013	Bank Recs
1/1/2010-12/31/2010	Deposits/Cash Receipts
1/1/2010-12/31/2010	Deposits/Cash Receipts
1/1/2010-12/31/2010	Vouchers
1/1/2010-12/31/2010	Vouchers
9/1/2010-12/31/2010	Vouchers
1/1/2011-12/31/2011	Deposits
1/1/2011-12/31/2011	Voided Checks/Bank Statements
1/1/2011-5/31/2011	Vouchers
6/1/2011-8/1/2011	Vouchers/Check Registers
9/1/2011-12/31/2011	Vouchers
1/1/2012-12/31/2012	Deposits
1/1/2012-12/31/2012	Deposits
1/1/2012-6/30/2012	Vouchers
7/1/2012-12/31/2012	Vouchers
1/1/2013-12/31/2013	Deposits
1/1/2013-6/30/2013	Vouchers
7/1/2013-12/31/2013	Vouchers
1/1/2014-12/31/2014	Deposits
1/1/2014-12/31/2014	Remote Deposits
1/1/2014-6/30/2014	Vouchers
7/1/2014-12/31/2014	Vouchers
1/1/2015-12/31/2015	Water Payments
1/1/2015-4/30/2015	Vouchers
1/1/2015-5/31/2015	Deposits
5/1/2015-7/31/2015	Vouchers
7/1/2015-12/31/2015	Deposits
8/1/2015-10/31/2015	Vouchers
1/1/2016-10/31/2016	Deposits
1/1/2016-3/31/2016	Vouchers
1/1/2016-6/30/2016	Deposits
4/1/2016-6/30/2016	Vouchers
7/1/2016-12/31/2016	Deposits

7/1/2016-9/30/2016	Vouchers
10/1/2016-12/31/2016	Vouchers
11/1/2016-12/31/2016	Deposits
	Old Electronics/Software/CDs

Assessor's Office

The assessor's office records to be shredded are the following:

Senior Exemption applications

Enhanced STAR applications

and renewal forms of former owners of parcels in our town from 2003

Thanks,

Patty

**RESOLUTION OF THE TOWN BOARD
IN THE MATTER OF HOLDING A PUBLIC HEARING TO
CONSIDER A MORATORIUM ON MULTI-FAMILY
DWELLINGS**

At a meeting of the Town Board held at the Town Office at 2 Douglas Street, Wynantskill, New York 12198 in the Town of North Greenbush, Rensselaer County, New York on November 9, 2023.

Present:	Joseph Bott,	Supervisor
	Kelly Hoffman,	Councilwoman
	Jack Rogers,	Councilman
	Jessica Merola,	Councilwoman
	Jim Gordon,	Councilman

Whereas, the Town Board of the Town of North Greenbush is interested in extending a temporary moratorium on Multi-Family Dwelling Projects within the Town which was previously adopted (Local Law # 2 of 2022), and

Whereas, this action is a Type 2 action which requires no additional SEQRA review, and

Whereas, it is necessary to hold a public hearing on this proposal.

Now therefore, on motion of **Councilperson Rogers**, seconded, by **Councilperson Gordon** all members present voting on roll call, which resulted as follows:

AYES:	5
NAYS:	0
ABSENT:	0

IT IS ORDERED, that the Town Board of the Town of North Greenbush shall hold a public hearing to be held at the Town Office located at 2 Douglas Street, Wynantskill, New York 12198, in the Town of North Greenbush on **December 14, 2023 @ 6:30 P.M.**, to consider a Local Law entitled "**Town of North Greenbush Multi-Family Dwelling Moratorium Extension Law**" and to hear all persons interested in the subject thereof

concerning the same, and for such other action on the part of the Town Board with relation to said Local Law as may be required by law, and it is

FURTHER ORDERED, that the Town Clerk give notice of such hearing by publishing, on or before **December 1, 2023**, in the Town's official newspaper, The Record, a certified copy of this Order and by posting a certified copy of this Order on the signboard of the Town of North Greenbush and on the Town website not less than ten or more than twenty days before such hearing, and the terms, conditions and requirements of said Local Law #2 of 2022 are hereby extended pending consideration of this law, and it is

FURTHER ORDERED, this proposal is hereby referred to the Town Planning Board for review and recommendation,, and it is

FURTHER ORDERED, that this Local Law be referred to the Rensselaer County's Department of Economic Development and Planning in accordance with the New York State Article 12B of the General Municipal Law Section 239, and written notice thereof shall be sent to all entities entitled thereto pursuant to section 197-69 of the North Greenbush Town Code.

RESOLUTION 2023-11-86

**Local Law #7 of 2023, Entitled
"Town of North Greenbush Multi-Family Dwelling Moratorium
Extension Law "**

Section 1: The Town of North Greenbush hereby adopts the following Local Law amending Chapter 197 of the Town Code.

- 1.) The Town of North Greenbush previously adopted a temporary moratorium on projects relating to certain multi-family dwellings, by enactment of Local Law #2 of 2022. One purpose of the law was to enable the town to update its Zoning Law and Comprehensive Plan. Since these updates have not been completed, the town desires to extend the Moratorium for a period of one year from the effective date of this Local Law #7 of 2023.
- 2.) The Town of North Greenbush Local Law #2 of 2022 is hereby re-enacted and re-adopted in its entirety, but with a new period of effectiveness which shall expire one year from the effective date of this Local Law #7 of 2023. All the terms, provisions and conditions of said Local Law #2 of 2022 shall be in full force and effect for the period.

Section 2: This Law shall take effect immediately upon filing with the NYS Department of State.

Section 3: This Law supersedes all Local and State Laws and Regulations to the extent inconsistent therewith.

"Town Law 2022 Town of North Greenbush Multi-Family Dwelling Moratorium Law"

Chapter 197 of the North Greenbush Town Code is hereby amended to include the following:

Section 1: Purpose and Intent.

The North Greenbush Town Comprehensive Land Use Plan was last adopted and codified in 2016. Since that time, concerns have arisen as to whether current law sufficiently regulates multi-family dwelling development with the Town. Many citizens have expressed concerns and provided comments which suggest that the Town Code should be reviewed to ensure that multi-family dwellings are regulated in a manner that advances public health, safety and welfare and preserve community character.

The purpose of this local law is to provide time for Town Officials to study its Town Code and comprehensive land use plan and address issues, if any, presented by the growth and development of multi-family dwellings within the Town and the impact of such growth on the community, its financial impact on the Town and the regulation, control and enforcement of such uses. This Local Law is enacted pursuant to Municipal Home Rule Law.

Section 2: Definitions

"Multi-Family Dwelling", a structure, or group of structures containing three or more dwelling units and designed for occupancy by three or more families living independently of each other. This may include apartments, condominiums, townhouses and cooperatives.

In addition, all definitions from Chapter 197 and any other relevant definition contained in the Town Code of the Town of North Greenbush are incorporated herein by reference.

Section 3: Moratorium

For a period of one year from and after effective date of this local law, no application for building permits, site plan approval, special use permits, or any other municipal approval, including applications for re-zoning, shall be considered for multi-family dwelling projects, within the Town of North Greenbush.

This moratorium shall not apply to any Certificates of Occupancy for any and all construction pursuant to building permits issued prior to the effective date of this law or the issuance of any building permit for the renovation or repair of any lawfully existing structure otherwise covered by this local law. In addition, this moratorium shall not apply to any projects that have already obtained municipal approvals or are before the Planning or Zoning Board of

Appeals or the Building Department requesting approval from the Town of North Greenbush as of the effective date of this law notwithstanding that a Certificate of Occupancy and/or Building Permit has not been issued. This moratorium shall also not apply to re-zoning applications for multi-family dwelling projects under consideration by the Town Board as of the effective date hereof.

Section 4: Variance

Any person may apply to the Town Board for a variance from this local law. Upon submission of an application for a variance to the Town Board and after a public hearing, the Town Board may, in its discretion, render a determination that this local law would impose extraordinary hardship upon a landowner or developer and that a variance from this law will not be a detriment to the public health, safety, and welfare or to the residents of the Town or present any significant adverse environmental impacts. All such applications will be referred to the Planning Board for its recommendations and shall thereafter be returned to the Town Board for a public hearing and final decision on the application.

Section 5: Supersession

To the extent this local law is inconsistent with any state or local statute or regulation, it is the intent of this law to supersede such statutes or regulations, including without limitation the following: all applicable sections of New York State Town Law, General Municipal Law and the Code of the Town of North Greenbush.

Section 6: Severability

If any section or subdivision, paragraph, clause, or phase of this local law shall be adjudged invalid or held unconstitutional by any court or competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

Section 7: Effective Date

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

At a Meeting of the Town Board of the
Town of North Greenbush, held on
November 09, 2023, at 7:00 P.M. at the
Town Offices

**In the Matter of the Authorization of the execution of an
“Out of District Water User Agreement” for 5 Geiser Road, LLC, located at
5 Geiser Road, Wynantskill, New York 12198, with the Town of North Greenbush
Consolidated Water District, formally known as Water District No.13**

WHEREAS, that **5 Geiser Road, LLC**, are the owners of record of real property at **5 Geiser Road** in the Town of North Greenbush, New York; and

WHEREAS, that the property located at **5 Geiser Road** is not located within any water district; and

WHEREAS, there exists within the Town of North Greenbush a certain water district formally known formerly as Water District No. 13; and

WHEREAS, that such property does not have adequate water supply from an existing well and a connection to municipal water can be achieved at a reasonable expense to the property owners and the cost of a new well with unknown water supply and quality may be excessive; and

WHEREAS, that the property owners desire to enter into an agreement with the Town of North Greenbush whereby they can be considered an “Out of District Water User” and be connected to The North Greenbush Consolidated Water District, formally known as Water District No. 13; and

WHEREAS, the Town Board has considered the situation and desires to make suitable and potable water available to these Town residents; and

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE TOWN BOARD OF THE TOWN OF NORTH GREENBUSH, RENNELAER COUNTY, NEW YORK, that the Town Supervisor is hereby authorized to enter into an agreement with **5 Geiser Road, LLC**, located at **5 Geiser Road, Wynantskill, New York 12198** for the provision of municipal water to them from formally known Water District No. 13, which is now The Town of North Greenbush Consolidated Water District, upon terms and conditions as set forth in the attached “Out of District Water User Agreement”

NOW, THEREFORE, on motion of **Supervisor Bott** seconded by **Councilperson Merola** all members present voting on roll call, which resulted as follows:

Joseph Bott III, Supervisor	<u>AYE</u>
Kelly Hoffman, Councilwoman	<u>AYE</u>
Jack Rogers, Councilman	<u>AYE</u>
Jessica Merola, Councilwoman	<u>AYE</u>
Jim Gordon, Councilman	<u>AYE</u>

RESOLUTION 2023-11-87

Town of North Greenbush, New York Out Of District Water User Agreement

This Agreement is entered into between Town of North Greenbush, a municipal corporation of the State of New York, hereinafter referred to as the "Town", and **5 Geiser Rd. LLC** hereinafter referred to as the "Customer".

RECITALS

1. The Town operates and maintains a domestic water supply within its boundaries which can serve the property of the Customer; and
2. Customer desires to install a water service lateral and appurtenances at its own cost to serve the Customer's property; and
3. The water service lateral and appurtenances shall be owned and operated by the Customer; and
4. The Customer has requested the Town to allow a water service lateral and appurtenances to be constructed in accordance with the terms of this Agreement and the Town's Code.

AGREEMENT

To carry out the purposes of this agreement and in consideration of the benefits to be received by each party it is agreed as follows:

1. **Real Property Description.** The "Property" for which domestic water supply is requested and to which this Agreement applies, is located in the Town of North Greenbush, and is legally described as follows:

Tax Map Parcel Number: **146.-2-7**

Street Address: **5 Geiser Rd Wynantskill Ny 12198**

By executing this Agreement, Customer represents and warrants that Customer is the owner of record of the above-described Property. If such representation of ownership is invalid, this Agreement shall be rescinded. Customer agrees that the Town may require Customer to furnish a title report for the Property at Customer's expense.

2. **Customer Connection Fee.** At the time the Customer executes and delivers this signed Agreement to the Town, the Customer shall pay all associated charges as set forth in this Agreement, including any amendments thereto. The Customer Connection Fee presently required is as follows:

- A. One time tapping fee of \$500.00 per hook-up.
- B. One time water permit and inspection fee of \$100.00 per hook-up.
- C. One time purchase of a water meter and appurtenances of \$750.00
- D. Total For water district extension of \$1350.00

3. Customer Water District Operation Service Fee. At the time the Customer executes and delivers this signed Agreement to the Town, the Customer agrees to pay the Customer Water District Operation Service Fee per unit as set forth in this Agreement, including any amendments thereto. The Customer Water District Operation Service Fee required is as follows:

- A. Annual debt service fee for Water District No. 13
- B. Annual operation and maintenance fee for Water District No. 13
- C. Actual water usage charge per 1,000 gallons for Water District No. 13

4. Payment of Fees. The Customer Connection Fee shall be paid to the Town, prior to the Town's execution of the Agreement, as the fee is for the Town's expenses in performing its obligations under this Agreement, including, but not limited to, all construction inspection, legal, billing and administrative expenses.

5. Debt Service Fees. The Customer Water District Operation Service Fee incurred by Customer under this Agreement shall be construed as charges against the Property. In the event of non-payment of the charges and fees by Customer, as stated herein, the charges and fees shall constitute a lien against the Property and the Town may foreclose said lien in the manner authorized by law. The portion of the Customer Water District Operation Service Fee related to the annual debt service fee shall be paid in full for the year in which this Agreement is executed and shall not be pro-rated. This first year annual debt service fee shall be paid at the time the Customer executes and delivers this signed Agreement to the Town. Subsequent annual debt service fees shall be billed annually with the Property's real property tax bill each January.

6. Easements. The Customer shall grant all Easements across the Property if necessary for the installation of the water main and water service lateral and appurtenances in a form acceptable to the Town. In the event an easement is required over property other than the Property described above, the Customer shall provide an easement, in a form acceptable to the Town, together with title report or other sufficient proof of ownership of such easement, to the Town prior to commencement of work. Customer shall obtain a written release from any property owner across whose property construction is performed pursuant to the grant of an easement, sufficient to indicate that the site restoration on the easement is satisfactory and complete.

7. Permits. The Customer shall be responsible for obtaining all necessary permits for the installation of the water service lateral and appurtenances. The Customer shall at all time be in compliance with the Town of North Greenbush Utilities Department's Water Code.

8. Hold Harmless. The Customer agrees to save and hold the Town its personnel and officials harmless from all costs, expenses, losses and damages, including costs of defense, incurred as a result of any acts or omissions of the Town's personnel relating to the performance of this Agreement. The Town shall not be liable for any claims, liabilities, demands or actions resulting from the failure of the water main and water service lateral and appurtenances installed unless such failure arises out of the negligent performance of this Agreement by the Town.

9. Benefits. This Agreement is entered into for the benefit of the parties to this Agreement only and shall confer no benefits, direct or implied, on any third persons. The

9. **Benefits.** This Agreement is entered into for the benefit of the parties to this Agreement only and shall confer no benefits, direct or implied, on any third persons. The duty of the Town to provide services under the provisions of this Agreement is a duty owed to the public generally, and by entering into this Agreement the Town does not incur a special duty to the Customer.

10. **Litigation.** In the event of litigation concerning the terms of or performance under this Agreement, the prevailing party, in addition to costs, shall be entitled to reasonable attorney's fees as determined by the court.

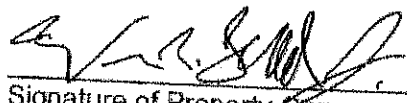
11. **Assignment.** This Agreement shall be binding upon the heirs, assigns, and successors in interest to the Customer.

12. **Governing Law.** The laws of the State of New York shall govern the interpretation and enforcement of this Agreement.

13. **Future Water District Establishment.** The Customer shall be advised that if the Town of North Greenbush legally establishes a future water district to serve the subject Property, than this Agreement shall become null and void and the Customer shall agree to pay the related charges for the future water district.

14. **Effective Term.** This agreement shall become effective upon the execution by both the Customer and the Town.

15. **Binding Contract.** I understand that executing this Agreement is a binding contract.


Signature of Property Owner _____ Date: 11 / 16 / 23

Signature of Property Owner _____ Date: / /

Signature of Town Supervisor: _____ Date: / /

Town of North Greenbush, NY

Introductory Local Law No. 8 of the Year 2023

Resolution to Declare Lead Agency for

Amendment to Official Zoning Map, last revised by Local Law 5 of 2016

WHEREAS, the Town Board of North Greenbush amended the Official Zoning Map of the Town of North Greenbush Town Code, under Local Law 5 of 2016, which was duly filed with the Secretary of State; and

WHEREAS, the zoning designation for the parcels listed below by Tax Lot identification on the Town of North Greenbush Tax roles that will be affected by this proposed action are listed below;

- 124.-5-20.21
- 124.-5-9.21
- 124.-5-9.22
- 124.-5-8.3
- 124.-5-7.2
- 124.-5-9.1
- 124.-5-8.11/1
- 124.-5-8.2
- 124.-5-21
- 124.-5-19
- 124.-5-20.1
- 124.-5-18
- 124.-5-2
- 124.-5-7.1
- 124.-5-20.22

and

WHEREAS, the Town of North Greenbush is proposing to modify its current Official Zoning Map to correctly zone properties that should have remained within the BG General Business district and were inadvertently rezoned to R-2 Residential (hereafter, this action is referred to as the “Proposed Rezoning”); and

WHEREAS, the current action of rezoning of these parcels is consistent with the Town of North Greenbush Comprehensive Plan and the original intention of the Town Board; and

WHEREAS, the error was not noticed until recently, and the Town Board desires to correct this error; and

WHEREAS, it is the Town Board’s decision to exclude parcels 124.5-22.11 and 124.5-22.14 originally included as part of the BG General Business zone and permit it to remain zoned R-2 Residential due to the lots’ development under the current zoning designation; and

WHEREAS, the Town has also received a revised Zoning Map and a Part I EAF for the Proposed Rezoning; and

WHEREAS, the Town Board, as the only involved agency pursuant to the State Environmental Quality Review Act (hereinafter “SEQRA”) with respect to the Proposed Rezoning as described above, seeks to declare itself SEQRA lead agency for this action; and

WHEREAS, the action of the Proposed Rezoning is a Type I action in accordance with SEQRA; and

WHEREAS, the Town Board seeks to refer the Proposed Rezoning for the Town of North Greenbush, to the Rensselaer County Planning for review and recommendation pursuant to New York General Municipal Law §239-m; and

WHEREAS, the Town Board seeks to refer the Proposed Rezoning for the Town of North Greenbush, to the Town of North Greenbush Planning Board for review and recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of North Greenbush in regular session duly convened as follows:

1. The Town Board of the Town of North Greenbush hereby declares itself lead agency pursuant to SEQRA and its implementing regulations at 6 NYCRR§617.6(b)(1) with respect to the action of the Proposed Rezoning of the parcels as described above from R-2 Residential to BG General Business.
2. The Town Board of the Town of North Greenbush hereby directs the referral of the Proposed Rezoning Map to Rensselaer County Planning for review and recommendation pursuant to New York General Municipal Law §239-m.
3. The Town Board hereby directs the referral of the Proposed Rezoning to the Town of North Greenbush Planning Board.
4. The Town Board hereby directs the Town Clerk to provide written notice to the identified tax parcel property owners and all owners of property within 500 feet of said parcels.
5. The Town Board hereby schedules a **public hearing** on the Proposed Rezoning to be held before the Town of North Greenbush Town Board on **December 14, 2023, commencing at 6:50 P.M.**, at the Town of North Greenbush Town Hall, 2 Douglas Street, Wynantskill, NY, 12198 and further directs that notice of such public hearing be posted and published in accordance with applicable law.

Supervisor Bott moved, **Councilperson Merola** seconded and the Town Board voted as follows:

Supervisor Bott	<u>AYE</u>
Councilwoman Hoffman	<u>AYE</u>
Councilman Rogers	<u>AYE</u>
Councilwoman Merola	<u>AYE</u>
Councilman Gordon	<u>AYE</u>

Resolution 2023-11-88

TOWN OF NORTH GREENBUSH

INTRODUCTORY LOCAL LAW NO.8 OF THE YEAR 2023

A LOCAL LAW AMENDING THE TOWN OF NORTH GREENBUSH OFFICIAL ZONING LAW ZONING MAP

Be it enacted by the Town Board of the Town of North Greenbush, Rensselaer County, New York, as follows:

SECTION I: PURPOSE

The Town Board of the Town of North Greenbush amended the Official Zoning Map under Local Law 5 of 2016, which was duly filed with the Secretary of State. However, it was recently determined that several parcels were misclassified and as a result were incorrectly zoned. The Town seeks to modify its current Zoning Map to correctly zone the properties that should have remained in the General Business (BG zone) instead of being rezoned inadvertently to Residential (R-2).

SECTION II: LEGISLATIVE FINDINGS

This action is consistent with the Town of North Greenbush Comprehensive Plan and is an administrative correction action. The Town finds that the proposed action is consistent with the original intention of the Town Board, and no significant environmental impacts would result from the proposed action.

SECTION III: ENACTMENT

The Town of North Greenbush Official Zoning Map, adopted by Local Law 5 of 2016, is hereby amended as follows: All parcels listed below shall be rezoned from the current Residential (R-2) Zone to General Business (BG Zone) as originally intended by the Town of North Greenbush in the Comprehensive Plan as identified by Tax Lot identification on the Town of North Greenbush Tax roles:

- 124.-5-20.21
- 124.-5-9.21
- 124.-5-9.22
- 124.-5-8.3
- 124.-5-7.2
- 124.-5-9.1
- 124.-5-8.11/1
- 124.-5-8.2
- 124.-5-21
- 124.-5-19
- 124.-5-20.1
- 124.-5-18
- 124.-5-2
- 124.-5-7.1
- 124.-5-20.22

SECTION IV: AUTHORITY

This Local Law is enacted pursuant to the authority of Section 10 of the New York State Municipal Home Rule Law.

SECTION V: SEVERABILITY

If any part or provision of this local law is judged invalid by any Court of competent jurisdiction, such judgment shall be confined in application to the part of provision directly on which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this law or the application thereof to other persons or circumstances. The Town hereby declares that it would have enacted the remainder of this law even without such part of provision or application.

SECTION VI: EFFECTIVE DATE

This local law shall become effective immediately upon the filing in the office of the New York Secretary of State pursuant to Section 27 of the New York State Municipal Home Rule Law.

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Town of North Greenbush Zoning Map Amendment		
Project Location (describe, and attach a general location map): Town of North Greenbush, NY (Location Map Attached)		
Brief Description of Proposed Action (include purpose or need): The rezoning will revert an area surrounding West Sand Lake Road from current R-2 Residential Zoning to the previous zoning district of BG General Commercial. Affected Parcels include approximately 42.76 acres of land, and include the following parcels: 124.-5-20.21, 124.-5-9.21, 124.-5-9.22, 124.-5-8.3, 124.-5-7.2, 124.-5-9.1, 124.-5-8.11/1, 124.-5-8.2, 124.-5-21, 124.-5-19, 124.-5-20.1, 124.-5-18, 124.-5-2, 124.-5-7.1, 124.-5-20.22		
Name of Applicant/Sponsor: Town of North Greenbush, NY	Telephone: (518) 283-5313	E-Mail: jbott@northgreenbush.org
Address: 2 Douglas Street		
City/PO: Wynanskill	State: NY	Zip Code: 12198
Project Contact (if not same as sponsor; give name and title/role): Joseph H. Bott, III Town Supervisor	Telephone: (518) 283-5313	E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Town of N. Greenbush Town Board adoption of proposed revisions to Official Zoning Map	September 2023
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Town of N. Greenbush Planning Board referral	September 2023
c. City, Town or <input type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Rensselaer County Planning Board referral	September 2023
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? Proposed rezoning is consistent with Comprehensive Plan	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	

C.3. Zoning

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

R-2 Residential Zoning

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

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

i. What is the proposed new zoning for the site? BG General Business

C.4. Existing community services.

a. In what school district is the project site located? North Greenbush Common School District

b. What police or other public protection forces serve the project site?

Town of North Greenbush Police Department

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

North Greenbush Fire District #1, Wynantskill Fire Department

d. What parks serve the project site?

N.A. Project is a rezoning. Use of public parks and any expansion would be discussed with specific applications.

D. Project Details

D.1. Proposed and Potential Development

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

b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

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

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

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

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures _____

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

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

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____

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

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

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

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

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i. What is the purpose of the excavation or dredging? _____

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

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

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

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

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

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

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

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

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

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

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No
If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No
If Yes:

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

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

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

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

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

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

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

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

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

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

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

If Yes:

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

- Do existing sewer lines serve the project site? Yes No
- Will a line extension within an existing district be necessary to serve the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

- If to surface waters, identify receiving water bodies or wetlands: _____

- Will stormwater runoff flow to adjacent properties? Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
- _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

- i. Estimate methane generation in tons/year (metric): _____
- ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

- i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.
- ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____
- iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____
- iv. Does the proposed action include any shared use parking? Yes No
- v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____
- vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No
- vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No
- viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

- i. Estimate annual electricity demand during operation of the proposed action: _____
- ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____
- iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:
 i. Provide details including sources, time of day and duration:

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: _____

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

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

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

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

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

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

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

iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: _____
 • Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

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

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban Industrial Commercial Residential (suburban) Rural (non-farm)

Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

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

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

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

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

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

 iii. Describe any development constraints due to the prior solid waste activities: _____

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

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

 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): _____
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site: _____ %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No
 If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
 If Yes:
 i. Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No
 If Yes:
 i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? Yes No

If Yes:

i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

F. Additional Information

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

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

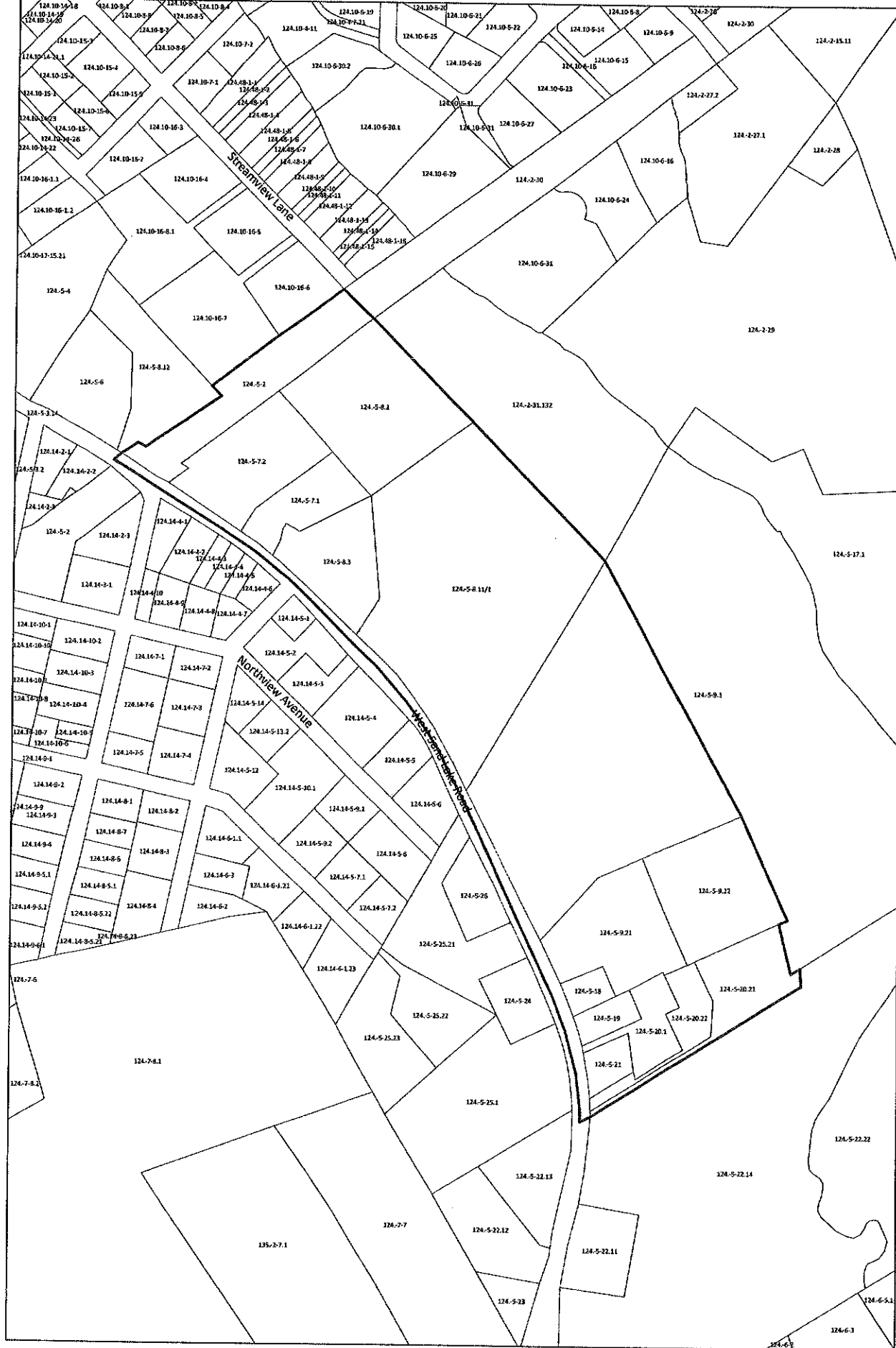
G. Verification

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

Applicant/Sponsor Name Joseph H. Bott, III Date 9/6/2023

Signature _____ Title Supervisor

PRINT FORM



Change in District Classification

Town of North Greenbush
 Rensselaer County, New York

REFERRAL FORM

Rensselaer County Bureau of Budget, Research and Planning
1600 Seventh Avenue
Troy, New York 12180

Office Use Only

RCBP# _____
Received _____
Local Action:
Approved _____ Denied _____

1. This form and all supporting material shall be submitted in final form directly by the referring agency, not by the individual applicant. Any changes made after your submission will require resubmittal.
2. This Referral is forwarded to the Rensselaer County Bureau of Budget, Research and Planning for review in compliance with Sections 239 l and 239 m of Article 12-B of the General Municipal Law for the State of New York. Non-referral may jeopardize zoning action.
3. All new zoning ordinances and text amendments must be referred to the Bureau. A referral is also required for any zoning action affecting property located within 500 feet of:
 - Municipal Boundary;
 - Boundary of any existing or proposed county or state park or other recreation area;
 - Right-of-way of any existing or proposed county or state parkway, thruway, expressway, road, or highway;
 - Existing or proposed right-of-way of any stream or drainage channel owned by the county, or for which the county has established channel lines;
 - Existing or proposed boundary of any county- or state-owned land on which a public building or institution is situated;
 - Farm operation existing in an Agricultural District.

FROM: Municipality: Town of North Greenbush
Local Agency: Legislative Body
 Board of Appeals
 Planning Board

APPLICANT (Name): Town of North Greenbush

LOCATION OF PROPERTY TO BE CONSIDERED: See attached.

ACTION REQUESTED: New Zoning Ordinance Special Permit
 Zoning Map Amendment Variance
 Zoning Text Amendment Other _____

PRESENT ZONING: R-2 and AR Residential Districts

REQUIRED ENCLOSURES:

1. Map of affected property and adjacent areas, may be tax map.
2. Complete description of proposed action and supplemental material.

Date Referring Officer (Signature) Town Supervisor
Title

Map adopted by Local Law 6 of 2018
 Amendment:
 Local Law of 2023

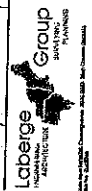
Shyvers Lake
 Watershed District

Shyvers Lake
 Watershed District

- | | | | |
|--|-----------------------------|--|-------------------------------|
| | Commercial | | Special Use (Unzoned) |
| | General Business | | Diversity District |
| | Neighborhood Business | | Technology Park |
| | Professional Business | | Harbor |
| | Industrial | | Natural Product |
| | Agricultural Residential | | Planned Development |
| | Residential - Single Family | | District |
| | Residential | | Senior Citizen District |
| | Residential | | Planned Neighborhood District |
| | Residential | | Transportation District |
| | Residential | | District |



0 0.23 0.45 0.9 Miles



District Classification

Town of North Greenbush
 Rensselaer County, New York