

DEVELOPMENT PLAN

FOR

Buttermilk Falls

PROPOSED Hotel and Resort

SITUATE:

North Road

Town of Marlborough
Ulster County, NY

East side of North Road

103.1-2-12.200 \pm 39.7 AC
103.1-2-13 \pm 11.0 AC
103.1-2-11.200 \pm 1.3 AC
103.1-2-10 \pm 2.5 AC
103.1-2-11.100 \pm 1.2 AC

Part of Lot 103.1-2-12.1 \pm 0.3 AC

Total Acreage: \pm 56.0 AC

West side of North Road

103.1-2-75 \pm 1.4 AC
103.1-2-71 \pm 3.8 AC
103.1-2-72 \pm 0.8 AC

Total Acreage: \pm 6.0 AC

TOTAL ACREAGE OF SITE: \pm 62.0 AC

OWNER / APPLICANT:
220 Road L.L.C / Robert Pollock
220 North Road
Milton NY, 12547

DATE:
November 3, 2023
PREPARED BY:

MEDENBACH & EGGERS
CIVIL ENGINEERING AND LAND SURVEYING, P.C.
STONE RIDGE, NY 12484
(845) 687-0047

BARRY MEDENBACH, P.E., LIC. NO. 60142

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ATTACHMENTS:

1. Tax Map/ UC Parcel Viewer with list of applicant's parcels
2. Zoning Map
3. Long Environmental Assessment Form with Michael A Moriello PC Addendum
4. Threatened / Endangered Species Habitat Suitability Assessment Report
5. Ecological Solutions Inc.
6. New York State Parks, Recreation and Historic Preservation Letters

UNDER SEPARATE COVER:

7. Site Plan – 24X36; Medenbach & Eggers, Civil engineering and Land Surveying, PC
8. Architectural Plans- 11x17; Freyer Collaborative Architects, PLLC
9. Traffic Study; Stephan A Maffia, P.E.

PROJECT CONSULTANTS:

Engineering: Medenbach and Eggers, PC
Barry Medenbach, P.E.
4305 US Highway 209
Stone Ridge, NY 12484

Architectural: Freyer Collaborative Architects, PLLC
Warren Freyer, AIA
37 East 18th Street
New York, NY 10003

Legal: Micharl A. Moreillo, PC
Michael A. Moriello, Esq.
111 Green Steet (PO Box 4465)
Kingston, NY 12402

Endangered/
Threatened
Species: Ecological Solutions, Inc
Mike Nowicki
1248 Southford Road
Southbury, CT 06488

Cultural/
Historic
Resources: Joseph E. Diamond, PhD
290 Old Route 209
Hurley, NY 12443

Traffic: Stephan A Maffia, P.E.
Consulting Engineer
103 Vacation Drive
Wappingers Falls, NY 12590

1. General Description:

Buttermilk Falls is an existing Bed and Breakfast facility with a restaurant known as Henry's and Spa, banquet hall, and accessory facilities situated on 50.7 acres overlooking the Hudson River on east side of North Road in Milton New York.

The proposal is to add a 65-room hotel, 35 individual cabins, 60 seat restaurant and 300 seat banquet hall among other accessory facilities. This will include adding 5.3 adjacent acres to the main parcel and 6 acres on the west side of North Road on corner of Mahoney Road for parking. Total Site are is 62.0 acres

The main hotel building will be located on top of a hilltop overlooking the Hudson River with the restaurant and banquet hall attached. The cabins will be situated in a wooded area to the north with some on piers to protect the old growth trees. Two existing single-family homes with access from VanOrden Road and Two on North Road will remain for workforce housing. The proposed parking lot on the west side of North Road contains an existing warehouse type building portion to be removed and balance renovated for facility storage and deliveries. Two of the existing single-family homes will remain for workforce housing on this site.

Guests will enter the main driveway off North Road for valet parking and then shuttled to their room with small vehicles.

The facility will include trails for walking and some farm animals onsite and adjacent parcels for guests use and education.

The applicant has a single-family home on 3.5 acres on a separate parcel situated within the proposed development site upon a small area (0.3acres) will be conveyed from this lot to the development site to provide required setback for the proposed hotel.

The intent of this report is to summarize the physical characteristic of the site and to present the details of the proposed development. This report will discuss the project's suitability under the Town of Marlborough Zoning Code and identify any potential environmental impact and includes an Environmental Assessment Form (EAF) with supporting data for determination of significance under the State Environmental Quality Review Act (SEQRA). It is anticipated that the analysis provided within this report may be supplemented by the applicant during the project review by all involved

administrative agencies.

2.Neighborhood Characteristics:

The surrounding neighborhood is a mix of single-family homes, warehouses, manufacturing, agricultural lands, and vacant undeveloped land. The warehouses and manufacturing is located mostly along Route 9W about 500 ft west of the site. Residential and agricultural lands are predominantly along North Road, VanOrden Road and River Knoll Drive. The west side of the site has approximately 1600 ft of frontage along North Road and 1800 ft of frontage along the Hudson River on the east. A railroad exists along Hudson River that is at an elevation about 160 ft lower than the developed portion of the site.

3.Zoning and Density

A total of 8 tax parcels makes up the existing and proposed facility for a total of 62.0 acres including the 0.3 acre parcel to be subdivided from parcel 103.1-2-12.100. Land on the east side of North Road is zoned R-1 that allows Resort Hotels with a Special Use Permit and minimum of 10 acres. See 155-12 B(4)(k). The proposed storage service buildings and accessory parking lot on the west side of North Road is zoned HD and principal permitted uses include Storage, Off Site Parking, Loading and Unloading with site plan approval. The project sponsor owns eleven additional parcel adjacent to this site totaling 11.4 acres and are not included in this application. These parcels contain single family houses with some agricultural use.

The eight parcels included in the proposed facility are listed in the tax map addendum and will require a lot line revision approved by the town Planning Board to combine the 8 parcels and the 0.3 acre into one parcel.

Zoning requirements:

R-1 Requirements

- Minimum Lot area: 1 acre
- Minimum yards:
 - Front 35 ft.
 - Rear 50 ft.
 - Side 35 FT.

Minimum Lot Width: 150 ft

- Minimum Lot Depth: 200 ft.
- Maximum Building Coverage: 20%
- Maximum Building Height: 2½ Stories, 35 ft.

HD Requirements

- Minimum Lot area: 2 acres
- Minimum yards:
 - Front 75 ft.
 - Rear 75 ft.
 - Side 25 ft.
- Minimum Lot Width: 200 ft
- Minimum Lot Depth: 200 ft.
- Maximum Building Coverage: 40%
- Maximum Building Height: 4 Stories, 45 ft.

The revisions to the existing storage building and proposed parking lots all meet these requirements.

The Proposed Hotel with accessories meets all of the above requirements.

A Boundary Line Revision is proposed within the R-1 zone conveying 0.3 ac from the private residence lot of the owner to the development plan to provide the necessary setback to the proposed hotel. The revised private lot will be reduced to 3.2 ac and will meet all zoning requirements for R-1 Zone.

4. Parking and Traffic

The attached Traffic Impact Study prepared by Stephan A. Maffin PB concluded that, while there will be modest increase in traffic volume on the adjacent streets, control delay time at key intersections and traffic flows and Levels of Service would not be negatively impacted. Also, with a shared parking supply, all needed parking demands would be accommodated within the Buttermilk Falls site – and that will include a new parking lot on the west side of North Road at Mahoney Road. It is concluded that the proposed project will not adversely impact traffic conditions on the adjacent streets and at the intersections in the study area. Therefore, no mitigation is required.

Traffic Impacts During construction

All necessary work permits will be obtained from the appropriate agencies in accordance with all relevant policies and standards. Impacts due to construction traffic will be temporary in nature, lasting for the duration of the on-going building program at the site. Traffic would consist of occasional heavy trucks delivering building materials to the project site and daily equipment such as bulldozers and excavators are brought to the site (if needed) at the beginning of the project and kept on-site until no longer needed. Construction may also require the temporary, short-term closure of traffic lanes and flagging to direct traffic during the closure. This will be coordinated with the local Police Department if required. Construction workers' vehicles would be parked on-site.

Parking

Existing Facilities

Bed and Breakfast rooms	14 rooms	= 14
Henry' Restaurant	150 seats	= 50
Single Family Cottage	1	= 2
SPA w/expansion under const.	11 rooms	= 11
	13 employees	= 13
Barn Banquet Hall	120 seats	= 40
Outside Special Event Area	225 seats	= 75
	Total Existing	= 205

Proposed Facilities

Hotel	65 rooms @1	= 65
Cabins	35 rooms @1	= 35
Restaurant	60 seats / 3	= 20
Banquet hall	300 seats /3	=100
Employees	1 each @70	= 70
	Total Proposed	= 290
	Project Total	= 495

Reduction for uses not in service at same time = (-90) See Traffic Study

Net Project Total 405

Required Accessible = 8 spaces, 12 proposed

48 existing parking to remain on East side of North Road
and 19 on West Side on Mahoney Road (-67)

Total required new parking to be provided = 338 spaces.

Parking Code Requirements

Hotel	1 per room
Restaurant	1 per 3 seats
Banquet	1 per 3 seats
Spa	1 per room
Residential	1.5 per dwelling unit

5. Wetlands, Species and Habitats:

The site does not contain any NYDEC protected wetlands. A stream that runs along the east side of North Road and then into an onsite manmade pond and on to the Hudson River is not classified as protected stream NYDEC. The only Threatened and Endangered Species identified with NYDEC data for the site is the Atlantic Sturgeon and Shortnose Sturgeon.

An Endangered/ Threatened Species Habitat Suitability Assessment Report prepared by Ecological Solution LLC and is attached.

6. Soil and Topography:

The site lies within the Marlboro Mountains, a series of ridges and peaks that extend from Newburgh to Kingston. Slopes on the eastern side of the site and dipping towards Hudson River are steep (>25%) while the slopes on the central area of site are more gradual. Soils are predominantly marine/delta deposits comprised primarily of Bath gravelly silt loam, Canandaigua silt loam and Volusia gravelly silt loam. An initial series of 28 test holes dug up to a depth of 60" confirmed the presence of gravelly silt loams. These soils are excellent for on-site septic disposal.

No portion of the site to be developed lies within any federally designated flood hazard area. The Hudson River along the eastern boundary does have a federally designated flood hazard area.

7. Water & Sewer

The existing facility has existing public water from the town on site with fire hydrants. The proposed facilities will connect to the existing piping. The increase in usage will be 16,800 gpd and the town's supply is determined to have adequate capacity.

Current sewerage is provided by some onsite septic systems (1,833 gpd) and a connection to the Milton sewer system (5,000 gpd approved). Since the flow for the proposed facilities exceeds the reserve capacity in the Milton Sewer plant, the proposal for new construction will be provided with onsite septic systems. Three separate septic systems are proposed in the existing agricultural field. Test holes and percolation have been conducted and

confirm adequate soils and conditions exist to accommodate this usage. The Ulster County Health Department is currently reviewing the design for approval of the proposed systems. In addition, a NYDEC discharge permit (SPDES) will be required. Following are the design flow for existing and proposed water and septic usage and basic design requirement for each proposed septic system.

Design Flows:

Existing Facilities on Town Sewer

Bed and Breakfast rooms	14 rooms @110 gpd	= 1,540 gpd
Henry' Restaurant	120 seats @ 28gpd	=3,360 gpd
Existing Total to Town Sewer		= 4,900 gpd

Existing onsite septic disposal

SPA w/expansion under const.	11 rooms @ 75 gpd	=825 gpd
	13 employees @12 gpd	= 156 gpd
Single Family Cottage	one bedroom @110gpd	= 110 gpd
Barn Banquet Hall	120 seats @ 10 gpd	= 1,200 gpd
	Total	= 2,291 gpd
20% reduction for water conservation		= (458 gpd)
Existing Total Onsite Septic		= 1,833 gpd
Outside Special Event Area	225 guests use portable toilets	

Proposed Facilities

Hotel	65 rooms @ 110 gpd	= 7,150 gpd
Cabins	35 rooms @110 gpd	
	With 8 two bedrooms	= 4,730 gpd
Restaurant	60 seats @ 28 gpd	= 1,680 gpd
Banquet hall	300 seats @ 8 gpd	= 2,400 gpd
Employees	70 @12 gpd	= 840 gpd
Total Proposed for onsite septic		Total = 16,800 gpd

The three proposed onsite septic system are proposed for the facilities as follows:

Hotel at 7150 gpd

Proposes 4 septic tanks at 3000 gallons and 4 disposal beds 34' X 104'

Restaurant, Banquet Hall and Employees at 4920 gpd

Propose 4 septic tanks at 2000 gallons and 4 disposal bed 28' X 90'

Cabins at 4730gpd

Propose 4 septic tanks at 2000 gallons and 4 disposal beds 22'X104'

8. Drainage & Stormwater Management:

To mitigate the impacts of increased pollutants and runoff in stormwater from the proposed development several methods will be used to treat stormwater from the project before they are discharged into downstream waters and Hudson River. The facility will comply with the NYS Stormwater Management Design Manual and be implemented for all proposed on-site drainage.

Stormwater management for the project will include temporary erosion controls during construction as well as permanent post-construction controls such as swales, bioretention areas, sedimentation basins and stormwater ponds. The bioretention areas will mitigate the impacts of the proposed development on runoff quantity and quality by removing pollutants from the stormwater before it is discharged offsite. Existing manmade pond will be used after the bioretention areas to achieve required water quality volume control that is not accounted for by the bioretention areas. The stormwater ponds will also serve to mitigate the peak flows off the property.

A full Storm Water Pollution Prevention Plan (SWPPP) is being prepared and will be submitted under separate cover as part of the approval process with the town planning board.

9. SEQRA, (State Environmental Quality Review Act):

A complete Full Environmental Assessment Form (FEAF) is Attached to this report for review and determination of significance as required by the Lead Agency. We would assume the Town Planning Board will designate it's intent to serve as lead agency in writing and for consideration from the other involved agency that includes the Ulster County Health Department and the New York State Department of Environmental Conservation. This project is classified as a Type I action under SEQRA [6 NYCRR, Parts 617.4(b)(6)(i)

10. New York State Historic and Archeological Report:

NYSOPRHP letter dated September 27.2023 indicates they have no architectural. or above ground concerns with the proposed Buttermilk Falls Hotel and Spa expansion. In the September 21, 2023 letter, they determined the site is an archaeological sensitive location and recommends a Phase 1A/1B archaeological study.

Joesph E Diamond PhD is currently preparing the archaeological study requested. The finding of this report and results of NYSOPRHP will be submitted to the town planning board when available.

The letters are attached.

ATTACHMENT 1.
Tax Map/ parcel viewer
With
List of Applicants parcels

TAX MAP NUMBERS AND OWNERS BUTTERMILK FALLS PROJECT

PARCELS TO BE INCLUDED IN PROPOSAL: Applicant is 220 North Road LLC

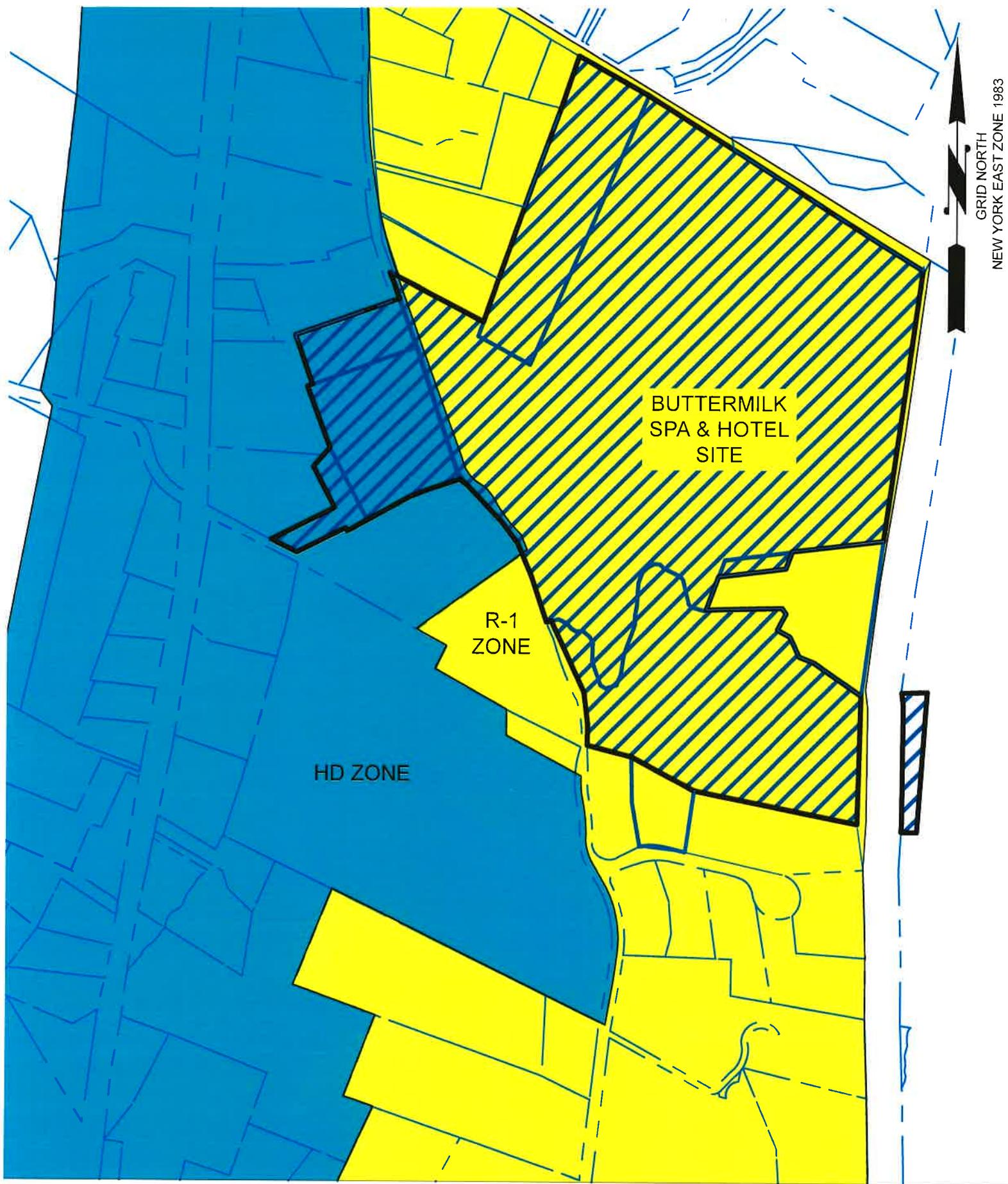
103.1-2-12.200	ROBERT POLLOCK
103.1-2-13	220 NORTH ROAD LLC C/O ROBERT POLLOCK (Applicant)
103.1-2-11.200	99 SOUTH ELLIOT PLACE LLC C/O ROBERT POLLOCK
103.1-2-10	ROBERT POLLOCK
103.1-2-11.100	20 VANORDON LLC C/O ROBERT POLLOCK
103.1-2-75	99 SOUTH ELLIOT PLACE LLC C/O ROBERT POLLOCK
103.1-2-71	99 SOUTH ELLIOT PLACE LLC C/O ROBERT POLLOCK
103.1-2-72	CHERNOBYL POWER LIGHT LLC C/O ROBERT POLLOCK

OTHER PARCELS OWNED BY APPLICANT:

103.1-2-17	ROBERT POLLOCK
103.1-2-16	ROBERT POLLOCK
103.1-2-15	ROBERT POLLOCK
103.1-2-8	ROBERT POLLOCK
103.1-2-3	ROBERT POLLOCK
103.1-2-4	ROBERT POLLOCK
103.1-2-2	ROBERT POLLOCK
103.1-2-5	99 SOUTH ELLIOT PLACE LLC C/O ROBERT POLLOCK
103.1-2-9.200	MILTON REALTY LLC C/O ROBERT POLLOCK
103.1-2-9.100	MILTON REALTY LLC C/O ROBERT POLLOCK
103.1-2-12.100	ROBERT POLLOCK

ATTACHMENT 2.

Zoning map



400 0 400 800 1200



Scale: 1" = 400'

ZONING MAP

Attachment 3.
Full Environmental Assessment Form
Part 1
With
Addendum
Michael A Moriello PC

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: BUTTERMILK FALLS		
Project Location (describe, and attach a general location map): 220 NORTH ROAD, MILTON, NY		
Brief Description of Proposed Action (include purpose or need): EXISTING BUTTERMILK FALLS INN, SPA AND RESTUARANT TO EXPAND WITH NEW 65 ROOM HOTEL , 35 CABINS, 60 SEAT RESTAURANT AND 300 SEAT BANQUET HALL WITH PARKING AND NECESSARY ACCESSORIES.		
Name of Applicant/Sponsor: 220 North Road Realty LLC c/o ROBERT POLLOCK		Telephone: 718-834-0775 E-Mail: ROBLPOLLOCK@GMAIL.COM
Address: PO BOX 444		
City/PO: MILTON		State: NY Zip Code: 12547
Project Contact (if not same as sponsor; give name and title/role): BARRY MEDENBACH,PE - PROJECT MANAGER		Telephone: 845-687-0047 E-Mail: BARRY@MECELS.COM
Address: 4305 US HIGHWAY 209		
City/PO: STONE RIDGE		State: NY Zip Code: 12484
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 Counsel, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	SITE PLAN, SPECIAL USE PERMIT &SUBDIVISION	
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	ULSTER COUNTY HEALTH DEPT	
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	ULSTER COUNTY PLANNING BOARD FOR ADVISORY OPINION	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC- SPDES FOR ONSITE SPETIC	
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
iii. Is the project site within a Coastal Erosion Hazard Area?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
• 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input type="checkbox"/> Yes <input checked="" 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-1 AND HD

b. Is the use permitted or allowed by a special or conditional use permit? 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?

C.4. Existing community services.

a. In what school district is the project site located? MARLBORO SCHOOL

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

NYS POLICE, ULSTER COUNTY SHERIFF

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

MILTON FIRE

d. What parks serve the project site?

NOT NECESSARY- FACILITY WILL HAVE SIGNIFICANT SPACE WITH TRAILS AND AGRICULTURE AVAILABLE TO GUESTS

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)? RESORT - HOTEL & BANQUET FACILITIES

b. a. Total acreage of the site of the proposed action? 62.0 acres

b. Total acreage to be physically disturbed? 15.3 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 62.0 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)? % ATTACHED APPENDIX 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)

AREA TRANSFER FROM SINGLE FAMILY LOT FOR SETBACK TO HOTEL

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 2
- Anticipated commencement date of phase 1 (including demolition) JULY month 2024 year
- Anticipated completion date of final phase JULY month 2026 year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

NONE - CABINS MAY BE BUILT PRIOR TO HOTEL BUILDING

f. Does the project include new residential uses? If Yes, show numbers of units proposed.				<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<u>One Family</u>		<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase				
At completion of all phases				
g. Does the proposed action include new non-residential construction (including expansions)? If Yes,				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<ol style="list-style-type: none"> Total number of structures <u>38</u> Dimensions (in feet) of largest proposed structure: <u>35'</u> height; <u>150'</u> width; and <u>480'</u> length Approximate extent of building space to be heated or cooled: <u>87,000</u> 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? If Yes,				<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ol style="list-style-type: none"> Purpose of the impoundment: _____ If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____ If other than water, identify the type of impounded/contained liquids and their source. 				
<ol style="list-style-type: none"> Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres Dimensions of the proposed dam or impounding structure: _____ height; _____ length 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)				
If Yes:				
<ol style="list-style-type: none"> What is the purpose of the excavation or dredging? _____ How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? <ul style="list-style-type: none"> • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ 				
<ol style="list-style-type: none"> Will there be onsite dewatering or processing of excavated materials? If yes, describe. _____ 				
<ol style="list-style-type: none"> What is the total area to be dredged or excavated? _____ acres What is the maximum area to be worked at any one time? _____ acres What would be the maximum depth of excavation or dredging? _____ feet Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> No 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? If Yes:				
<ol style="list-style-type: none"> 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: 16,800 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: MILTON
- 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: _____
PUBLIC WATER IS ALREADY ONSITE - SERVICE CONNECTION FOR PROPOSED BUILDINGS
- Source(s) of supply for the district: MILTON

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: 16,800 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):
SANITARY WASTEWATER

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

If Yes:

- Name of wastewater treatment plant to be used: SOME EXISTING SITE USERS CONNECTED TO MILTON SEWER DISTRICT
- Name of district: NO OTHER PROPOSED USE
- 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: _____

SOME EXISTING SITE USERS CONNECTED TO MILTON SEWER DISTRICT - NO OTHER PROPOSED USE

- 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: _____

ONSITE SEPTIC SYSTEM

- 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 _____ 3.3 acres (impervious surface)

_____ Square feet or _____ 62 acres (parcel size)

- ii. Describe types of new point sources. Runoff from buildings and will comply with NYDEC for SWPPP

- 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)?

ONSITE STREAM AND PONDS

- 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, Yes No or Federal Clean Air Act Title IV or Title V Permit?

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)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>	
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____.</p>	
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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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 ½ mile of the proposed site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<p>i. Estimate annual electricity demand during operation of the proposed action: _____ <small>UNKNOWN AT THIS TIME</small></p>	
<p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): <small>CENTRAL HUDSON GAS & ELECTRIC</small></p>	
iii. Will the proposed action require a new, or an upgrade, to an existing substation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I. Hours of operation. Answer all items which apply.	
i. During Construction:	
<ul style="list-style-type: none"> • Monday - Friday: _____ 7AM -5PM • Saturday: _____ 7AM - NOON • Sunday: _____ NONE • Holidays: _____ NONE 	
ii. During Operations:	
<ul style="list-style-type: none"> • Monday - Friday: _____ 24/7 • Saturday: _____ 24/7 • Sunday: _____ 24/2 • Holidays: _____ 24/7 	

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Describe: _____	
n. Will the proposed action have outdoor lighting?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes:	
i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:	_____
SEE SITE PLAN FOR DETAILS	
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Describe: _____	
o. Does the proposed action have the potential to produce odors for more than one hour per day?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Product(s) to be stored PROPANE	_____
ii. Volume(s) _____ per unit time _____ (e.g., month, year)	_____
iii. Generally, describe the proposed storage facilities:	_____
UNDERGROUND TANK	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Describe proposed treatment(s):	_____
ii. Will the proposed action use Integrated Pest Management Practices?	<input type="checkbox"/> Yes <input type="checkbox"/> No
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> 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:

EXISTING FACILITY AND LANDS TO BE USED HAVE MULTIPLE USES

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	+8.2	11.5	+ 3.3
• Forested	+35.0	32.0	- 3.0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	+11.6	11.3	- 0.3
• Agricultural (includes active orchards, field, greenhouse etc.)	+2	2	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	+5.0	5	0
• Wetlands (freshwater or tidal)	+0.0	0.0	0
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? i. If Yes: explain:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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? If Yes, i. Identify Facilities: <hr/> <hr/>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
e. Does the project site contain an existing dam? If Yes: i. Dimensions of the dam and impoundment: <ul style="list-style-type: none"> • Dam height: _____ +/- 6 feet • Dam length: _____ +/- 15 feet • Surface area: _____ +/- 2 acres • Volume impounded: _____ +/- 800,000 GALLONS gallons OR acre-feet ii. Dam's existing hazard classification: <u>N/A</u> iii. Provide date and summarize results of last inspection: N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? If Yes: i. Has the facility been formally closed? <input type="checkbox"/> Yes <input type="checkbox"/> No <ul style="list-style-type: none"> • If yes, cite sources/documentation: _____ ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: <hr/> <hr/>	
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? If Yes: i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: <hr/>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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? 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: <input type="checkbox"/> Yes – Spills Incidents database Provide DEC ID number(s): _____ <input type="checkbox"/> Yes – Environmental Site Remediation database Provide DEC ID number(s): _____ <input type="checkbox"/> Neither database	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ii. If site has been subject of RCRA corrective activities, describe control measures: <hr/>	
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? If yes, provide DEC ID number(s): <u>546031</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): <u>The remediation site is the Hudson River PCB sediments Site and includes a nearly 200-river-mile stretch of the Hudson River in eastern New York State from the Village of Hudson Falls to the Battery in New York City.</u>	

v. Is the project site subject to an institutional control limiting property uses?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> 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? <input type="checkbox"/> Yes <input type="checkbox"/> No Explain: _____ _____ _____ 		
E.2. Natural Resources On or Near Project Site		
a. What is the average depth to bedrock on the project site? <u>>6 FT</u> feet		
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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: <u>mostly >6</u> feet		
e. Drainage status of project site soils: <input checked="" type="checkbox"/> Well Drained: <u>45 %</u> of site <input checked="" type="checkbox"/> Moderately Well Drained: <u>7 %</u> of site <input checked="" type="checkbox"/> Poorly Drained <u>48 %</u> of site		
f. Approximate proportion of proposed action site with slopes: <input checked="" type="checkbox"/> 0-10%: <u>50 %</u> of site <input checked="" type="checkbox"/> 10-15%: <u>10 %</u> of site <input checked="" type="checkbox"/> 15% or greater: <u>40 %</u> of site		
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
ii. Do any wetlands or other waterbodies adjoin the project site? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:		
<ul style="list-style-type: none"> Streams: Name <u>862-392</u> Classification <u>C</u> Lakes or Ponds: Name <u>PRIVATE, MANMADE</u> Classification <u>PRIVATE</u> Wetlands: Name <u>Federal Waters, Federal Waters, Federal Waters,...</u> Approximate Size _____ Wetland No. (if regulated by DEC) <u>NONE</u> 		
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, name of impaired water body/bodies and basis for listing as impaired: _____ Name - Pollutants - Uses:Hudson River (Class A) – Priority Organics – Fish Consumption		
i. Is the project site in a designated Floodway? <u>Hudson River</u> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
j. Is the project site in the 100-year Floodplain? <u>Hudson River</u> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
k. Is the project site in the 500-year Floodplain? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Name of aquifer: _____		

m. Identify the predominant wildlife species that occupy or use the project site:	Geese _____	Deer _____
n. Does the project site contain a designated significant natural community?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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:		
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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:		
i. Species and listing (endangered or threatened):		
Atlantic Sturgeon, Shortnose Sturgeon		
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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:		
i. Species and listing:		
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, provide county plus district name/number:	ULST001	
b. Are agricultural lands consisting of highly productive soils present?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:		
i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Identify resource: HUDSON RIVER	
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: <u>ADJACENT</u> miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No

F. Additional Information

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

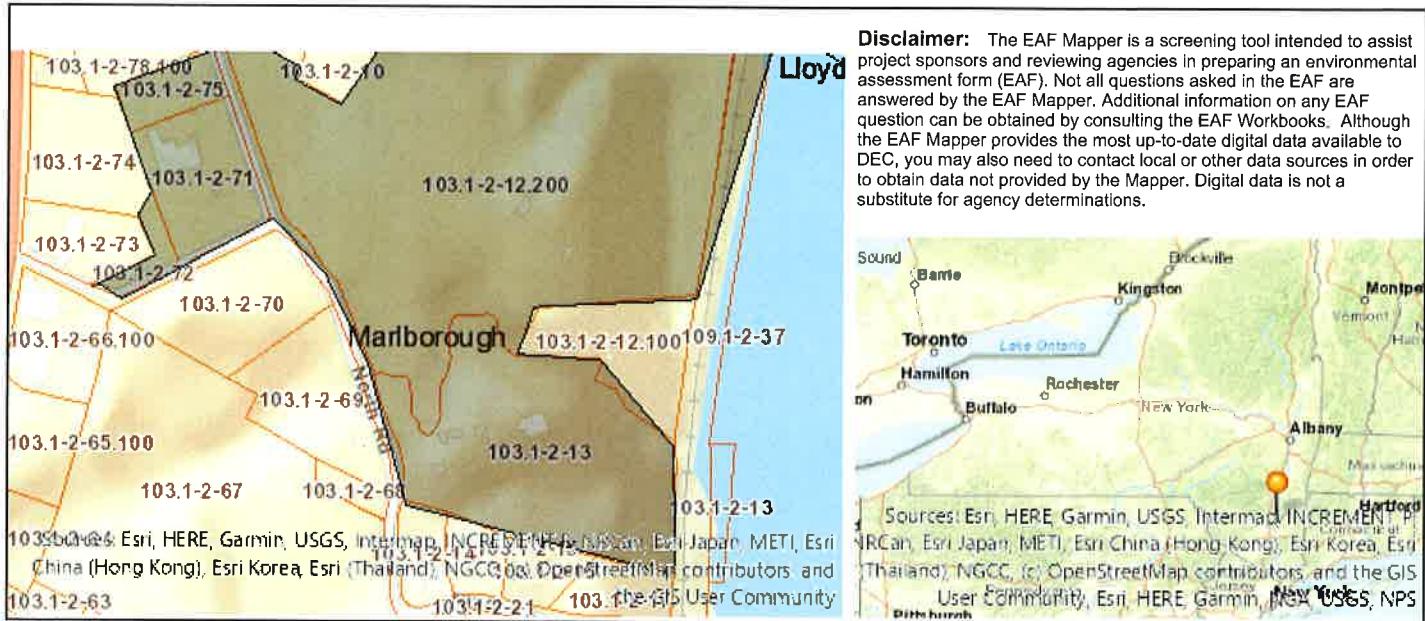
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name 220 North Road Realty LLC c/o Robert Pollock Date 11/1/23

Signature Barry McEachern PB Title Agent
McEachern & Eggers, CCLS, PC



B.i.i [Coastal or Waterfront Area]	Yes
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	546031
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	862-392
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	Yes
E.2.h.v [Impaired Water Bodies - Name and Basis for Listing]	Name - Pollutants - Uses:Hudson River (Class A) – Priority Organics – Fish Consumption

E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	Yes
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Atlantic Sturgeon, Shortnose Sturgeon
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	ULST001
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

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SEQRA ADDENDUM

**PART B OF PART 1 OF THE
SEQRA ENVIRONMENTAL ASSESSMENT FORM**

This Addendum is offered to supplement the Town of Marlborough Site Plan, Special Use Permit and Subdivision Applications, the SEQRA Long EAF, Part 1 and additional Application documents submitted to the Town of Marlborough Planning Board for the Buttermilk Falls Hotel and Resort Expansion Project.

A.) SEQRA DESIGNATION: This action is to be lawfully classified as Type I under SEQRA pursuant to 6 NYCRR Parts 617.4(b)(6)(i) and 617.4(b)(8), pursuant to the following Type I Action thresholds:

a.) Physical alteration of 10 acres for a non-residential project; and,

b.) Non-agricultural use occurring within an agricultural district and exceeding 25% of the 10 acre threshold above; and,

Pursuant to 6 NYCRR Part 617.6, the Applicant requests that the Town of Marlborough Planning Board initiate a coordinated SEQRA review process and issue its Notice of Intent to Serve as Lead Agency for the project to all Involved and/or Interested

Agencies. The Applicant will forward a draft Notice of Intent to Serve as Lead Agency to the Planning Board for review, changes and use following initial review of the action; should the Planning Board so desire.

B.) INVOLVED/INTERESTED AGENCIES AND STATUTORY REVIEW AUTHORITY:

Pursuant to 6 NYCRR Part 617.6 the Applicant requests that copies of the EAF, Addendum, Applications, Development Report and a project Map be mailed or delivered to the other Involved/Interested agencies as part of the Type I Action coordinated review, intimating that a lead agency be designated and which lead agency would, presumably, be the Town of Marlborough Planning Board.

As to agency involvement in the administrative review process, the names of the Involved and Interested Agencies, as well as the applicable statutory review authority which the Applicant has been able to ascertain, are as follows:

I.) Involved Agencies: [Discretionary Approvals]

a.) Town of Marlborough Planning Board.

- i.) Site Plan Approval.
- ii.) Special Use Permit Approval.
- iii.) Subdivision Approval.
- iv.) Agricultural Data Statement.
- v.) SEQRA Lead Agency Review.

b.) Ulster County Health Department.

- i.) Sanitary Sewage Disposal Systems Approval.
- ii.) Temporary Housing Approval.

- iii.) Food Preparation Approval.
 - c.) New York State Department of Environmental Conservation.
 - i.) Stormwater Management Permit [SPDES General Permit GP-0-20-002].
 - ii.) Sewage Disposal System Permit [GP-0-15-001].
 - iii.) Endangered/Threatened Species Review.
 - d.) Town of Marlborough Highway Department.
 - i.) Curb Cut Permit.
 - e.) Town of Marlborough Town Board.
 - f.) Ulster County Industrial Development Agency.
 - i.) Payment in Lieu of Taxes Agreement.
- II.) Interested Agencies: [Ministerial Permits and/or Non-Permit Reviews]
- a.) Town of Marlborough Building Inspector.
 - i.) Building Permit.
 - ii.) Certificates of Occupancy.
 - b.) New York State Department of State, Division of Coastal Resources.
 - c.) Town of Marlborough Environmental Conservation Commission.
 - i.) Referral.
 - d.) New York State Office of Parks, Recreation and Historic Preservation.
 - i.) Referral and Letter Determination.
 - e.) Ulster County Planning Board.
 - i.) Agricultural Data Statement Referral.

- ii.) New York State General Municipal Law Section 239-m Referral.
- f.) United States Army Corps of Engineers.
- g.) Town of Marlborough Fire Department.
 - i.) Referral.
- h.) Town of Marlborough Police Department.
 - i.) Referral.
- i.) Town of Marlborough Public Works Department.
 - i.) Referral.
- j.) Hudson Valley Greenway.
- k.) Scenic Hudson.
- l.) United States Department of the Interior Fish and Wildlife Service.
- m.) Ulster County Department of Public Works.
- n.) Marlborough Consolidated School District.
- o.) Ulster County Legislature.
- p.) 220 North Road Realty LLC.
- q.) Robert Pollock.
- r.) 99 South Elliot Place LLC.
- s.) Chernobyl Power & Light LLC.
- t.) 20 Van Ordon LLC.
- u.) Other agencies/persons which the Lead Agency may identify during pendency of project review.

III.) Applicable Law:

- i.) SEQRA [6 NYCRR Part 617 et seq.]

- ii.) New York State Town Law Sections 64, 208, 274-a, 274-b, 276, 277 and 283-a .
- iii.) Town of Marlborough Zoning Law.
- iv.) Town of Marlborough Subdivision Regulations.
- v.) New York State Public Health Law, Article 11.
- vi.) New York State Environmental Conservation Law, Article 11.
- vii.) New York State Environmental Conservation Law, Article 17.
- viii.) 30 CFR Part 330 et seq.
- ix.) New York State Historic Preservation Law, Section 14.09.
- x.) New York State Sanitary Code, Appendix 75-A Regulations.
- xi.) Article 7-a, United States Endangered Species Act.
- xii.) Section 874, General Municipal Law of New York State.
- xiii.) Town of Marlborough Code.
- xiv.) New York State General Municipal Law, Section 239-m.
- xv.) Other statutory authority as may be determined by the Planning Board.

C.) PROJECT CONSULTANTS: A listing of the Project

Consultants for the Project is as follows:

- a.) Legal: Riseley and Moriello, PLLC
Michael A. Moriello, Esq.
111 Green Street
Post Office Box 4465
Kingston, New York 12402
(845) 338-6603
- b.) Engineering: Medenbach and Eggers, PC
Barry Medenbach, PE
4305 US Highway 209
Stone Ridge, New York 12484
- c.) Endangered/
Threatened
Species: Ecological Solutions, Inc.
Mike Nowicki
1248 Southford Road
Southbury, Connecticut 06488
- d.) Cultural/
Historic Joseph E. Diamond, PhD
290 Old Route 209

Resources: Hurley, New York 12443
(845) 338-0091

e.) Architectural:

Freyer Collaborative Architects, PLLC
Warren Freyer, AIA
37 East 18th Street
New York, New York 10003

WHEREFORE, in consideration of the foregoing and the application documentation of the Applicants herein, this SEQRA Addendum is,

Dated: November ___, 2023

Respectfully Submitted,

MICHAEL A. MORIELLO

APPENDIX 4.

Threatened / Endangered Species Habitat Suitability Assessment Report

Ecological solutions Inc.

*Threatened/Endangered Species
Habitat Suitability Assessment Report*

7

Buttermilk Falls Site
North Road
Town of Marlborough, New York

July 31, 2023

Prepared by:

Michael Nowicki
Ecological Solutions, LLC
121 Leon Stocker Drive
Stratton, VT 05360
(203) 910-4716

1.0 INTRODUCTION

The subject site includes 8 parcels and is located on the east and west side of North Road and totals about 63 acres in the Town of Marlborough, New York (*Figure 1*). The proposed project on the site consists of a banquet hall and restaurant, 65 room hotel, 35 cabins, parking lot, storage area, and gatehouse.

A Habitat Suitability Assessment was completed for the Shortnose sturgeon (*Acipenser brevirostrum*) and Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) as part of the environmental review for the project and the Environmental Assessment Form mapper.

2.0 HABITAT SUITABILITY ASSESSMENT

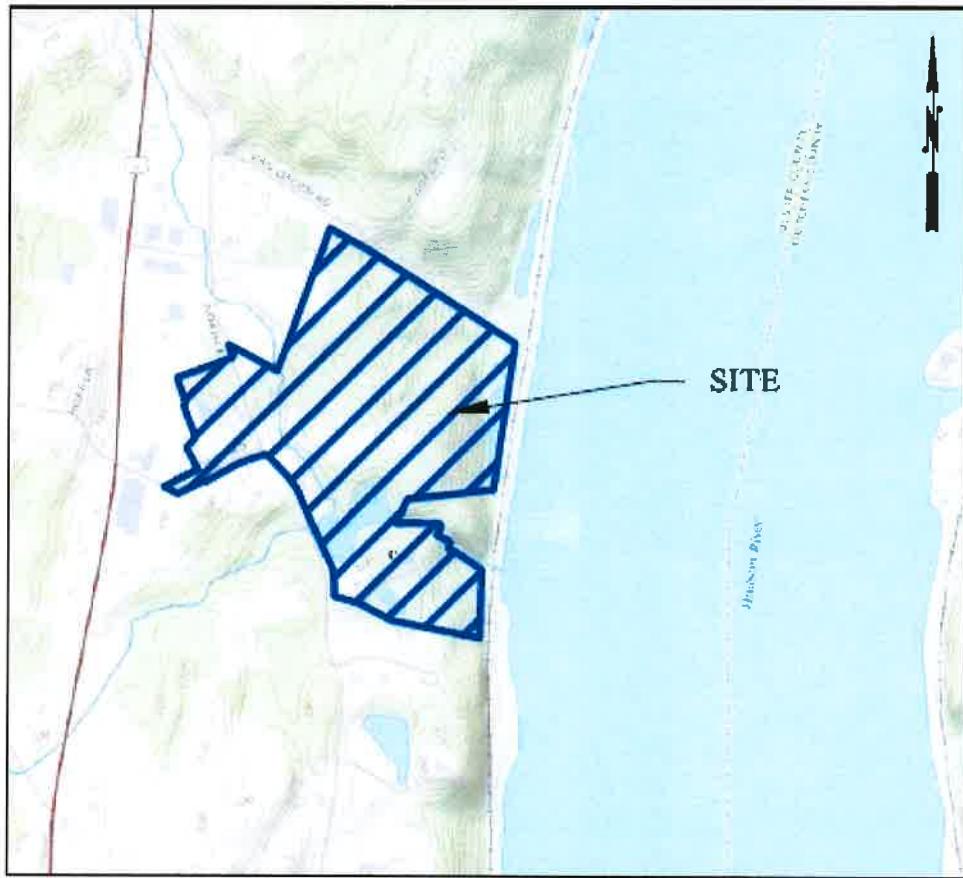
2.1 Shortnose sturgeon and Atlantic sturgeon

The shortnose sturgeon is semi-anadromous. Each year, between April and May, adult sturgeon migrate up the Hudson River from their mid-Hudson overwintering area to spawn in freshwater sites north of Coxsackie. Males spawn every other year and females every third year. Eggs are deposited and hatch in approximately 13 days. The newly-hatched fry are poor swimmers and drift with the currents along the bottom. As they grow and mature, the fish move downriver into the most brackish waters of the lower Hudson. The shortnose sturgeon is restricted in range to the Atlantic seaboard in North America. It occurs in estuaries and large coastal rivers. In New York State, it is found in the lower portion of the Hudson River from the southern tip of Manhattan upriver to the Federal Dam at Troy.

Atlantic sturgeon are anadromous, migrating from saltwater to spawn in freshwater. At spawning time, male sturgeon move into the river first followed by the females. Spawning occurs from April-June upstream of the salt front. Individual fish have been known to travel over 900 miles to spawn. Following spawning, female Atlantic sturgeon will move out of the river while males may remain until the fall. After spending up to the seven years of life in freshwater, Atlantic sturgeon migrate out to sea to spend the rest of their lives. Only during spawning season do adult sturgeon return to large coastal rivers and estuaries. In New York, Atlantic sturgeon are generally found in the deeper portions of the Hudson River.

Conclusion - There is no impact to the Hudson River from the proposed project and no work will occur along the River and therefore no impact to sturgeon from the proposed project. Best management practices (erosion controls) will be used to prevent the loss of sediment and debris from the site into the River. No other mitigation measures are necessary.

Figure 1 Location Map



ADDENDUM 5.

New York State Parks, Recreation and Historic Prevention Letter



**New York State
Parks, Recreation and
Historic Preservation**

KATHY HOCHUL
Governor

ERIK KULLESEID
Commissioner

September 27, 2023

Solomon Latham
Tech: Medenbach & Eggers
4305 US Highway 209
Stone Ridge, NY 12484

Re: DEC
Buttermilk Falls Hotel & Spa Expansion
220 North Rd, Milton, NY 12542
23PR06870

Dear Solomon Latham:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the submitted materials in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR § 617).

We note that all of the existing above-ground structures located within the Buttermilk Falls Complex have been determined Not Eligible for listing in the State and National Registers of Historic Places (S/NRHP). The Anning Smith Cemetery has been determined S/NRHP-eligible. We have reviewed the project site plans dated July 19, 2023. Based on that review, our office has no architectural or above-ground concerns. Please continue to consult with Jessica Schreyer regarding archaeological resources.

If you have any questions, you can call or e-mail me at the contact information below.

Sincerely,

Sara McIvor
Historic Site Restoration Coordinator
518-268-2127 | sara.mcivor@parks.ny.gov

Cc: B. Medenbach – Medenbach & Eggers
C. Vandrei – NYSDEC
J. Flynn – Town of Marlborough

C. Carr – Medenbach & Eggers
J. Ferguson – NYSDEC



**New York State
Parks, Recreation and
Historic Preservation**

KATHY HOCHUL
Governor

ERIK KULLESEID
Commissioner

ARCHAEOLOGY COMMENTS

Phase IA/IB Archaeological Survey Recommendation

Project: Buttermilk Falls Hotel & Spa Expansion

PR#: 23PR06870

Date: 9/21/2023

The project is in an archaeologically sensitive location. Therefore, the State Historic Preservation Office/Office of Parks, Recreation and Historic Preservation (SHPO/OPRHP) recommends a Phase IA/IB archaeological survey for components of the project that will involve ground disturbance, unless substantial prior ground disturbance can be documented. A Phase IA/IB survey is designed to determine the presence or absence of archaeological sites or other cultural resources in the project's Area of Potential Effects (APE).

If you consider the entire project area to be disturbed, documentation of the disturbance will need to be reviewed by SHPO/OPRHP. Examples of disturbance include mining activities and multiple episodes of building construction and demolition. Documentation of ground disturbance typically consists of soil bore logs, photos, or previous project plans. Agricultural activity is not considered to be substantial ground disturbance.

Please note that in areas with alluvial soils or fill archaeological deposits may exist below the depth of superficial disturbances such as pavement or even deeper disturbances, depending on the thickness of the alluvium or fill. Evaluation of the possible impact of prior disturbance on archaeological sites must consider the depth of potentially culture-bearing deposits and the depth of planned disturbance by the proposed project.

Our office does not conduct archaeological surveys. A 36 CFR 61 qualified archaeologist should be retained to conduct the Phase IA/IB survey.

If you have any questions concerning archaeology, please contact Jessica Schreyer at
Jessica.Schreyer@parks.ny.gov