

State Environmental Quality Review (SEQR)
6 NYCRR 617.9(a)(2)
Town of Germantown Planning Board (Lead Agency)

**Resolution Determining DEIS Complete
Primax Properties, LLC - Dollar General Store**

WHEREAS, Primax Properties, LLC as applicant originally proposed a 9,100 square foot Dollar General Commercial Retail Store on a proposed 1.313 acre lot within a 6.059 acre parcel of real property, together with the development of other related improvements including but not limited to a 38 car parking lot, stormwater detention and bio-retention areas, lighting and signage, a loading area and landscaping; and

WHEREAS, the action requires Subdivision and Site Plan approvals from the Town of Germantown Planning Board as well as approvals from other local, County, and State Involved Agencies; and

WHEREAS, on or about October 29 , 2015, the Planning Board commenced a coordinated review under SEQR and caused to be circulated to all identified Involved Agencies the Environmental Assessment Form ("EAF") and other documentation relating to the action, and by providing notice to all identified Involved Agencies that the Planning Board intended to act as the SEQR Lead Agency for this action; and

WHEREAS, the Planning Board did not receive any objections from Involved Agencies with respect to the Planning Board acting as the SEQR lead agency for this action within the time frames provided by 6 NYCRR 617(b)(3); and

WHEREAS, having not received any objections, the Planning Board was declared Lead Agency for the SEQR review of the proposed action on February 25, 2016; and

WHEREAS, to determine whether the action may have a significant adverse impact on the environment, the Planning Board reviewed the impacts that may be reasonably expected to result from the proposed action and compared them against the criteria for determining significance set forth in 6 NYCRR 617.7(c); and

WHEREAS, the Planning Board thoroughly analyzed and identified the relevant areas of environmental concern, based upon preparation of the Full EAF including Parts 1,

2, and 3, to determine if the action may have a significant adverse impact on the environment; and

WHEREAS, after reviewing the proposed Site Plans, Subdivision Plans, EAF and supporting documents, Memoranda from the Planning Board's planning and engineering professionals, and the Criteria for Determining Significance in 6 NYCRR 617.7(c), the Planning Board determined that the action may have the potential for at least one significant adverse impact upon the environment and issued a Positive Declaration under SEQR on April 28, 2016; and

WHEREAS, scoping of a Draft Environmental Impact Statement (DEIS) was conducted following issuance of the Positive Declaration, which included review of an applicant prepared Draft Scoping Document, a public comment period and public scoping session to discuss the Draft Scoping Document, and adoption of a Final Scoping Document on September 20, 2016; and

WHEREAS, on or about February 15, 2017, a preliminary DEIS prepared by the applicant was delivered to Town Hall with a request that the document be reviewed for completeness; and

WHEREAS, the Planning Board initiated review of the DEIS for completeness, transmitted the document to its professionals for review, and held a Workshop meeting on March 23, 2017 to discuss Planning Board member and Planning Board professional's recommendations on the adequacy of the preliminary DEIS with respect to its scope and content; and

WHEREAS, on March 30, 2017, the Planning Board reviewed the comments of its professionals on the completeness of the DEIS and determined that the DEIS dated February 14, 2017 was not adequate for public review with respect to its scope and content, advised the applicant of the deficiencies with the DEIS and provided such information to the applicant in writing; and

WHEREAS, on or about June 23, 2017, the applicant submitted a Revised DEIS with a request that the document be reviewed for completeness and at such time advised the Planning Board that the proposed Dollar General Commercial Retail store had increased in size to 9,266 square feet; and

WHEREAS, review of the Revised DEIS commenced on July 28, 2017 following replenishment of the applicant's escrow account so that the Planning Board could be

assisted in the review of the Revised DEIS by its planning, engineering and legal professionals in accordance with 6 NYCRR 617.13 and the February 2015 "Agreement for the Payment of Municipal Review Expenses" between the Town of Germantown and Primax LLC; and

WHEREAS, the Planning Board is in receipt of recommendations from its professionals concerning issues of completeness and has made its own determination that the Revised DEIS is complete with respect to its scope, adequacy, and content for the purpose of commencing public review.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Planning Board, after conducting its own independent analysis of the completeness issue, has determined that the Dollar General Store Revised DEIS dated August 30, 2017 is adequate for public review because it contains all of the information required by the Final Scoping Document; and

BE IT FURTHER RESOLVED, that the Town of Germantown Planning Board hereby accepts the Dollar General DEIS as adequate for public review, authorizes the Planning Board Chairman to file and distribute the DEIS and the attached Notice of Completion of Draft EIS and Notice of Public Hearing in accordance with the requirements of SEQR, and to take such further steps as might be necessary to discharge the Lead Agency's responsibilities on this action.

The foregoing resolution was voted upon with members voting as follows:

Stephen Reynolds, Chairman	<u>yes</u>
Kerrie Abela	<u>yes</u>
Peter Dedrick	<u>absent</u>
Margaret Della Cioppa	<u>yes</u>
Rao Gaddipati	<u>yes</u>
Tim Otty	<u>yes</u>
George Sharpe Sr.	<u>yes</u>
Emil Erickson	<u>yes</u>

This Motion was carried by a 7-0-1 vote of the Planning Board members on August 31, 2017. absent unanimous.

Jami Del Pozzo
JAMI DEL POZZO
Planning Board Secretary

617.9

State Environmental Quality Review (SEQR)

**Notice of Completion of Draft EIS
and
Notice of Public Hearing on Draft EIS**

Lead Agency: Town of Germantown Planning Board

Address: Town Hall
50 Palatine Park Road
Germantown, NY 12526

Date: August 31, 2017

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

A Draft Environmental Impact Statement (EIS) has been completed and accepted for the proposed action described below by the Town of Germantown Planning Board, the SEQR Lead Agency for the action. Comments on the Draft EIS are requested and will be accepted by the contact person until 12:00 PM on October 25, 2017. A public hearing on the Draft EIS will be held at 7:00 PM on September 28, 2017 at the Town of Germantown's Kellner Community Activities Center at Palatine Park, Germantown, New York.

Name of Action: Proposed Dollar General Store

Description of Action: The applicant has requested Site Plan and Subdivision approvals from the Town of Germantown Planning Board for construction and operation of a new \pm 9,266 square foot Commercial Retail Store on a proposed 1.313 acre lot within a 6.059 acre parcel of land located on New York State Route 9G near the intersection with Main Street. The proposed remainder lot, a \pm 4.746 acre parcel, contains an existing retail garden center known as Quality Garden Center. No changes have been proposed to the Garden Center as part of the applications. The development consists of the proposed building, a 38 car parking lot, stormwater detention and bio-retention areas, lighting and signage, a loading area and landscaping. The applicant has proposed that the water supply needs of the project be served by one individual groundwater well and sewage disposal be provided through the Germantown Sewer District's sewerage system. The project site is located in the Town's Hamlet Commercial (HC) Zoning District and Scenic Viewshed Overlay (SVO) Zoning District.

Location: State Route 9G, Town of Germantown, Columbia County, New York. The parcel is identified as Section 158.5, Block 1, Lot 24

Potential Environmental Impacts:

1. The action is located within the Town of Germantown Scenic Viewshed Overlay Zoning District and New York State's Mid-Hudson Historic Shorelands Scenic District, will be visible from locations within the Scenic districts, and may result in the obstruction, elimination or significant screening of officially designated scenic views of the Hudson River and Catskill Park and Forest Preserve from such districts.
2. The action is located within the Hudson River Valley National Heritage Area, an area designated by the US Congress to "recognize, preserve and promote the natural and cultural resources of the Hudson River Valley" including its scenic resources. The proposed action may cause a diminishment of the public enjoyment and appreciation of scenic views of the Hudson River and the Catskill Park and Forest Preserve, both nationally significant resources within the Heritage Area.
3. The action is located within New York State's Coastal Area Boundary and may impair scenic views of the Coastal Area and the Catskill Park and Forest Preserve.
4. The action is located on New York State Route 9G, which has been determined by the Hudson River Valley Greenway as having good potential for designation as a State Scenic Byway in the area of the action.
5. The action may be contrary with the Hudson River Valley Greenway's Criteria, designed to "Protect, preserve and enhance natural resources including...scenic areas...and scenic roads." Germantown is a Greenway community.
6. The action will require significant new night lighting of parking and building areas, potentially resulting in "sky-glow" conditions within the designated scenic areas and districts identified above.
7. The proposed action may result in the excavation or disturbance of areas previously used for waste disposal purposes.
8. The proposed action may be inconsistent with the Town of Germantown Comprehensive Plan and the Town of Germantown Zoning and Subdivision Law.
9. The action may be inconsistent with the predominant architectural scale, character and existing natural landscape of the Town's Hamlet Commercial and Scenic Viewshed districts.
10. The action is located within an area designated as sensitive for archaeological sites by New York State and the "Phase 1 Archaeological Investigation" Report, prepared to date, requires additional study of the action's potential effects on archaeological resources.
11. The action involves the physical alteration of approximately 92 percent of the proposed lot and involves construction of approximately 0.77 acres of impervious surfaces on the 1.313 acre lot. This has the potential to cause soil erosion and

subsequent sedimentation of protected surface waters located on and adjacent to the 6.059 acre site.

The Draft EIS is herewith circulated to all agencies. A Copy of the Draft EIS is available through the contact person named below. Additional paper copies of the Draft EIS are available for examination at the Germantown Town Hall and electronic versions are available for downloading and printing on the Town of Germantown Internet website at:

<http://www.germantownny.org/government/boards/planning-board/>

Contact Person: Jami Del Pozzo, Planning Board Secretary
Mailing Address: Town of Germantown Planning Board
50 Palatine Park Rd.
Germantown, NY 12526
Telephone: 518-537-6687
Email: gtownpzsec@yahoo.com

A Copy of this Notice and Draft EIS Filed With:

Town of Germantown Planning Board
Town Hall
50 Palatine Park Road
Germantown, NY 12526
Primax, LLC (applicant)

Environmental Notice Bulletin (Notice Only)
Email: enb@gw.dec.state.ny.us

Town Supervisor Joel Craig
Town Board of the Town of Germantown
Town of Germantown Zoning Board of Appeals
Town of Germantown Sewer Department
Columbia County Department of Health
Columbia County Department of Planning/Economic Development
New York State Department of Environmental Conservation
New York State Department of Health
New York State Department of Transportation
New York State Office of Parks Recreation and Historic Preservation
New York State Department of State Coastal Management Program
Hudson River Valley Greenway

LEGAL NOTICE

Dollar General Retail Store

PLEASE TAKE NOTICE that the Planning Board of the Town of Germantown will hold a Public Hearing on a Draft Environmental Impact Statement (DEIS) for a proposed Dollar General Store on September 28, 2017 at 7:00 PM, or as soon thereafter as the matter can be heard, at the Kellner Community Activities Center at Palatine Park on Palatine Park Road, Germantown, New York. All interested parties will be given an opportunity to speak at the public hearing. The applications by Primax, LLC include requests for Subdivision approval and Site Plan approval for the construction of a 9,266 square foot Dollar General on a proposed 1.313 acre lot within a 6.059 acre parcel of land located on the Western side of New York State Route 9G near the intersection with Main Street. The Store consists of the proposed retail building, a 38 car parking lot, stormwater detention and bio-retention areas, lighting and signage, a loading area and landscaping. The applicant has proposed water supply from one onsite groundwater well and sewage disposal through the Germantown Sewer District's sewerage system. The project site is located in the Town's Hamlet Commercial (HC) Zoning District and Scenic Viewshed Overlay (SVO) Zoning District. The property is identified as Section 158.5, Block 1, Lot 24.

The Planning Board, acting as Lead Agency under the State Environmental Quality Review Act (SEQR), required the applicant to prepare the DEIS. The public hearing will be held during the public comment period on the DEIS, which is now open and which will remain open until 12:00 PM on October 25, 2017. Written comments on the DEIS are requested and will be accepted at Town Hall prior to the close of the public comment period. Comments may also be submitted to the Planning Board Secretary via Email prior to the close of the public comment period. Email comments must be sent no later than 12:00 PM on October 25, 2017 to gtownpzsec@yahoo.com.

TOWN OF GERMANTOWN PLANNING BOARD

Stephen Reynolds
Chairman

Dated: September 1, 2017

Legal Notice By: Town of Germantown Planning Board
50 Palatine Park Road
Germantown, New York 12526



ENB - Region 4 Notices 9/13/2017

Negative Declaration

Schoharie County - The Village of Cobleskill as lead agency, has determined that the proposed Sidewalk Improvements Project will not have a significant adverse environmental impact. The action involves intentions to extend existing sidewalk facilities within the Village of Cobleskill, New York, along South Grand Street from Sunshine Drive to Mineral Springs Road and along Campus Drive from Main Street to Burgin Drive.

Contact: Brendon Becker, P.O. Box 610, Cobleskill, NY 12043, Phone: (518) 234-4028, E-mail: BBecker@lamontengineers.com.

Notice of Acceptance of Draft EIS and Public Hearing

Columbia County - The New York State Office of Parks, Recreation and Historic Preservation (NYS OPRHP), as lead agency, has accepted a Draft Environmental Impact Statement on the Adoption and Implementation of a Master Plan for Taconic State Park. **A public hearing on the Draft EIS will be held on September 27, 2017 at 7:00 p.m. at the Millerton American Legion Post #178, 155 Route 44, Millerton, NY 12546.** The meeting is accessible to people with language differences and/or disabilities. A person who needs an interpretive or disability-related accommodation or modification to participate in the meeting may make a request by contacting Sara Hart at (518) 486-2909 or sending a written request to: Taconic.Plan@parks.ny.gov. Providing your request at least five business days before the meeting will help ensure availability of the requested accommodation. Written comments on the Draft EIS will be accepted until October 20, 2017. The Draft EIS is available from NYS OPRHP, Taconic State Park, Park Office; the Roecliff Jansen Library; the Millerton Library and on line at: <http://nysparks.com/inside-our-agency/master-plans.aspx>.

The action involves the development of a draft master plan to outline potential capital improvements, operational enhancements and natural and cultural resource stewardship within the Taconic State Park for the next ten to fifteen years. The plan also recommends designation of the park as a New York State Bird Conservation Area and Natural Heritage Area. The project is located throughout the Taconic State Park in the Dutchess and Columbia Counties, New York.

Contact: Sara Hart, NYS OPRHP, 625 Broadway, Albany, NY 12238, Phone: (518) 486-2909, E-mail: Taconic.Plan@parks.ny.gov.

Columbia County - The Town of Germantown Planning Board, as lead agency, has accepted a Draft Environmental Impact Statement on the proposed Germantown Dollar General. **A public hearing on the Draft EIS will be held on September 28, 2017 at 7:00 p.m. at the Kellner Community Activities Center at Palatine Park, Germantown.** Written comments on the Draft EIS will be accepted until 12:00 p.m. on October 23, 2017. The Draft EIS is available from the Town of Germantown Town Hall, 50 Palatine Park Road, Germantown, NY 12526 and on line at: <http://www.germantownny.org/government/boards/planning-board/>.

The action involves a new 9,266 ± square foot Commercial Retail Store to be occupied by a Dollar General on a proposed 1.313 acre lot within a 6.059 acre parcel of land.. The proposed remainder lot, a 4.746 ± acre parcel, contains an existing retail garden center known as Quality Garden Center. No changes have been proposed to the Garden Center as part of the applications. The development consists of the proposed building, a 38 car parking lot, stormwater detention and bio-retention areas, lighting and signage, a loading area and landscaping. The applicant has proposed that the water supply needs of the project be served by one individual groundwater well and sewage disposal be provided through the Germantown Sewer District's sewerage system. The project site is located in the Town's Hamlet Commercial (HC) Zoning District and Scenic Viewshed Overlay (SVO) Zoning District. The project is located on NYS Route 9G near the intersection with Main Street in the Town of Germantown, New York.

Contact: Jami Del Pozzo, Town of Germantown, 50 Palatine Park Road , Germantown, NY 12526, Phone: (518) 537-6687, E-mail: gtownpzsec@yahoo.com.
