

### Project Narrative

Top Seed Landscape Design is looking to build a 60' x 40' building with 2 suites in the HD Zone as Commercial Groups - on 1943 Rt. 9W , Milton - SBN - 103.1-1-18. The approved septic is in the rear of the building with parking in the front. The adjacent properties will be screened with evergreens down both side of the property. The DOT will issues a permit once we have a preliminary approval or hears from the planning board.

**TOWN OF MARLBOROUGH**  
**PO Box 305 Milton NY 12547**  
“ Heart Of the Hudson Valley Fruit Section”  
**MILTON, ULSTER COUNTY, NEW YORK 12547**  
**DEPARTMENT OF BUILDINGS**

**TEL NO. 795-2406**  
**FAX NO. 795-2031**

**THOMAS CORCORAN JR.**  
BUILDING INSPECTOR  
CODE ENFORCER  
FIRE INSPECTOR

**Date: October 18, 2022**

**Re: Top Seed Site Plan Review**  
**1943 Rt. 9W**  
**Milton , NY 12547**

**Building Inspector / Code Enforcement Officer Determination**

**This letter is to verify that the Building Department Inspector/ Code Enforcement Officer has looked at the approved site plan of Top Seed / Steven Rivieccio located at 1943 Rt. 9W Milton NY 12547.**

**Currently he has presented the use as Commercial groups -as allowed under Town Code Section 155-12(E)(2)(E)- but with the understanding that he can change the use at any time with NOT having to come back to the planning board as long as the change of use does not result in a increased water supply, sewage disposal, stormwater run off , parking needs, or traffic generation - as per Town Code Section 155-31 (B)(1)( C )**

**Any questions or concerns please do not hesitate to contact me.**

**Thank You.**



*Thomas J. Corcoran Jr.*  
*Building Inspector*  
*Code Enforcement Officer*

**HD Highway Development District.**

**(1) Purpose.** The purpose of this district is to encourage the orderly functioning and expansion of the Town's transportation-related activities in such fashion as to be harmonious with adjacent land uses and to contribute to the soundness of the Town's economic base and to otherwise further the general purposes of this chapter.

**(2) Principal permitted uses shall be:**

**(a) Wholesale and accessory use storage establishments conducted in completely enclosed buildings, except that open storage is permitted if enclosed by an opaque fence or wall at least eight feet in height.**

**(b) (Reserved)<sup>[11]</sup>**

[11] *Editor's Note: Former Subsection E(2)(b), Motels, was repealed 3-8-1999 by L.L. No. 1-1999. See now Subsection E(4)(k).*

**(c) Essential services.**

**(d) Shopping centers.**

**(e) Commercial groups.**

**(f) Light industrial activities or businesses of a kindred nature engaged in the manufacture, assemblage, treatment or packaging of products when conducted without public hazard, except for those which, by reason of odor, noise, smoke or dust, constitute a nuisance.**

**(g) Business and professional offices.**

**(h) Agricultural uses.**

[Added 11-25-2002 by L.L. No. 8-2002]

**(i) Retail uses.**

[Added 5-27-2003 by L.L. No. 2-2003]

**(3) Permitted accessory uses shall be:**

**(a) Accessory uses customarily incident to a principal permitted use.**

**(b) Off-street parking, loading and unloading.**

**(c) Signs.**

**(d) Solar energy system, small scale (refer to § 155-32.2 for whether site plan review is required for the system proposed).**

[Added 7-10-2017 by L.L. No. 6-2017]

**(4) Special uses shall be:**

**(a) Automobile service, repair and filling stations.**

[Amended 8-25-2014 by L.L. No. 1-2014]

**(b) New and used car sales.**

**(c) Drive-in restaurants.**

**(d) Instructional uses.**

**(e) Eating and drinking establishments.**

**(f) Adult entertainment establishments, provided that the same shall not be within 1,500 feet of any:**

**[1] Church, synagogue or place of worship.**

**[2] School, playground or youth recreation area.**

**[3] Premises licensed to sell alcoholic beverages for on- or off-premises consumption.**  
[Added 12-13-1993 by L.L. No. 4-1993]

**(g) Mobile retail stands.**  
[Added 8-22-1994 by L.L. No. 2-1994]

**(h) Warehousing.**  
[Added 3-8-1999 by L.L. No. 1-1999]

**(i) Commercial recreation.**  
[Added 3-8-1999 by L.L. No. 1-1999]

**(j) Funeral homes with water and sewer.**  
[Added 3-8-1999 by L.L. No. 1-1999]

**(k) Hotel and motel with water and sewer.**  
[Added 3-8-1999 by L.L. No. 1-1999]

**(l) Farm and produce stands.**  
[Added 11-25-2002 by L.L. No. 8-2002]

**(m) Nursery schools, pre-schools and similar uses.**  
[Added 5-27-2003 by L.L. No. 2-2003]

## ***Short Environmental Assessment Form***

### ***Part 1 - Project Information***

#### **Instructions for Completing**

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

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

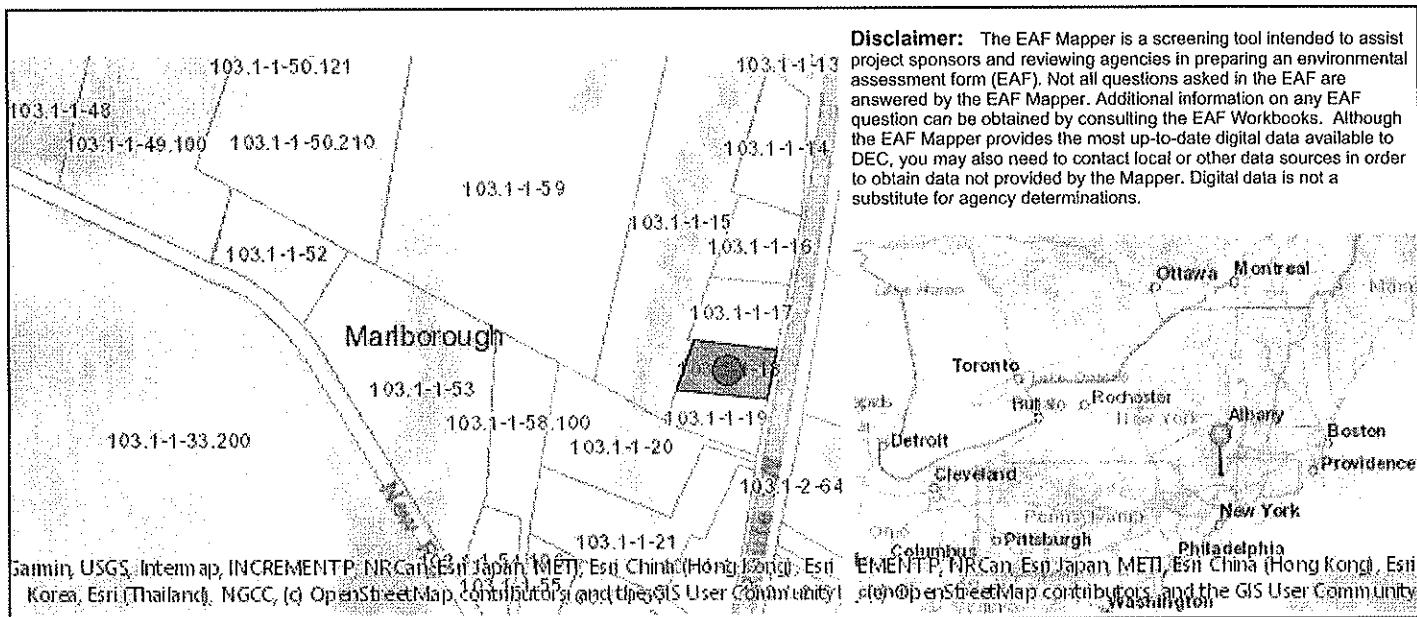
<b>Part 1 – Project and Sponsor Information</b>						
<p>Name of Action or Project: Top Seed Landscape Design</p> <p>Project Location (describe, and attach a location map): 1943 rt. 9w milton ny 12547</p> <p>Brief Description of Proposed Action: Site plan to build a 40' by 60' single story building</p>						
<p>Name of Applicant or Sponsor: stephen riveccio</p> <p>Address: 464 old indian road</p> <p>City/PO: milton</p>		<p>Telephone: 845-590-8227</p> <p>E-Mail: rtopseed@aol.com</p>				
<p>1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?</p> <p>If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.</p> <p>2. Does the proposed action require a permit, approval or funding from any other government Agency?</p> <p>If Yes, list agency(s) name and permit or approval: DOT</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">NO</td> <td style="width: 50%;">YES</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES					
<input checked="" type="checkbox"/>	<input type="checkbox"/>					
<p>3. a. Total acreage of the site of the proposed action? _____ b. Total acreage to be physically disturbed? _____ c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">3/4 acres</td> <td style="width: 50%;">1/2 acres</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> </table>	3/4 acres	1/2 acres	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3/4 acres	1/2 acres					
<input type="checkbox"/>	<input checked="" type="checkbox"/>					
<p>4. Check all land uses that occur on, are adjoining or near the proposed action:</p> <p>5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)  <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):  <input type="checkbox"/> Parkland</p>						

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ Inground septic system _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:			
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Atlantic Sturgeon, Shortnose...			
16. Is the project site located in the 100-year flood plan? <input checked="" type="checkbox"/> <input type="checkbox"/>			
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: yes the lot has a drainage swale in the north west corner of the property and that's where it drains now			
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____			
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____			
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____			
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>			
Applicant/sponsor/name: stephen riveccio		Date: 6/27/22	
Signature: stephen riveccio		Title: owner	

## EAF Mapper Summary Report

Monday, June 27, 2022 5:38 PM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Atlantic Sturgeon, Shortnose Sturgeon
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No