# Nadler Planned Unit Development (PUD)
# Sketch Plan Application

**N.Y.S. Route 30**
**Town of Florida,**
**Montgomery County, NY**

**May 6, 2022**

WE | WINSTANLEY ENTERPRISES

**Sketch Plan Narrative**
**Nadler PUD**
**Town of Florida, NY**
**May 6, 2022**

## I. Introductory Narrative

WE Acquisitions, LLC (the "Applicant") is proposing the establishment of a Planned Unit Development District (the "Nadler PUD") pursuant to Article 6 of the Town of Florida Zoning Ordinance that would encompass approximately 508 acres located along NYS Route 30 in the Town of Florida, Montgomery County ("the Project Site"). See Figure 1.

Based on the current and projected demand for warehousing/distribution facilities and the more recent interest in the Capitol Region by manufacturers, the intent of the Nadler PUD is to create an interchange-linked business park to complement Montgomery County's Florida Business Park. The Town of Florida has seen growth in this sector for the last several years but the availability of suitable sites in town is scarce. With increasing demand and limited development opportunities remaining in existing parks, and a desire to carefully guide future development to areas where there are lesser impacts to neighborhoods, the focus of the proposed Nadler PUD would be adjacent to Exit 27 of the NYS Thruway.

The proposed Nadler PUD would be oriented on both sides of Route 30/Minaville Road. The western portion of the Project Site is envisioned to be anchored by up to a 2.0 million square feet building. Two additional buildings, 300,000 SF and 400,000 SF respectively, are proposed for the eastern side of the Project Site. The conceptual layout of this development is shown in Figure 2.

### *Site Characteristics*

The Project Site is comprised of six parcels that are generally located 2,700 feet south of NYS Thruway Exit 27 (Figure 1). Frontage occurs on Route 30 (Minaville Road), Belldons Road (to the east) and Thruview Drive (to the west). A portion of the northern-most parcel is within the City of Amsterdam and abuts the eastbound off/on leg of New York State Thruway Exit 27. The portion of the Project Site in the City is not part of the proposed Nadler PUD and no development is contemplated on those lands.

Topography within the Nadler PUD area generally represents the rolling hills of the Mohawk River Valley with a steady rise in elevation from the Mohawk River southward, reaching an elevation of 800 feet approximately 6,000 feet from Exit 27. The proposed Project Site consists primarily of open fields, punctuated by stands of mature vegetation. Given the historic farming activity on the Project Site, human-made drainage ditches are interspersed throughout the site in a northwest to southeast orientation.

North Chuctanunda Creek meanders back and forth over the western PUD boundary. There are wetlands associated with this waterbody but the proposed development would be situated so that the area of disturbance would be several hundred feet from these wetland systems. Another wetland system is within the dense forested area that is north of the eastern solar array. Development with this area would avoid direct impacts to this system.

The six parcels comprising the proposed Project Site are as follows:

| Map/Block/Lot | Acreage |
|---|---|
| 71.00-1-6.1 | 234.9 |
| 55.19-1-4 | 27.3 |
| 71.00-1-61.2 | 27.7 |
| 71.00-1-6.2 | 37.6 |
| 71.00-1-61.1 | 37.0 |
| 55.00-1-23 | 168.3 |
| Total | 532.8 |

***Context and Surrounding Land Use***

The area surrounding the proposed PUD is characterized by commercial development to the north within the City of Amsterdam (north of the Thruway) that is situated in and around Exit 27. The development is comprised of numerous travel-related services such as lodging, gas and food. Further north, the land use pattern transitions to older residential subdivisions and a mix of commercial and industrial development immediately south of the Mohawk River.

West of Route 30 and immediately south of the Thruway, several neighboring parcels totaling approximately 32 acres are not included in the proposed Project Site. With the exception of the 5.6-acre parcel at the corner of Route 30 and Thruview which is a residence and farm, the remaining parcels are vacant.

Lands to the south, west and east of the Project Site are primarily vacant land, some of which is farmed. A triangular-shaped dense forested area exists east of Route 30. The stream belt of the Chuctanunda Creek west of the Project Site is similarly densely forested. Two large solar arrays exist in the southern portion of the proposed Project Site on opposite sides of Route 30. The western array is nearly 900 feet from the road whereas the eastern area is considerably closer, approximately 200 feet. While these arrays are in the PUD, they will remain in operation. These arrays will provide physical and visual demarcation of the southern extent of the proposed Nadler PUD, and effectively provide a transition from the proposed business park to residential/agricultural/commercial land uses to the south along Route 30.

Two existing residences and a vacant structure on the west side of Route 30 are within the proposed Nadler PUD and would be demolished. There are a number of residences fronting the west side of Route 30 that are adjacent to but outside of the Project Site. South of the proposed Nadler PUD and solar arrays along Route 30 land use transitions to a mix of residences interspersed with active farms.

National Grid owns an easement containing a 3-phase overhead electric transmission line which traverses the Project Site in an east-west orientation. This easement is approximately 2000 ft south of the Thruway.

## II. Sketch Plan Drawing (Ordinance § 6.1-5(A)(1)(a)-(c))

A sketch plan illustrating conceptual buildout of the Nadler PUD is provided as Attachment A. The conceptual plan shows three potential buildings ranging in size from 300,000 square feet to 2 million square feet. Maximum buildout of the Nadler PUD is estimated at 2.7 million SF.

It is expected that buildings could support a variety of light industrial uses including warehouse/distribution, light manufacturing, and data center among others. Size, number, and use of the buildings would be driven by market conditions.

## III. Interior Open Space System (Ordinance § 6.1-5(A)(1)(d))

At full build, approximately 25% of the area within the PUD district will be developed with the remaining area left vacant or will be landscaped as part of the development. The Applicant is proposing to donate 25 acres along North Chuctanunda Creek, which serves as the western property boundary. This open space will preserve sensitive riparian areas and floodplain and would provide a link to a future greenway connection to the Mohawk River and associated trails.

## IV. Drainage System Summary (Ordinance § 6.1-5(A)(1)(e))

The Nadler PUD will include the installation of a modern stormwater management system on the Site to control stormwater runoff and water quality prior to discharge. This stormwater management system will be designed to mitigate to the greatest extent practical any environmental impacts associated with the development of the Site. During and after construction of the PUD, stormwater will be managed, treated and discharged in accordance with the requirements set forth in NYSDEC State Pollution Discharge Elimination System ("SPDES") general stormwater permit (GP-0-15-002) and an approved Stormwater Pollution Prevention Plan ("SWPPP").

During construction, erosion and sediment control, soil stabilization, dewatering and pollution prevention measures will be installed, implemented and maintained on the Site as set forth in the SWPPP to minimize the discharge of erosion of sediment and prevent a violation of the State's water quality standards.

Post-construction stormwater management practices for the Project as described in the SWPPP will be designed to conform to applicable requirements in the NYSDEC general stormwater permit and the standards provided by the New York State Stormwater Management Design Manual ("Design Manual") (dated January 2015). The PUD will be designed, through the SWPPP, to provide for the installation, implementation and maintenance of permanent stormwater management practices to meet the standards in the Design Manual so that discharges comply with the State's water quality and quantity standards .

## V. Areas Susceptible to Erosion or Flooding (Ordinance § 6.1-5(A)(1)(f))

The only areas of the Project Site subject to flooding are locate immediately adjacent to the North Chuctanunda Creek. The areas will not be affected by construction. No work will occur within the floodplain. Refer to Attachment B for the location of the 100 year floodplain.

Areas susceptible to erosion on the Project Site will be protected, during and post-construction, by the measures implemented pursuant to the requirements set forth in NYSDEC State Pollution Discharge Elimination System ("SPDES") General Stormwater Permit (GP-0-15-002) and the Project's Stormwater Pollution Prevention Plan ("SWPPP") as described above.

Areas Susceptible to Erosion or Flooding on the Project Site are shown on Attachment B.

## VI. Utility Summary (Ordinance § 6.1-5(A)(1)(g))

The City of Amsterdam has adequate existing public water and sewer capacity to serve the PUD, which at full build-out is estimated to require approximately 30,000 gallons per day of water and to generate the same amount of wastewater. Serving the water and sewer requirements for the Nadler PUD will require extensions of Town of Florida water and sewer districts and connection to existing municipal lines in the City of Amsterdam at the southern end of Venner Road.

From that connection point, water service will require the installation of approximately 3,500 linear feet of new municipal lines and a booster pump station along Route 30, where the PUD would connect to public water at the intersection of Route 30 and Belldons Road.

Sewer service would require the installation of approximately 4,500 linear feet of new municipal lines for the same connection. The installation of the new water/sewer lines would require a directional bore under the NYS Thruway.

Refer to Attachment C – Proposed Sewer and Water Plan for further information.

## VII. Community Facilities (Ordinance § 6.1-5(A)(1)(h))

A Fiscal Impact Analysis is being prepared by the Applicant to evaluate the potential fiscal consequences of development as the result of the proposed Nadler PUD. See Preliminary Fiscal Impact Analysis below. Generally, community facilities are not expected to be burdened as a result of development occurring through the creation of the Nadler PUD and there would be a net benefit of tax revenue to all local taxing jurisdictions.

Typically, one of the costliest consequences of development is the addition of school children into a public education system—the greatest contribution of which is single-family homes. Given the non-residential nature of the proposed Nadler PUD development, the local school district will not be impacted and the district will benefit significantly from increased property tax revenue.

Another potential development-related concern is an increase in need for police and fire protection. The Applicant is well aware of the current level of services available in the Town given its rural nature and is committed to lessening the burden on these services to the greatest extent possible. To lessen the reliance on town fire-fighting capability, all buildings to be constructed within the Nadler PUD will be equipped with state-of-the-art early suppression, fast response (ESFR) sprinklers.

Conventional sprinkler systems are designed to control a fire and pre-wet the surrounding area until it can become extinguished by the fire department. An ESFR system is designed to achieve fire suppression before the fire becomes fully developed, thereby reducing the probability of a

fully-engulfed structure and consequently lessening full reliance on the town's volunteer fire department.

The Applicant also recognize that the operations of three large buildings may increase the need for emergency response and is committed to working with the Town to mitigate this anticipated need.

Compared to retail and commercial development, where shop-lifting, bad checks, loitering, and vehicle break-ins typically place a drain on public safety, the industrial development expected as a result of the PUD will require no such response. Each building site within the PUD will have some level of controlled access and the buildings will be equipped with perimeter security systems. Each tenant will employ additional security measures consistent with the nature of its business.

## VIII. Abutters Map (Ordinance § 6.1-5(A)(1)(i))

A map identifying abutters is included as Attachment D.

## IX. Part 1 FEAF (Ordinance § 6.1-5(A)(1)(j))

Part 1 of the Full Environmental Assessment Form (FEAF) is included as Attachment E.

## X. Community Demands/Needs (Ordinance § 6.1-5(A)(2)(a))

Land uses that fall under the industrial classification primarily meet the needs of a community through job creation and tax base growth without burdening public schools. At full build, the development within the proposed Nadler PUD may create over 1,000 jobs and generate over $150 million in annual wages.

The location of the PUD will take advantage of the close proximity of NYS Thruway Exit 27, reducing through trips in residential areas and guiding development to an area with existing access-related development. By doing so, development pressure in and around the existing business park and along State Route 5S is alleviated, thereby lessening the probability of impacting residential areas, avoiding additional demands on road infrastructure and generally protecting the rural character of the town.

Development in the Nadler PUD would be served by the extension of water and sewer lines from the City of Amsterdam. Communications with the City indicate an interest in providing these services to the PUD. Furthermore, in the past few years the Town of Florida and Montgomery County have retained a consultant to explore the cost, sizing and feasibility of extending water and service to the area where the Nadler PUD is proposed.

## XI. Phasing Plan (Ordinance § 6.1-5(A)(2)(c))

It is anticipated that the PUD would be developed over the course of several years in multiple phases in response to the real estate market. Each individual building with in the PUD would likely be develop as its own phase, with the order of development also a response to the real estate market.

## XII. Conformance with Town's Comp Plan (Ordinance § 6.1-5(A)(2)(d))

A primary tenet running throughout the Town of Florida's Comprehensive Plan (February 1996; amended February 2011) is the protection of the town's rural character while providing the opportunity for commercial and industrial development.

In examining the Town's land use and development trends over the last 25 years, the amount of land remaining in agricultural use has increased despite the addition of several industrial/manufacturing facilities properties. Based on data from the Montgomery County Planning Department (May 5, 2022), land classified as agriculture increased from 59.3% in 2011 to its current level of 68.02%. The addition of three industrial properties slightly shifted the industrial land use in town from 1.9% to 2.08% in this same time period while commercial land uses increased from 2.0% to 2.47% with the addition of seven properties.

This data confirms that the goals and objectives set forth in the Comprehensive Plan have been effective in continuing to protect the character of the Town for nearly three decades. Commercial/industrial development has increased but through planned growth in specific areas. The judicious creation of a new industrial development area along NYS Route 30 next to I-90 Exit 27 such as the proposed Nadler PUD would provide additional and much-needed commercial/industrial development and employment opportunities while limiting the impacts on surrounding residential and agricultural uses. In the proposed location, the Nadler PUD would further the overall goals of the Town's comprehensive plan.

Well-organized and carefully designed development associated with the creation of the PUD, would be consistent with the Town's Comprehensive Plan and amendment as follows:

**Section 7. GOALS AND OBJECTIVES**

- **Goal #2. Improve employment opportunities for the residents of the area.**

Objective #1. While maintaining farming as a primary industry, promote industrial development as an additional source of employment.

Objective #2. Designate a viable area of the town for industrial development if adequate space is not currently available. This development should be in an area that may be serviced by sewer and water, has adequate transportation infrastructure, has adequate fire protection capacity and is large enough to accommodate a mix of light manufacturing industries.

*Consistency: Development associated with the proposed PUD will provide additional job opportunities in a range of job classifications, many of which will include employer-provided training. The Project Site, located immediately to the south of Exit 27 on NYS Route 30, provides a viable location for needed commercial/industrial development and employment opportunities in the Town, while limiting potential impacts on surrounding residential and agricultural uses. Further, the Nadler PUD will be located adjacent to Exit 27 of the Thruway and the City of Amsterdam, thus facilitating access and the extension of supporting sewer and water infrastructure.*

- **Goal #3. Preserve the town's rural character and open spaces.**

Objective #3. Limit industrial and large-scale commercial development to an area of the town where it will have the least impact on the overall rural character of the community. Such development should be as close as possible to existing built up areas.

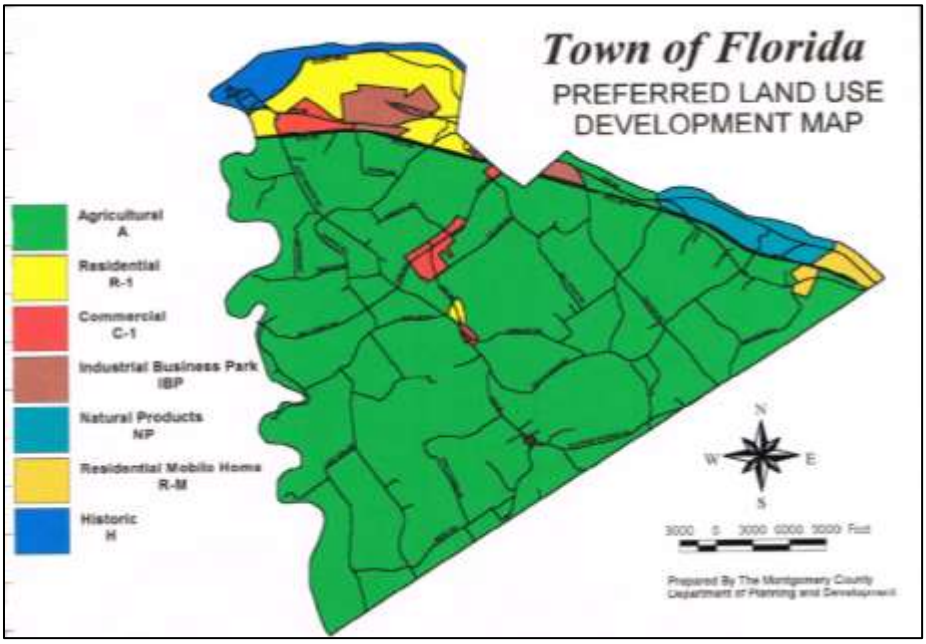
*Consistency: The proposed PUD is located near Exit 27 of the NYS Thruway adjacent to interchange- related development within the City of Amsterdam limits. The PUD would provide a transition from the interchange area to industrial/commercial development in close proximity to access without impacting neighborhoods or established residential areas.*

- **Goal #4. Cooperate with the town's adjacent municipalities and with Montgomery County.**

Objective #1. Institute land use policies, where practical, that also promote regional economic development and environmental goals.

Objective #2. Allow the extension of sewer and water where necessary to compliment land use objectives. In particular, development of sewer and water systems for development should be limited to that required either for the protection of the natural resources or to service light industrial or commercial/light industrial development that require these services. All costs associated with the development or extension of sewer or water systems should be born by the developer and/or those utilizing the services.

*Consistency: The proposed Nadler PUD would support regional economic growth, of which the Town of Florida, Montgomery County, the Greater Amsterdam School District and its residents would be beneficiaries. Working in cooperation with Montgomery County and the City of Amsterdam, water and sewer systems would be extended to support the Nadler PUD as well as existing development currently not being served. The Applicant would participate in paying for the costs associated with the water/sewer extensions required to serve the Nadler PUD.*



## XIII. Physical and Financial Competence (Ordinance § 6.1-5(A)(2)(e))

Winstanley Enterprises, LLC is one of the largest owner operators of commercial real estate in New England with a current portfolio of more than 20 million square feet. The firm has been in business since 1990 and maintains strong financial relationships with several university endowments as well as with Morgan Stanley.

The company's current pipeline includes two projects totaling $325 million that are under construction including a $275 million biotech facility in New Haven, CT and a $56 million (500,00 SF) warehouse that is fully leased in Enfield, CT. Winstanley's projects are primarily financed on an unleveraged basis set-up for long term management and ownership.

In the Town of Florida, Winstanley successfully assembled multiple properties along State Route 5S and obtained local, state and federal permits for a warehouse/distribution facility. Currently there are confidential negotiations underway to develop that site. With a desire to continue investing in Florida, while the 5S site was going through the approval process, Winstanley purchased and renovated a 53,700 SF building at 1785 Highway 5S. The facility is functioning as an Amazon last-mile facility under a long-term lease.

Winstanley maintains robust and productive relationships with commercial brokers and prospective tenants. An in-house staff of acquisitions and marketing analysts monitor trends and seek tenants that are compatible with each individual real estate asset. Particular attention is given to high-quality tenants who are committed to being a good neighbor and support the local community.

Winstanley maintains high standards for managing its properties as it maintains an in-house property management division and does not sub-contract out to a third-party firm. This allows direct oversight, informed site-specific decisions, and speedy response time. Development within the Nadler PUD will have a dedicated Winstanley Property Manager who has direct authority over the selection and management of all site maintenance contractors.

The Property Manager will preferably live locally. As a matter of practice, rather than selecting the lowest bid for annual contracts, Winstanley hires trustworthy, insured and experienced contractors who are relied upon for several years; preference is given to local businesses.

Landscape maintenance, moving, sweeping, and plowing are performed under regular schedules not as-needed as determined by the contractor. As a matter of practice, Winstanley avoids the use of herbicides and rock slat on its properties. Consideration is given to snow storage areas that will not impact significant vegetation or sensitive resources.

## XIV. Draft PUD Ordinance Amendment (Ordinance § 6.1-5(A)(2)(f))

A Draft PUD Ordinance is included as Attachment G.

## XV. Preliminary Fiscal Impact Analysis (Ordinance § 6.1-5(A)(2)(g))

Through its development, the PUD would provide a substantial, recurring benefit to the Town of Florida, Town of Florida Fire Department, Greater Amsterdam School District, Montgomery County through real property tax revenues. The projected assessed value of the Property would

increase exponentially and projected annual tax revenues for the Town, County, school district and other taxing jurisdictions would grow correspondingly.

By comparison, the cost of municipal services to the community would be minimal, resulting in a substantial surplus to all of the taxing jurisdictions. This would be particularly beneficial to the Greater Amsterdam School District, which is not expected to incur any costs as a result of the PUD.

While the full scope of job-creation benefits during the Project's operation will be driven by the specific operations of the tenant, it is anticipated that the Project would result in the creation of up to 1,000 jobs for the local economy. Direct jobs will also cause additional, indirect jobs to be created in the local area through business-to-business purchases (e.g., a tenant business buying inputs from a local supplier) and employees of tenant businesses spending a portion of their wages locally creating indirect and induced job creation, sales tax revenues and earnings.

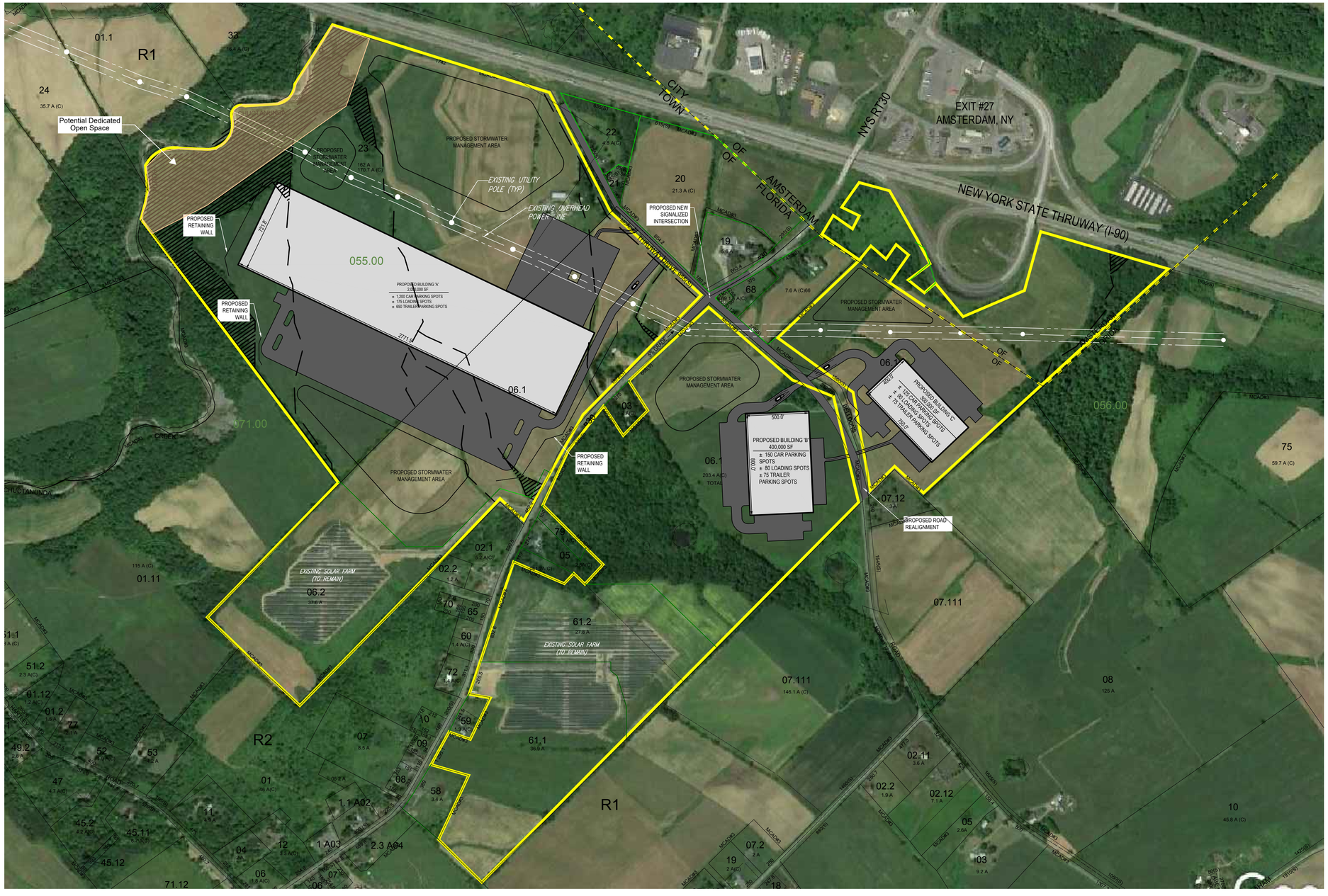
Overall, the Project will result in a multi-million-dollar investment in the Town of Florida, create substantial new job opportunities in the community and provide other, significant fiscal benefits. The Project will contribute significantly to the growth of the local property tax base to support schools and community infrastructure, with little or no impact to local water/sewer infrastructure and other municipal services.

The Applicant is currently preparing a Detailed Fiscal Impact Analysis for submission as part of the PUD application.

**Attachments**

Attachment A – Sketch Plan Drawing
Attachment B – Areas Susceptible to Erosion or Flooding
Attachment C – Proposed Sewer and Water Plan
Attachment D – Abutters Map
Attachment E – Part 1 FEAF
Attachment F – Existing Zoning Map
Attachment G – Draft PUD Ordinance

# Attachment A – Sketch Plan Drawing




## LEGEND

APPROXIMATE LIMIT OF WETLANDS

## CONCEPT LAYOUT PLAN NOTES

1. THIS PLAN HAS BEEN PREPARED BASED ON REFERENCES INCLUDING: GOOGLE MAPS, USGS, MONTGOMERY COUNTY GIS
2. EXACT LOCATION OF PROPOSED BUILDING AND IMPROVEMENTS MUST BE CONFIRMED AND EVALUATED UPON COMPLETION OF SURVEY.
3. THIS PLAN IS INTENDED FOR CONCEPTUAL REVIEW PURPOSES ONLY. THE EXISTING CONDITIONS SHOWN HEREON IS BASED UPON INFORMATION THAT WAS SUPPLIED TO OUR OFFICE AT THE TIME OF PLAN PREPARATION AND MAY BE SUBJECT TO CHANGE AND MUST BE UPDATED UPON PERFORMANCE OF A SURVEY.

APPROXIMATE SCALE
400 200 100 0 400
1"= 400'

P:\2020\200203\DRAWINGS\CONCEPT\SB190306 CONCEPT MASTER PLAN - E---LAYOUT: SITE

BOHLER

SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
PERMITTING SERVICES
TRANSPORTATION SERVICES



### REVISIONS

| REV | DATE | COMMENT | DRAWN BY / CHECKED BY |
|---|---|---|---|
| 1 | 2/15/21 | REVISED ADJACENT PROPERTY LINE | JLG / SRW |
| 2 | 02/01/22 | REVISED BUILDING FOOTPRINT | SG / SW |

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PROJECT No.: B200203
DRAWN BY: JLG
CHECKED BY: SRW
DATE: 09/02/2020
CAD I.D.: B190306 CONCEPT MASTER PLAN - E

PROJECT:

**CONCEPT**

FOR

PROPOSED DEVELOPMENT
MINAVILLE ROAD
TOWN OF FLORIDA
MONTGOMERY COUNTY
STATE OF NEW YORK

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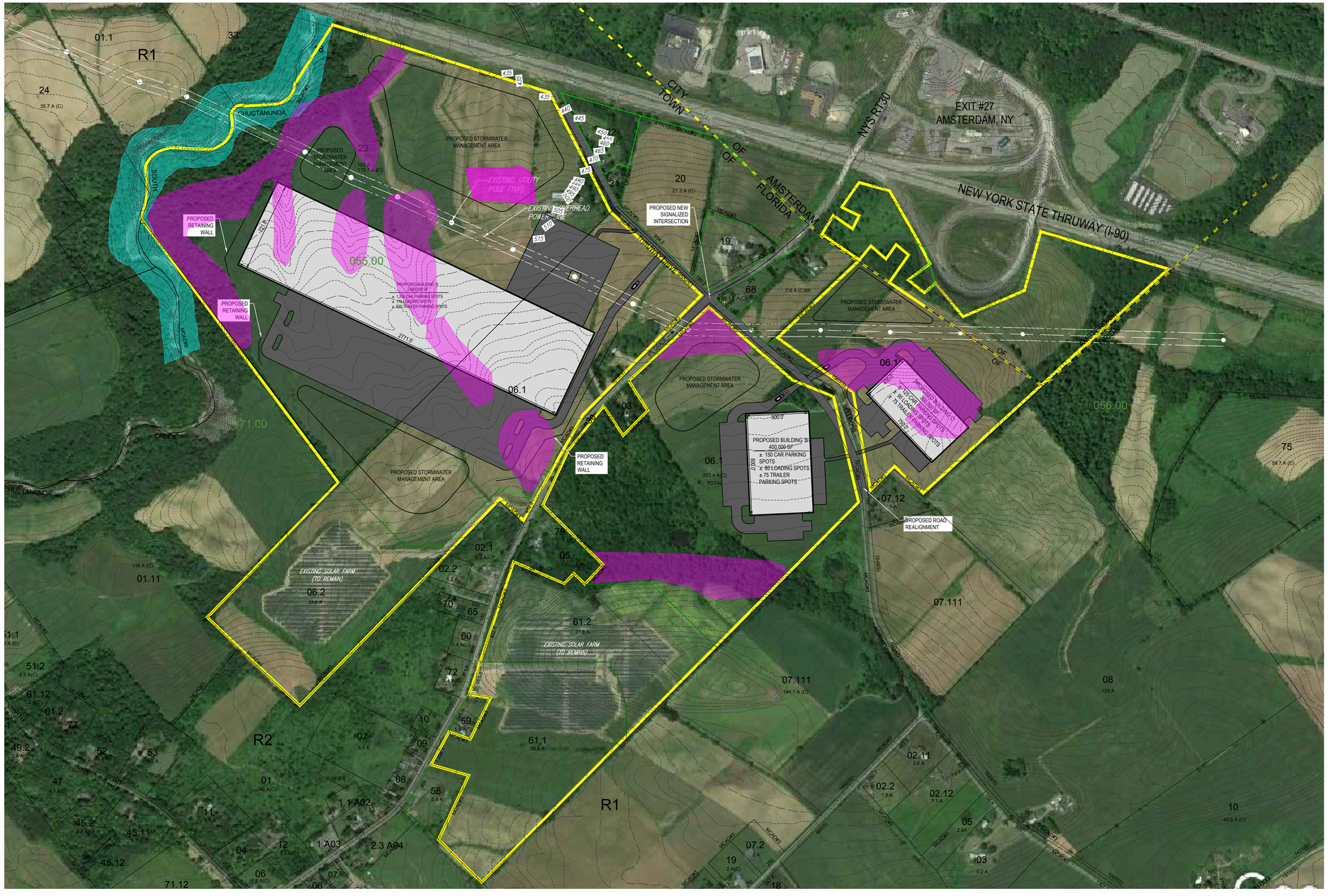
NEW YORK LICENSE No. 071284-1
FLORIDA LICENSE No. 84202

SHEET TITLE:
SKETCH MASTER PLAN

SHEET NUMBER:
1

REVISION 2 - 02/01/22

# Attachment B – Areas Susceptible to Erosion or Flooding




## LEGEND

- AREA INDICATING HIGH SUSCEPTIBILITY TO EROSION SLOPOE > 15%
- 100-YEAR FLOOD PLAIN
- MAJOR CONTOURS

## CONCEPT LAYOUT PLAN NOTES

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APPROXIMATE SCALE
400 200 100 0 400
1"= 400'

P:\2020\20203\DRAWINGS\CONCEPT\SB190306 CONCEPT MASTER PLAN - E---\LAYOUT: TOPOGRAPHIC MAP

BOHLER

SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
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|---|---|
| PROJECT No.: | B200203 |
| DRAWN BY: | JLG |
| CHECKED BY: | SRW |
| DATE: | 09/02/2020 |
| CAD I.D.: | B190306 CONCEPT MASTER PLAN - E |

PROJECT:

**CONCEPT**

FOR

**PROPOSED DEVELOPMENT**

**MINAVILLE ROAD**
**TOWN OF FLORIDA**
**MONTGOMERY COUNTY**
**STATE OF NEW YORK**

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17 COMPUTER DRIVE WEST
ALBANY, NY 12205
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MAINE LICENSE No. 9489
NEW YORK LICENSE No. 073854-1
FLORIDA LICENSE No. 86202

SHEET TITLE:
SUSCEPTIBILITY TO EROSION AND FLOODING

SHEET NUMBER:
1

REVISION 2 - 02/01/22

# Attachment C – Proposed Sewer and Water Plan

N

VENNER RD

NYS 5S

VENNER RD P.S.

GRIEME AVE

NEW ST

GRECO PL

PROPOSED SANITARY SEWER CONNECTION

PROPOSED WATER SYSTEM CONNECTION

PROPOSED WATER BOOSTER PUMP STATION

EXIT #27
AMSTERDAM, NY

NYS RT30

CITY OF AMSTERDAM
TOWN OF FLORIDA

NEW YORK STATE THRUWAY (I-90)

R1

33
16.4 A (C)

23
162 A
170.7 A (C)

22
4.8 A(C)

20
21.3 A (C)

19
5.6 A

68
7.6 A (C)66

03
17 A(C)

06.1
203.4 A(C)
TOTAL

07.12
3 A

07.111

056.00

071.00

055.00

06.1
2430.0'
720.0'

PROPOSED BUILDING 'A'
1,750,000 SF
± 1,200 CAR PARKING SPOTS
± 175 LOADING SPOTS
± 650 TRAILER PARKING SPOTS

PROPOSED BUILDING 'B'
400,000 SF
± 150 CAR PARKING SPOTS
± 80 LOADING SPOTS
± 75 TRAILER PARKING SPOTS
500.0'
800.0'

PROPOSED BUILDING 'C'
300,000 SF
± 125 CAR PARKING SPOTS
± 90 LOADING SPOTS
± 75 TRAILER PARKING SPOTS
400.0'
750.0'

PROPOSED STORMWATER MANAGEMENT AREA

PROPOSED RETAINING WALL

PROPOSED NEW SIGNALIZED INTERSECTION

PROPOSED ROAD REALIGNMENT

EXISTING UTILITY POLE (TYP)

EXISTING OVERHEAD POWER LINE

EXISTING SOLAR FARM (TO REMAIN)

8" WATER & 8" SEWER MAINS, TYP.

SCALE: FEET
0 150 300 600 900

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CITY OF AMSTERDAM
MONTGOMERY COUNTY

EXIT 27 PROJECT

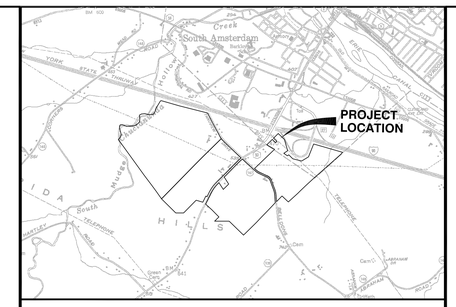
| NO. | DATE | REVISION | BY |
|---|---|---|---|
| 00 | 2/22/2021 | ORIGINAL ISSUE | DPC |

SHEET TITLE:

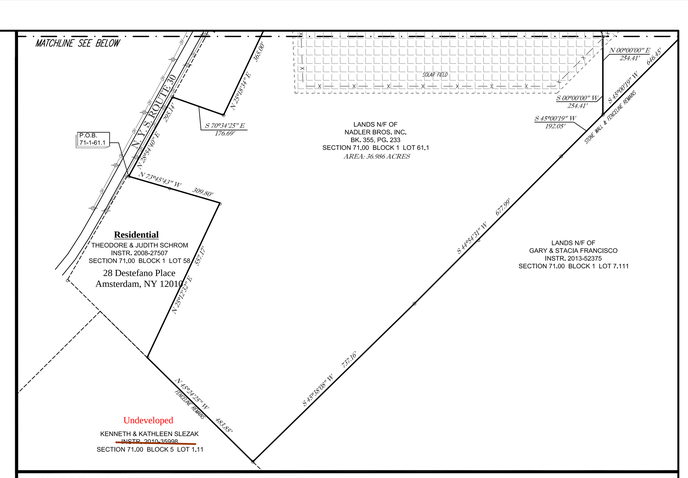
SANITARY SEWER & WATER SYSTEM IMPROVEMENTS

| | |
|---|---|
| SCALE: AS SHOWN | FILE NO.: 48-2021 |
| PROJ. ENGR.: DPC | DATE: FEBRUARY 2021 |
| DRAWN BY: DPC | SHEET NO.: P1 |
| CHECKED BY: DPC | |

# Attachment D – Abutters Map




**SITE LOCATION: 1"=2000'**




**INSERT: 1"=200'**




## LEGEND:

- CB — CATCH BASIN
- HYD — HYDRANT
- LP — LIGHT POLE
- SMH — SANITARY MANHOLE
- SMH — STORM MANHOLE
- EMH — ELECTRIC MANHOLE
- WV — WATER VALVE
- TEL PED — TELEPHONE PEDESTAL
- EBX — ELECTRIC BOX
- ELEC TRANS — ELECTRIC TRANSFORMER
- UP — UTILITY POLE
- TMH — TELEPHONE MANHOLE
- TCB — TRAFFIC CONTROL BOX
- TSP — TRAFFIC SIGNAL POLE
- G — GAS LINE
- S — SANITARY LINE
- ST — STORM LINE
- W — WATER LINE
- T — TELEPHONE LINE
- OH — OVERHEAD WIRES
- + 357.60 — SPOT ELEVATION
- CIRF — CAPPED IRON ROD FOUND
- IRF — IRON ROD FOUND
- IPF — IRON PIPE FOUND
- LA — LANDSCAPED AREA
- RD — ROOF DRAIN
- SB — SOIL BORING
- MW — MONITORING WELL
- GMK — GAS MARKER POST
- EM — ELECTRIC METER
- GM — GAS METER

# Attachment D
# Abutters Map

## CERTIFICATION:

THIS IS TO CERTIFY TO WE ACQUISITIONS LLC AND FIDELITY NATIONAL TITLE INSURANCE COMPANY., THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS. THE FIELD WORK WAS WAS COMPLETED IN NOVEMBER, 2020.

SIGNED: _____ DATE: APRIL 11, 2022

N.Y.S. REGISTRATION NO. 049597

SHEET 1 OF 2

| | |
|---|---|
| MINAVILLE ROAD | |
| ALTA/NSPS LAND TITLE SURVEY OF THE LANDS OF THE NADLER BROS. INC. AND LARRY A. & KAREN L. FRANCISCO | |
| TOWN OF FLORIDA CITY OF AMSTERDAM | MONTGOMERY COUNTY, N.Y. |
| SCALE: 1"=200' | MARCH 19, 2022 |
| DRAWN BY: VPA | PROJECT NO: 20-2854 |

REVISED 4-11-22, 3-29-22

AUSFELD & WALDRUFF LAND SURVEYORS LLP
323 CLINTON STREET, SCHENECTADY NY
PHONE : (518) 346-1595 FAX:(518)770-1655

VINCENT P. AUSFELD P.L.S.
LICENSE #049597
www.awlsllp.com

STATE OF NEW YORK — VINCENT P. AUSFELD — 049597 — LICENSED PROFESSIONAL SURVEYOR

Drawing Name: Z:\PROJECTS\2020\20-2854\dwg\20-2854-ALTA.dwg
Xref's Attached:
Date Printed: Apr 12, 2022, 6:24pm

# Attachment E – Part 1 FEAF

## 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 1is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

| | | |
|---|---|---|
| Name of Action or Project:<br>Nadler Planned Unit Development | | |
| Project Location (describe, and attach a general location map):<br>Route 30 and Belldons Road, Town of Florida | | |
| Brief Description of Proposed Action (include purpose or need):<br>The applicant is proposing to establish a Planned Unit Development (PUD) on approximately 500 acres that is currently zoned Agriculture. The PUD Zone would provide for a diverse mix of commercial and light industrial uses. Project could eventually include several buildings ranging in size from a few hundred thousand square feet to 2 million square feet. Total square footage could be approximately 2.7M SF.<br><br>Subsequent to the PUD process, the applicant would commence with marketing the project for prospective tenants. As tenants are secured, each would be subject to the Site Plan Review process before the Town of Florida Planning Board. The size, location, and end user of each building would be the result of the real estate market. However, all end users would be consistent with underlying PUD requirements and would include a mix of commercial and light industrial uses. | | |
| Name of Applicant/Sponsor:<br>WE Acquisitions | Telephone:<br>E-Mail: | |
| Address: 300 George Street | | |
| City/PO: New Haven | State: CT | Zip Code: 06511 |
| Project Contact (if not same as sponsor; give name and title/role):<br>Steven Wilson, Project Manager, Bohler Engineering | Telephone: 518-438-9900<br>E-Mail: steven.wilson@bohlereng.com | |
| Address:<br>17 Computer Drive West | | |
| City/PO:<br>Albany | State:<br>NY | Zip Code:<br>12205 |
| Property Owner (if not same as sponsor):<br>Nadler Brothers 518 Sand Ridge Road, Conway, SC 29526 | Telephone:<br>E-Mail: | |
| Address:<br>Larry Francisco, 141 Thru View Road, Amsterdam, NY 12010 | | |
| 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, or Village Board of Trustees ☑Yes ☐No | Town of Florida Town Board - PUD Approval | |
| b. City, Town or Village Planning Board or Commission ☑Yes ☐No | Town of Florida Planning Board - Site Plan Review and Subdivision Review | |
| c. City, Town or Village Zoning Board of Appeals ☐Yes ☐No | | |
| d. Other local agencies ☐Yes ☐No | Town of Florida Water and Sewer Districts | |
| e. County agencies ☑Yes ☐No | Montgomery County Planning Board 239-M Review | |
| f. Regional agencies ☐Yes ☐No | | |
| g. State agencies ☑Yes ☐No | NYSDEC- SPDES NOI; DOT - Highway Work Permit | |
| h. Federal agencies ☑Yes ☐No | Army Corp of Engineers (TBD)<br>US Fish and Wildlife Service (TBD) | |

i. Coastal Resources.

*i.* Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes ☐No

*ii.* Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes ☐No

*iii.* Is the project site within a Coastal Erosion Hazard Area? ☐Yes ☐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? ☑Yes ☐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? ☑Yes ☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐Yes ☐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?) ☐Yes ☐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? ☐Yes ☐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?
Project Area is Zoned Agricultural, with adjacent areas zoned Commercial and Industrial

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? Planned Unit Development

**C.4. Existing community services.**

a. In what school district is the project site located? Greater Amsterdam School District

b. What police or other public protection forces serve the project site?
NYS State Police, Town of Florida Police Department

c. Which fire protection and emergency medical services serve the project site?
Florida Volunteer Fire Department

d. What parks serve the project site?
None

**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)? Solar, agricultural, residential, interstate highway

b. a. Total acreage of the site of the proposed action? 500+/- acres
b. Total acreage to be physically disturbed? 320+/- acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 500+/- 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)
Development sites could be subdivided
*ii.* Is a cluster/conservation layout proposed? ☐ Yes ☐ No
*iii.* Number of lots proposed? TBD
*iv.* Minimum and maximum proposed lot sizes? Minimum TBD Maximum TBD

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 TBD
- Anticipated commencement date of phase 1 (including demolition) 05 month 2023 year
- Anticipated completion date of final phase 05 month 2030 year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

Each phase can be completed independently and is not dependent on other 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 TBD

*ii.* Dimensions (in feet) of largest proposed structure: 70+/- height; 725 +/- width; and 2800+/- length

*iii.* Approximate extent of building space to be heated or cooled: 2.7 million +/- 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: stormwater management

*ii.* If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☑ Other specify: Stormwater Runoff

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

*iv.* Approximate size of the proposed impoundment. Volume: TBD million gallons; surface area: TBD 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): Earth and Fill

**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): Federally regulated wetlands, No index number

*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:
Proposed action may involve filling and the placement of structures involving up to 2 acres federally-regulated wetlands.

*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: TBD
- expected acreage of aquatic vegetation remaining after project completion: TBD
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): Site Development
- proposed method of plant removal: Excavation
- if chemical/herbicide treatment will be used, specify product(s): No

*v.* Describe any proposed reclamation/mitigation following disturbance:
TBD

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: 30,000 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: Town of Florida Water District
- 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: Extend waterline from Venner Road under Thruway, then along Route 30 to Belldons Road
- Source(s) of supply for the district: City of Amsterdam

*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: 30,000 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 waste water

*iii.* Will the proposed action use any existing public wastewater treatment facilities? ☑ Yes ☐ No
If Yes:

- Name of wastewater treatment plant to be used: City of Amsterdam
- Name of district: Town of Florida Sewer 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: _____

Extend sewer line from Venner Road under Thruway, then along Route 30 to Belldons Road

*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 120+ acres (impervious surface)

_____ Square feet or 500 acres (parcel size)

*ii.* Describe types of new point sources. Stormwater Runoff

*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)?

On-site Stormwater ponds

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

After treatment in a stormwater management system, treated stormwater will be discharged to North Chuctanunda Creek

- 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)

Tractor Trailers, delivery vehicles

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

Cranes, crushes, excavators, misc construciton equipment

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

HVAC equipment

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 ($CO_2$)
- _____Tons/year (short tons) of Nitrous Oxide ($N_2O$)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride ($SF_6$)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (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 7am to 6pm.

*ii.* For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

Traffic Study is underway

*iii.* Parking spaces: Existing 0 Proposed 2,800+/- Net increase/decrease 2,800+/-

*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:

Reconstruction of portions of Route 30, Thruway Drive, and Belldons Road; New signalized intersection at Route 30/Belldons Road

*vi.* Are public/private transportation service(s) or facilities available within ½ 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: _____

TBD

*ii.* Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

National Grid

*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: 7am-6pm
- Saturday: 7am-6pm
- Sunday: 7am-6pm
- Holidays: None

*ii.* During Operations:

- Monday - Friday: 24/7
- Saturday: 24/7
- Sunday: 24/7
- Holidays: 24/7

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:

Construction noises, and misc. construction equipment 7am to 6 pm; during operation noise would be the result of truck and automobile traffic

*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:

Exterior site lighting for parking; Fixture height will be approximately 20+/- feet; Closest houses are located along Route 30 and Belldons Road; all lighting would be dark sky friendly, design to minimize spillage at property lines.

*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: TBD tons per _____ (unit of time)
- Operation : TBD 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: TBD
- Operation: _____

*iii.* Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: All construction debris would be disposed off in accordance with applicable laws by private waste hauler
- Operation: All solid waste from project operations would be disposed off in accordance with applicable laws by private waste hauler

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 | 3+/- | 125+/- | +122+/- |
| • Forested | 70+/- | 70+/- | 0 |
| • Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural) | | | |
| • Agricultural (includes active orchards, field, greenhouse etc.) | 410 +/- | 290+/- | -120+/- |
| • Surface water features (lakes, ponds, streams, rivers, etc.) | 0 | 0 | 0 |
| • Wetlands (freshwater or tidal) | 18+/- | 16+/- | -2+/- |
| • 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? 40+ 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:

| | |
|---|---|
| Class C | 40 % |
| Class B | 60 % |
| | % |

d. What is the average depth to the water table on the project site? Average: 6+/- feet

e. Drainage status of project site soils:

| | |
|---|---|
| ☑ Well Drained: | 55 % of site |
| ☑ Moderately Well Drained: | 40 % of site |
| ☑ Poorly Drained | 5 % of site |

f. Approximate proportion of proposed action site with slopes:

| | |
|---|---|
| ☑ 0-10%: | 60 % of site |
| ☑ 10-15%: | 30 % of site |
| ☑ 15% or greater: | 10 % 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 North Chuctanunda Creek Classification Class C
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Approximate Size 18 Acres +/-
- Wetland No. (if regulated by DEC) N/A

*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:
Deer, Misc birds
Racoon

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): _____

Per the NYS Environmental Resource Mapper there are no endangered species or plants within the project area.

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: _____

No species per Environmental Resource Mapper

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: Montgomery County, AG District 3

b. Are agricultural lands consisting of highly productive soils present? ☑ Yes ☐ No
*i.* If Yes: acreage(s) on project site? 430+/-
*ii.* Source(s) of soil rating(s): NCRS Soil Report

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): Phase 1 Archaelogical Investigation is currently being completed.

*ii.* Basis for identification: _____

h. Is the project site within fives 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**

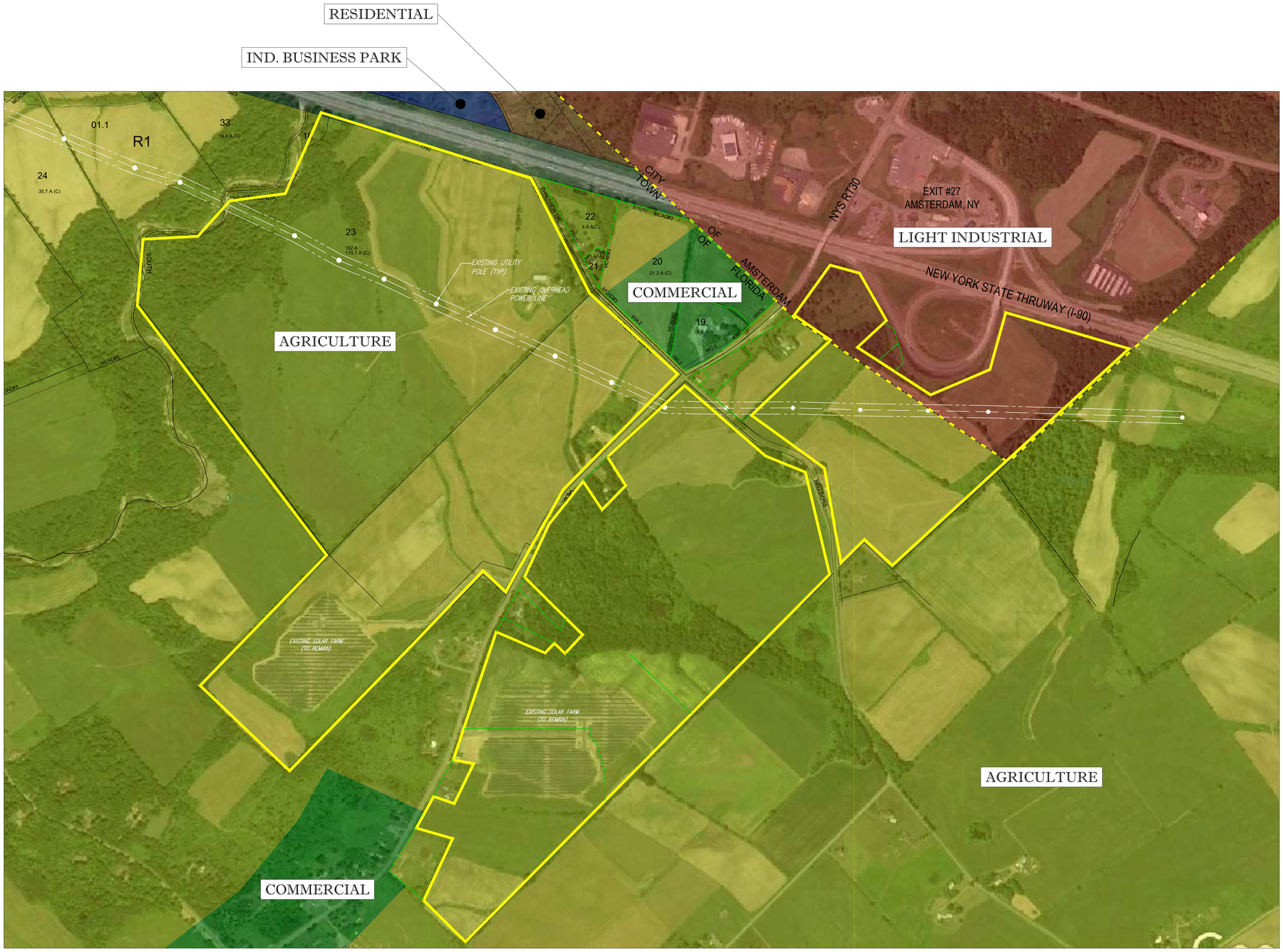
I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Steven R. Wilson Date 5/6/22

Signature  Title Project Manager

**PRINT FORM**

Attachment F – Existing Zoning Map




## EXISTING ZONING DISTRICTS

- AGRICULTURE
- COMMERCIAL
- IND. BUSINESS PARK
- RESIDENTIAL
- LIGHT INDUSTRIAL

APPROXIMATE SCALE
400 200 100 0 400
1"= 400'

P:\260\B200203\DRAWINGS\EXHIBIT\B200203-04-19 - ZONING EXHIBIT.dwg — LAYOUT: SITE

BOHLER

SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
PERMITTING SERVICES
TRANSPORTATION SERVICES



**REVISIONS**

| REV | DATE | COMMENT | DRAWN BY / CHECKED BY |
|---|---|---|---|
| 1 | 2/15/21 | REVISED ADJACENT PROPERTY LINE | JLG / SRW |
| 2 | 02/01/22 | REVISED BUILDING FOOTPRINT | SG / SW |

811 Know what's below. Call before you dig.
ALWAYS CALL 811
It's fast. It's free. It's the law.

**FOR CONCEPT PURPOSES ONLY**

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION DOCUMENT UNLESS INDICATED OTHERWISE.

| | |
|---|---|
| PROJECT No.: | B200203 |
| DRAWN BY: | JLG |
| CHECKED BY: | SRW |
| DATE: | 09/02/2020 |
| CAD I.D.: | 2022-04-19 - ZONING EXHIBIT |

PROJECT:

***CONCEPT***

FOR

PROPOSED DEVELOPMENT

MINAVILLE ROAD
TOWN OF FLORIDA
MONTGOMERY COUNTY
STATE OF NEW YORK

BOHLER
17 COMPUTER DRIVE WEST
ALBANY, NY 12205
Phone: (518) 438-9900
Fax: (518) 438-0900
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W.D. GOEBEL
PROFESSIONAL ENGINEER
MASSACHUSETTS LICENSE No. 43644-C
RHODE ISLAND LICENSE No. 7299
CONNECTICUT LICENSE No. 21854
NEW HAMPSHIRE LICENSE No. 10430
MAINE LICENSE No. 9486
NEW YORK LICENSE No. 073704-1
FLORIDA LICENSE No. 85202

SHEET TITLE:

ZONING EXHIBIT

SHEET NUMBER:

1

REVISION 2 - 02/01/22

# Attachment G – Draft PUD Ordinance

**Town of Florida**

**Local Law X of the year 2022**

A Local Law Amending the Town of Florida Zoning Ordinance to Create the Nadler Planned Unit Development District.

**Be it enacted by the** Town Board of the Town of Florida (the "Town Board") as follows:

## SECTION I.

## SHORT TITLE

This local law shall be cited as Local Law X of 2022 of the Town of Florida and is entitled the "Nadler Planned Unit Development District."

## SECTION II.

## LEGISLATIVE FINDINGS

The Town Board seeks to regulate real estate development throughout the Town to promote the public health, welfare and safety within the Town of Florida. Article IV of the Town of Florida Zoning Ordinance (the "Zoning Ordinance") provides "flexible land use and design regulations to provide for the rezoning of land" as planned unit developments ("PUD"). Pursuant to this authority, the Town Board may rezone land "to permit the establishment of areas in which diverse uses may be brought together in a compatible and unified plan of development, which shall be in the interest of the general welfare of the public." Where the Town Board determines that the rezoning of land to a PUD district is in the public interest, the use and dimensional requirements of the Zoning Ordinance for the underlying zoning district may be "replaced with an approval process in which an approved plan becomes the basis for continuing land use controls." Pursuant to Article IV of the Zoning Ordinance, the Town Board has evaluated its Comprehensive Plan and existing zoning regulations with respect to the lands proposed for inclusion in the Nadler Planned Unit Development District and has considered a report and recommendation of the Town of

Florida Planning Board related to the adoption of the proposed PUD. The Town Board finds that the Nadler Planned Unit Development District and the amendments to the Zoning Ordinance provided herein would be consistent with the Town's Comprehensive Plan and the intent of Article IV of the Zoning Ordinance and will promote the public health, welfare and safety within the Town of Florida.

**SECTION III.**

**AUTHORITY**

These amendments to the Zoning Ordinance are enacted by the Town Board pursuant to its authority to adopt local laws under Article IX of the New York State Constitution and New York State Municipal Home Rule Law Section 10, and its authority to adopt amendments to its Zoning Ordinance pursuant to New York State Town Law Section 265 and the Zoning Ordinance Article XIII.

**SECTION IV.**

**PROVISIONS AMENDED OR ADDED**

The following provisions of the Zoning Ordinance are hereby amended or added as follows:

(A) Section 5 of the Zoning Ordinance is amended to add the following district: Nadler Planned Unit Development District.

(B) Article V of the Zoning Ordinance is amended to add a Section 13.1 to read as follows:

Section 13.1 – Planned Unit Development District

In a Planned Unit Development District, no building or land shall be used and no building shall be erected or altered except for one or more of the uses specified by the Town Board pursuant to Article IV of the Zoning Ordinance after Site Plan Review by the Planning Board.

(C) Section 14 of Article VI of the Zoning Ordinance is amended to read as follows:

Regulations governing lot area and lot width; front, side and rear yards; building coverage and building height are specified in Schedule A and in the additional regulations of Article VI, and supplementary regulations of Article VIII. Schedule A accompanies, and is hereby made a part of this ordinance. The most current Schedule A is available at the office of the Town Clerk. In a Planned Unit Development District such regulations shall be specified by the Town Board pursuant to Article IV of the Zoning Ordinance.

(D) The Town of Florida Zoning Map shall be amended to add the Nadler Planned Unit Development District as an adopted Planned Unit Development District based on the map prepared by XXXXXXXXXX entitled XXXXXXXXX, last revised XXXXXXXXXX.

(E) The Zoning Ordinance is amended to add a Schedule C entitled "Nadler Planned Unit Development District Regulations" to read as follows:

Schedule C Nadler Planned Unit Development District Regulations.

A. General regulations.

(1) Purpose and general description. The Nadler Planned Unit Development District (the "District") is intended to encourage flexibility and innovation in commercial and/or industrial development in the Town of Florida on the lands located in close proximity to Exit 27 of the New York State Thruway (I-90) as shown on a conceptual map prepared by XXXXXXXXXX, entitled XXXXXXXXX, last revised XXXXXXXXXX (the "Conceptual District Map").

(2) Establishment. The District was established by the Town Board pursuant to Article IV of the Zoning Ordinance on XXXXXXXX, 2022 and is shown on the

Town of Florida Zoning Map adopted as part of the Zoning Ordinance. Development of the District shall be subject to the use, dimensional and other regulations specified herein.

(3) Site plan and subdivision approvals. Development shown on the Conceptual District Map, as may be modified pursuant Paragraph 4 of this Section, shall be subject to subdivision or site plan approvals by the Planning Board, as applicable, pursuant to the Zoning Ordinance and the Town of Florida Subdivision Regulations, as may be amended. Approvals for phased development may be granted by the Planning Board.

(4) Modifications. Changes in the size, location and configuration of buildings and associated improvements shown on the Conceptual District Map due to tenant needs and market demands are anticipated, would be consistent with the flexibility intended for the District, and may be addressed through the Planning Board's Site Plan Review process. Proposed changes that would substantially increase the overall square footage of the development shown on the Conceptual District Map shall be submitted to the Planning Board and shall be subject to the procedural requirements of Zoning Ordinance § 6.1-6 and the New York State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617. The subdivision of lands within the District for permitted uses as provided in Section B of this Schedule shall only require subdivision approval from the Planning Board.

(5) Expiration of district. The District shall expire on December 31, 2030 if construction of the development shown on the Conceptual District Map has not been undertaken by that date. For purposes of this paragraph, "undertaken" shall mean that

construction of development within the District shall have been substantially commenced pursuant to site plan approvals from the Planning Board and building permits issued by the Town of Florida Code Enforcement Officer. Prior to December 31, 2030, an application may be made to the Town Board to extend the expiration of the District. The District shall not expire until a decision has been made by the Town Board on the requested extension.

B. Uses

Allowed uses in the District subject to Site Plan Review shall include any of the uses permitted by the Zoning Ordinance, as may be amended, in the C-1 Commercial District, C-2 Commercial District and IBP Industrial Business Park District.

C. Area and Bulk Regulations

Area and bulk regulations within the District shall be determined by the Planning Board through Site Plan Review and shall take into consideration relevant requirements from the Zoning Ordinance.

D. General Building Design.

The design for buildings in the District shall take into consideration factors including, but not limited to:

(1) The layout and design of buildings to provide for convenient access to and from adjacent uses and neighborhoods;

(2) Individual buildings shall generally be related to each other in design, masses, elevations, materials, elevation, placement and connections, to provide a visually and physically integrated development;

(3) The design of buildings and the parking facilities to take advantage of topography of the site, where appropriate, to provide separate levels of access;

(4) The orientation of buildings, where possible, to ensure adequate solar orientation for maximization of passive and active solar energy options, light and air exposure to the rooms within and to adjacent properties;

(5) The arrangement of buildings as to avoid undue exposure to concentrated loading or parking facilities wherever possible and shall be so oriented as to preserve visual and audible privacy between adjacent buildings; and

(6) All buildings shall be arranged so as to be accessible to emergency vehicles.

E. Supplementary Regulations.

The Supplementary Regulations provided in Article VIII of the Zoning Ordinance shall apply to the District including but not limited to the regulations pertaining to landscaping and lighting set forth in Zoning Ordinance §§ 37 and 42.

F. Parking and Loading Requirements.

Off-street parking and loading requirements within the District shall be determined by the Planning Board through Site Plan Review and shall take into consideration relevant requirements from the Zoning Ordinance including Article IX.

G. Utilities.

(1) Provision shall be made for the acceptable design and construction of stormwater facilities to handle stormwater and prevent erosion during and post-construction.

(2) Provision shall be made for public water and sewer service to serve the District.

(3) Refuse collection. All collection facilities and containers shall be permanently screened in a manner that is sufficient to completely remove facilities from sight.

H. Maintenance Responsibilities.

Approved site plans shall provide for the maintenance of all open space within the District.

**SECTION VI.**

**SEVERABILITY**

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law which can be given effect without such invalid part or parts.

**SECTION VII.**

**EFFECTIVE DATE**

This Local Law shall take effect immediately, as provided by law, upon filing with the New York State Secretary of State.