

**NOTICE OF PUBLIC HEARING
TOWN OF NEW HARTFORD, NY
LOCAL LAW INTRODUCTORY "A"/"B" OF 2012**

PLEASE TAKE NOTICE that the Town Board of the Town of New Hartford, New York has introduced a local law designated Local Law Introductory "A"/"B" of 2012, entitled as **A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF NEW HARTFORD, CHAPTER 118 THEREOF ENTITLED ZONING, AND MAP COINCIDENTAL THERETO, AS IT PERTAINS TO PROPERTY DESIGNATED PLANNED DEVELOPMENT PARK DISTRICT (PDP) LOCATED ALONG WOODS HIGHWAY IN THE TOWN OF NEW HARTFORD, A DESCRIPTION OF WHICH IS SET FORTH IN SECTION 2, AND CHANGING THE DESIGNATION OF PROPERTY FROM PDP TO PLANNED HIGHWAY BUSINESS (PHB) AND FROM PDP TO PLANNED DEVELOPMENT MIXED USE (PDMU)**. If adopted, said Local Law Introductory (Part "A") shall change approximately 30.5 acres, more or less, fronting on Seneca Turnpike, as identified hereafter, from PDP to PHB: 328.000-3-1; 328.000-3-4 thru 3-7; 328.000-3-10.1 thru 10.3; 328.000-3-11 thru 3-13; 328.010-2-1 thru 2-3; 328.010-2-5 thru 2-7. Further, if adopted, said Local Law Introductory (Part "B") shall change the designation of approximately 216 acres, more or less, identified as Tax Map Parcels #328.000-3-1 thru 3-3; 328.000-3-7; 328.000-3-8; 328.000-3-10.1 thru 10.3; 316.000-2-21; 316.000-2-32.1 thru 32.4 and 316.000-2-41.1 from PDP to PDMU. Local Law Introductory "A"/"B" is on file in the New Hartford Town Clerk's Office, 48 Genesee Street, New Hartford, NY where it is available for public inspection during regular business hours, or by visiting www.newhartfordtown.com.

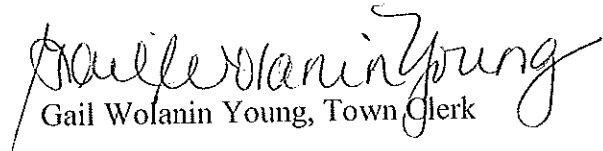
PLEASE TAKE FURTHER NOTICE that a Public Hearing upon said Local Law Introductory will be held at Butler Memorial Hall, 48 Genesee Street, New Hartford, NY on the 14th day of March 2012 at 7:00 P.M., or as soon thereafter as reached in the regular course of business, and that an opportunity to be heard in regard thereto will then and there be given. Butler Memorial Hall has a barrier-free access for the physically handicapped and any such handicapped person seeking transportation to said Public Hearing may contact Town Supervisor Patrick Tyksinski at 733-7500, Ext. 2331 during regular business hours.

Date: February 8, 2012

Gail Wolanin Young, Town Clerk

State of New York)
County of Oneida : SS.:
Town of New Hartford)

I, Gail Wolanin Young, being duly sworn, depose and say that I am the duly elected Town Clerk of the Town of New Hartford; that on the 1st day of March 2012, I posted the foregoing Notice and Local Law Introductory on the Bulletin Board maintained by me pursuant to Section 30(6) of the Town Law.


Gail Wolanin Young, Town Clerk

Subscribed and sworn to before me
this 1st day of March, 2012.



NOTARY PUBLIC

ANDREA K. TOOMEY
Notary Public, State of New York
Reg. # 01104828629
Qualified in Oneida County
My Commission Expires Sept. 30, 2013

**TOWN OF NEW HARTFORD, NY
LOCAL LAW INTRODUCTORY "A"/ "B" OF 2012**

A Local Law to Amend the Code of the Town of New Hartford, Chapter 118 thereof entitled ZONING, and map coincidental thereto, as it pertains to property designated Planned Development Park District (PDP) located along Woods Highway in the Town of New Hartford, a description of which is set forth in Section 2, and changing the designation of property from PDP to Planned Development Mixed Use (PDMU) and from PDP to Planned Highway Business (PHB).

Section 1. Chapter 118 of the Code of the Town of New Hartford, Section 118-8 and particularly the map coincidental thereto and made a part thereof, is hereby amended as follows:

(Part "A")

Change the designation of approximately 30.5 acres, more or less, fronting on Seneca Turnpike identified as the following Tax Map Parcels or portions thereof and owners from PDP to PHB:

#328.000-3-1	-	Karen Szymanski/David Iadanza
#328.000-3-4	-	James & Linda Radlo
#328.000-3-5	-	Kim & James Marscher
#328.000-3-6	-	New Hartford Office Group, LLC
#328.000-3-7	-	New Hartford Office Group, LLC
#328.000-3-10.1	-	Par Tech Corp.
#328.000-3-10.2	-	Par Tech Corp.
#328.000-3-10.3	-	Par Tech Corp.
#328.000-3-11	-	Norman & Rosemary Ruzinsky
#328.000-3-12	-	Par Tech Corp.
#328.000-3-13	-	Seneca Turnpike, LLC
#328.010-2-1	-	Mary & Terrance Tupaj
#328.010-2-2	-	Mary & Terrance Tupaj
#328.010-2-3	-	Girolamo & Michele Tavolante
#328.010-2-5	-	Tim & Kathryn Maine
#328.010-2-6	-	Norma Deep
#328.010-2-7	-	Fred Grimaldi

and

(Part "B")

Change the designation of approximately 216 acres, more or less, identified as the following Tax Map Parcels for portions thereof and owners from PDP to PDMU:

#328.000-3-1	-	Karen Szymanski/David Iadanza
#328.000-3-2	-	Ann & Daniel Rieben
#328.000-3-3	-	Samuel & Margaret Silverman

#328.000-3-7	-	New Hartford Office Group, LLC
#328.000-3-8	-	Niagara Mohawk Power Corp.
#328.000-3-10.1	-	Par Tech Corp.
#328.000-3-10.2	-	Par Tech Corp.
#328.000-3-10.3	-	Par Tech Corp.
#316.000-2-21	-	Michael Paladino
#316.000-2-32.1	-	Woods 840 LLC
#316.000-2-32.2	-	James & Michelle Henderson
#316.000-2-32.3	-	David Wargo
#316.000-2-32.4	-	Crown Atlantic Company, LLC
#316.000-2-41.1	-	AXNY Office, LP;

Section 2. The boundaries and description of the PHB District, as revised, are shown on the drawing attached as Exhibit B, and described as follows:

PROPOSED DESCRIPTION OF THE PROPOSED
 “PLANNED HIGHWAY BUSINESS DISTRICT”
“PARCEL #1 -5.2+/- ACRES”

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF NEW HARTFORD, COUNTY OF ONEIDA AND STATE OF NEW YORK BOUNDED AND DESCRIBED AS FOLLOWS:

Beginning at a point on the northerly highway boundary of New York State Route 5 (State Highway Number 9205) (Seneca Turnpike), said point standing at the intersection of the northerly highway boundary of New York State Route 5 with the division line between the westerly boundary of Herbert and Ida Robinson (Now or Formerly) on the west (Tax Parcel 328.006-3-17) (Liber 2706 of Deeds at Page 682) and the property of Karen Szymanski, Etal. (Now or Formerly) on the east (Tax Parcel 328.000-3-1) Liber 2359 of Deeds at Page 148); said point of beginning being approximately **120 feet** easterly of the southeasterly corner of Lexington Boulevard; thence northeasterly a distance of approximately **195 feet** along said aforementioned division line to a point; thence easterly a distance of approximately **147 feet** and through the property of Karen Szymanski, Etal. to the northwesterly corner of lands of Terrence Tupaj (Reputed Owner) (Tax Parcel 328.010-2-1); thence easterly a distance of approximately **219 feet** along the northerly boundary of Terrence Tupaj and then along the northerly boundary of lands of Terrence Tupaj and Mary Tupaj (Reputed Owner) (Tax Parcel 328.010-2-2) to the northeasterly corner of Terrence Tupaj and Mary Tupaj; thence northeasterly a distance of approximately **85 feet** through the property of Karen Szymanski, Etal. to the northwesterly corner of lands of Girolamo Tavolante and Michele Tavolante and Michele Tavolante (Reputed Owner) (Tax Parcel 328.010-2-3); thence easterly a distance of approximately **605 feet** along the northerly boundary of Girolamo Tavolante and Michele Tavolante, the northerly boundary of Timothy Maine and Kathryn Maine (Reputed Owner) (Tax Parcel 328.010-2-5), the northerly boundary of Norman Deep (Reputed Owner) (Tax Parcel 328.010-2-6) and then along the northerly boundary of Fred B. Grimaldi (Reputed Owner) (Tax Parcel 328.010-2-7) to a point; thence continuing along

the northerly boundary of Fred B. Grimaldi in an easterly direction a distance of approximately **70 feet** to the westerly highway boundary of Woods Road; thence southerly a distance of approximately **230 feet** along the westerly highway boundary of Woods Road to the northerly highway boundary of New York State Route 5; thence westerly along the northerly highway boundary of New York State Route 5 a distance of approximately **1189 feet** to the **point and place of beginning**.

The above described parcel containing **5.2 acres** of land, more or less.

Subject to any easements, covenants or restrictions of record.

“PARCEL #2 – 25.3+/- ACRES”

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF NEW HARTFORD, COUNTY OF ONEIDA AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

Beginning at a point on the northerly highway boundary of New York State Route 5 (State Highway Number 9205) (Seneca Turnpike), said point standing at the intersection of the northerly highway boundary of New York State Route 5 with the division line between the easterly highway boundary of Woods Road on the west and the property of the New Hartford Office Group, LLC (Now or Formerly) on the east (Tax Parcel 328.000-3-7) (Instrument Number 2005-025875); thence northerly a distance of approximately **309 feet** along the easterly highway boundary of Woods Road to appoint; thence continuing northerly a distance of approximately **875 feet** along the easterly highway boundary of Woods Road to a point standing on the southerly highway boundary of a 60 ft. wide Town Highway (Road “A”) (Instrument Number 2010-016652); thence easterly a distance of approximately **758 feet** along the southerly highway boundary of a 60 ft. wide Town Highway (Road “A”) to a point standing on the northerly extension of the division line of the lands of the New Hartford Office Group, LLC on the west and Par Technology Corporation (Now or Formerly) (Liber 2166 of Deeds at Page 61) (Tax Parcel 328.00-3-10.1) on the east; thence southerly a distance of approximately **878 feet** along the northerly extension of the division line of the lands of the New Hartford Office Group, LLC on the west and Par Technology Corporation on the east and then along the division line of the lands of the New Hartford Office Group, LLC on the west and Par Technology Corporation on the east to a point; thence southwesterly a distance of approximately **149 feet** continuing along the division line of the lands of the New Hartford Office Group, LLC on the west and Par Technology Corporation on the east to the division line of the lands of the New Hartford Office Group, LLC on the south and Par Technology Corporation on the north; thence easterly a distance of approximately **131 feet** along the division line of the lands of the New Hartford Office Group, LLC on the south and Par Technology Corporation on the north and then along the northerly boundary of Norman Ruzinsky and Rosemary Ruzinsky (Now or Formerly) and continuing along the easterly extension of the northerly boundary of Norman Ruzinsky and Rosemary Ruzinsky through the lands of Par Technology Corporation to a point thence easterly at an exterior angle of approximately **166 degrees** a distance of

approximately **175 feet** through the lands of Par Technology Corporation to a point; thence northerly at an exterior angle of approximately **104 degrees** a distance of approximately **35 feet** through the lands of Par Technology Corporation to point; thence easterly at an interior angle of approximately 90 degrees a distance of approximately **564 feet** through the lands of Par Technology Corporation (Tax Parcel 328.00-3-10.1) (Tax Parcel 328.00-3-10.2) (Tax Parcel 328.00-3-10.3) to the division line between the property of Par Technology Corporation (Tax Parcel 328.00-23-10.3) on the west and the property of Southside Land Associates, LLC (Now or Formerly) (Tax Parcel 328.000-3-14) on the east; thence southerly along said aforementioned division line a distance of approximately **300 feet** to a point standing on the northerly highway boundary of New York State Route 5; thence northwesterly along the northerly highway boundary of New York State Route 5 a distance of approximately **1403 feet** to the **point and place of beginning**.

The above described parcel containing **25.3 acres** of land, more or less.

Subject to any easements, covenants or restrictions of record.

Section 3. The boundaries and description of the PDMU District as revised are shown on the drawing attached as Exhibit A, and described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of New Hartford, County of Oneida, State of New York and more particularly described as follows:

Beginning at a Point on the northerly boundary of N.Y. State Route 5, State Highway number 9205 at its intersection with the division line between the property of Herbert and Ida Robinson on the west, (Tax Parcel) 328.006-3-17, Deed Book 2706 Page 682) and the property of Karen Szymanski EtAL on the east, (Tax Parcel 328.000-3-1, Deed Book 2359, Page 148), said point also being approximately 120 feet easterly of the southeasterly corner of Lexington Boulevard; thence northeasterly approximately 1100 feet along said division line to an angle point; thence through the property of Karen Szymanski EtAL along a northerly bearing having an exterior clockwise deflection angle of approximately 174 degrees from the back tangent or previously mentioned division line and a distance of approximately 480 feet to an angle point on the division line between the property of Frank and James Paladino, (Tax Parcel 316.000-2-21, Deed Book 2681 Page 675), on the northeast and the property of Karen Szymanski, EtAL on the southwest; thence along said division line on a southeasterly bearing having an exterior clockwise deflection angle of approximately 274 degrees from the back tangent and a distance of approximately 876 feet to an angle point in the center of existing Woods Road, a Town highway; thence along a northwesterly bearing having an exterior clockwise deflection angle of approximately 76 degrees from the back tangent and a distance of approximately 520 feet to a point, (the last mentioned course and distance fronting approximately 420 feet of the Niagara Mohawk Power Corporation parcel of land, Tax Parcel 328.000-3-8), said point being a point on the division line between the property of John and Rose Wargo on southwest, (Tax Parcel 316.000-2-32.1, Deed Book 2085 Page 460) and the property of Frank Beckerman EtAL on the northeast, (Tax Parcel

328.000-3-7, Deed Book 1763 Page 392); thence continuing northwesterly along the last mentioned bearing and along said division line approximately 1200 feet to an angle point on the division line between the property of John and Rose Wargo on the northwest and the property of Frank Beckerman, EtAL on the southeast; thence northeasterly along said division line on a bearing having an exterior clockwise deflection angle from the back tangent of approximately 270 degrees and a distance of approximately 300 feet to an angle point on the division line between the property of John and Rose Wargo on the southwest and the property of Frank Beckerman EtAL on the northeast; thence northwesterly along said division line on a bearing having an exterior clockwise deflection angle from the back tangent of approximately 97 degrees, a distance of approximately 1350 feet to a point on the corporation line between the TOWN OF WHITESTOWN on the northwest and the TOWN OF NEW HARTFORD on the southeast, said point also being on the northerly property line of Frank Beckerman EtAL (Deed Book 1763 Page 392); thence northeasterly along said property line on a bearing having an exterior clockwise deflection angle from the back tangent of approximately 263 degrees and a distance of approximately 200 feet to an angle point on the division line between the property of Jon E. Yager EtAL on the northeast, (Tax Parcel 316.000-2-33, Deed Book 2753 Page 276) and the property of Frank Beckerman, EtAL on the southwest, (Tax Parcel 328.000-3-7, Deed Book 1763 Page 392); thence southeasterly along said division line on a bearing having an exterior clockwise deflection angle of approximately 272 degrees from the back tangent and a distance of approximately 800 feet, (approximately 265 feet along Jon E. Yager, EtAL westerly property line, (Tax Parcel 316.000-2-36), to an angle point on the division line between the property of B.O.C.E.S. on the northwest and the property of Frank Beckerman, EtAL on the southeast; thence northeasterly along said division line on a bearing having an exterior clockwise deflection angle from the back tangent of approximately 87 degrees and a distance of approximately 1230 feet to an angle point on the division line between the property of B.O.C.E.S. on the northeast and the property of Frank Beckerman EtAL on the southwest; thence southeasterly along said division line on a bearing having an exterior clockwise deflection angle from the back tangent of approximately 271 degrees and a distance of approximately 950 feet, (i.e. approximately 870 feet along B.O.C.E.S. westerly property line and approximately 80 feet along Elmer McCubbin and Wife westerly property line (Tax Parcel 316.000-2-41.1, Deed Book 1410 Page 567), to an angle point on the division line between the property of Jon E. Yager EtAL, on the southeast, (Tax Parcel 316.000-2-42, Deed Book 2753 Page 276) and the property of Frank Beckerman, EtAL (Tax Parcel 328.000-3-7) on the northwest, thence southwesterly along said division line on a bearing having an exterior clockwise deflection angle from the back tangent of approximately 270 degrees and a distance of approximately 610 feet to an angle point on the division line between the property of Jon E. Yager EtAL on the northeast and the property of Frank Beckerman EtAL on the southwest; thence southeasterly along said division line on a bearing having an exterior clockwise deflection angle from the back tangent of approximately 90 degrees and a distance of approximately 920 feet to an angle point on the division line between the property of Jon E. Yager EtAL on the northeast and the property of Par Technology Corporation (Tax Parcel 328.000-3-9) on the southwest; thence southeasterly along said division line on a bearing having an exterior clockwise deflection angle from the back

tangent of approximately 102 degrees and a distance of approximately 640 feet to an angle point, on the division line between the property of Par Technology Corporation on the southwest (Tax Parcel 328.000-3-9), and the following four properties on the northeast:

- 1) Jon E. Yager, EtAL – Tax Parcel 316.000-2-42, Deed Book 2753 Page 276
- 2) Fifth Garden Park – Tax Parcel 328.000-3-20.2, Deed Book 2327 Page 17
- 3) John M. Coyne – Tax Parcel 328.000-3-18, Deed Book 2371 Page 57
- 4) Sacred Heart Cemetery – Tax Parcel 328.000-3-17;

thence southeasterly along said division line on a bearing having an exterior clockwise deflection angle from the back tangent of approximately 257 degrees and a distance of approximately 1610 feet to an angle point on the division line between the property of Loomis and Richard Grossman on the southwest (Tax Parcel 328.000-3-16.1, Deed Book 2713 Page 498) and Par Technology Corporation on the northeast, (Tax Parcel 328.000-3-9); thence northwesterly along said division line on a bearing having an exterior clockwise deflection angle from the back tangent of approximately 283 degrees and a distance of approximately 200 feet to an angle point on the division line between the property of Loomis and Richard Grossman on the northeast and the property of Par Technology Corporation (Tax Parcel 328.000-3-9) on the southwest; thence southeasterly along said division line on a bearing having an exterior clockwise deflection angle from the back tangent of approximately 78 degrees and a distance of approximately 430 feet to an angle point, on the division line between the property of Par Technology Corporation (Tax Parcel 328.000-3-9) on the northeast and the following two (2) properties on the southwest:

- 1) Lawrence R. Adler and Craig G. Delasin, Tax Parcel 328.000-3-15, Deed Book 2808 Page 1
- 2) Frank and Beatrice Marn, Tax Parcel 328.000-3-14, Deed Book 1888 Page 661;
thence northwesterly along said division line on a bearing having an exterior clockwise deflection angle from the back tangent of approximately 283 degrees and a distance of approximately 198 feet to an angle point on the division line between the property of Frank and Beatrice Marn on the northeast and the property of Par Technology Corporation on the southwest (Tax Parcel 328.000-3-10, Deed Book 2166 Page 61); thence southeasterly along said division line on a bearing having an exterior clockwise deflection angle from the back tangent of approximately 78 degrees and a distance of approximately 300 feet to a point on the northerly highway boundary of the aforesaid New York State Highway, State Highway Number 9205 also know as SENECA TURNPIKE; thence northwesterly along said northerly highway boundary on a bearing having an exterior clockwise deflection angle of approximately 283 degrees and a distance of 2720 feet to the point of beginning, containing approximately 197 acres of land, more or less.

Section 4. This local law eliminates the PDP previously established as the “New Hartford Business Park” on Woods Road as referenced in Sections 118-7R and 118-39 and changes the boundaries of the Town of New Hartford Zoning Map to replace the PDP with PDMU or PHB as stated above.

Section 5. All other provisions of Chapter 118 of the Code of the Town of New Hartford, and amendments thereto, are hereby affirmed except to the extent that this Local Law shall modify or amend.

Section 6. This Local Law shall become effective immediately upon its filing with the Office of the Secretary of State.

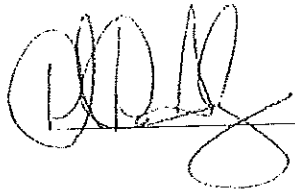
STATE OF NEW YORK
COUNTY OF ONEIDA
TOWN OF NEW HARTFORD

RECEIVED
JAN 19 2012
TOWN CLERK

PETITION FOR ZONING AMENDMENT
PURSUANT TO ARTICLE XIV OF THE
TOWN OF NEW HARTFORD ZONING CODE

The undersigned Petitioners who together own more than fifty percent (50%) of the property included within the Planned Development Park District (PDP) located along Woods Highway in the Town of New Hartford, hereby Petition the Town Board to amend the Zoning Map of the Town of New Hartford to re-designate approximately 235 acres of the PDP as Planned Development Mixed Use (PDMU) as shown on exhibit A and as described by metes and bounds on exhibit B. The Petitioners moreover further Petition the Town Board to amend the Zoning Map of the Town of New Hartford to re-designate approximately 17 acres of the PDP as Planned Highway Business (PHB) as shown on exhibit C and as described by metes and bounds on exhibit D.

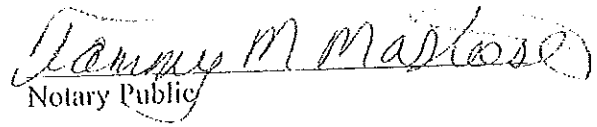
The purpose of the requested Zoning Map amendment is to bring the Town of New Hartford Zoning into compliance with the Town of New Hartford Comprehensive Plan. Specifically it will help accomplish the goals of a) reducing the number, types, and availability of Planned Development Districts in the Town and, b) providing a transitional Planned Highway Business (PHB) zone along Seneca Turnpike. The amendment will also encourage economic growth.



STATE OF NEW YORK)
) ss
COUNTY OF MONROE)

On the 16th day of January in the year 2012 before me, the undersigned, personally appeared David Jackson personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

TAMMY M. MASTOWSKI
Notary Public, State of N.Y. Monroe Co.
Reg. # 01MA4921588
Commission Expires Feb. 28, 2014

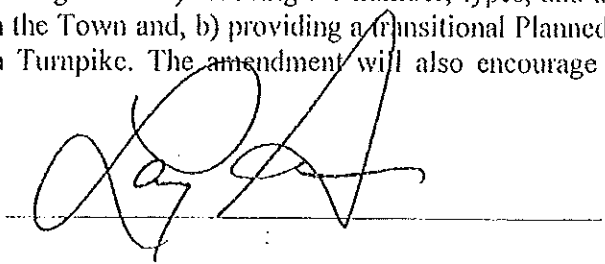

Notary Public

STATE OF NEW YORK
COUNTY OF ONEIDA
TOWN OF NEW HARTFORD

PETITION FOR ZONING AMENDMENT
PURSUANT TO ARTICLE XIV OF THE
TOWN OF NEW HARTFORD ZONING CODE

The undersigned Petitioners who together own more than fifty percent (50%) of the property included within the Planned Development Park District (PDP) located along Woods Highway in the Town of New Hartford, hereby Petition the Town Board to amend the Zoning Map of the Town of New Hartford to re-designate approximately 235 acres of the PDP as Planned Development Mixed Use (PDMU) as shown on exhibit A and as described by metes and bounds on exhibit B. The Petitioners moreover further Petition the Town Board to amend the Zoning Map of the Town of New Hartford to re-designate approximately 17 acres of the PDP as Planned Highway Business (PHB) as shown on exhibit C and as described by metes and bounds on exhibit D.

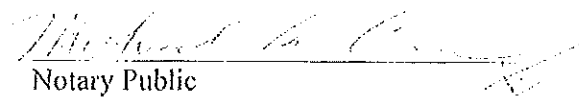
The purpose of the requested Zoning Map amendment is to bring the Town of New Hartford Zoning into compliance with the Town of New Hartford Comprehensive Plan. Specifically it will help accomplish the goals of a) reducing the number, types, and availability of Planned Development Districts in the Town and, b) providing a transitional Planned Highway Business (PHB) zone along Seneca Turnpike. The amendment will also encourage economic growth.



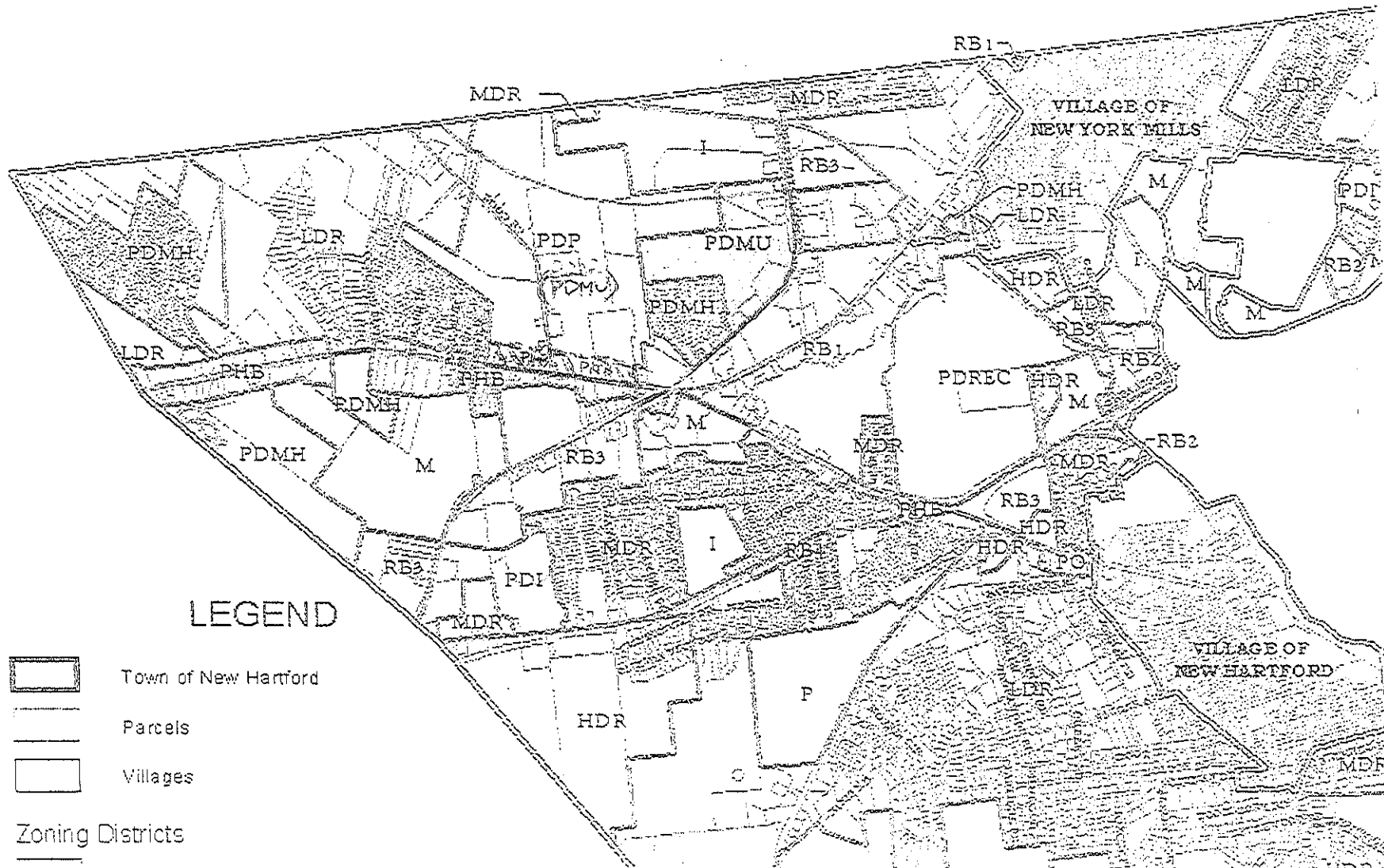
STATE OF NEW YORK)
) : ss
COUNTY OF Oneida)

On the 10th day of November in the year 2012 before me, the undersigned, personally appeared [Signature], personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

MICHAEL A CUNIFF
NOTARY PUBLIC - STATE OF NEW YORK
NO. 01CU6190716
QUALIFIED IN ONONDAGA COUNTY
COMMISSION EXPIRES 07/28/2012



Notary Public



LEGEND



Town of New Hartford



Parcels



Villages

Zoning Districts



LARRY ADLER

794-3000

Zone Map Amendment Application – New Hartford Office Group (Lawrence Adler), et al

The Town Attorney reviewed with the Town Board the petitions and map submitted on January 9, 2012 and January 11, 2011 by Lawrence Adler in behalf of various property owners requesting that a portion of the Business Park be rezoned from Planned Development Park (PDP) to Planned Highway Business (PHB), which would be consistent with the zoning along Seneca Turnpike, and that the back part of the Business Park be rezoned from Planned Development Park (PDP) to Planned Development Mixed Use (PDMU). Other petitioners include Karen Szymanski, New Hartford Office Group, PAR, Palladino and Wargo and he referred to a list of property owners and tax map numbers. The Town needs to receive the metes and bounds description for each zoning reclassification, the required SEQR form and application fee before referring this matter to the Town and County Planning departments and for SEQR review by various state and local agencies/departments. Further, Town Board consensus was that the boundary lines for the rezoning classifications should follow the back lot lines of the Seneca Turnpike properties. Thereafter, Councilman Reynolds introduced the following Resolution for adoption, seconded by Councilman Woodland:

(RESOLUTION NO. 17 OF 2012)

RESOLVED that the New Hartford Town Board does hereby accept the Petition(s) submitted by Lawrence Adler in behalf of various property owners within the Business Park zone to rezone certain parcels from PDP to PHB and to rezone certain parcels from PDP to PDMU; and be it

FURTHER RESOLVED that the Town Board does hereby declare itself as Lead Agent in the matter of the Zone Map Amendment application(s) submitted by New Hartford Office Group (Lawrence Adler), et al, to change the zoning classification of the Business Park from Planned Development Park (PDP) into two (2) different zone classifications; namely, Planned Highway Business (PHB) and Planned Development Mixed Use (PDMU); and

BE IT YET FURTHER RESOLVED that the Town Board does hereby authorize and direct the Town Clerk to refer said Zone Map Amendment application(s) to the New Hartford Town Planning Board and the Oneida County Planning Department for their review and written recommendation in accordance with General Municipal Law and the Town Zoning Law, and to also forward copies of said Zone Map Amendment application(s) to all interested and/or involved agencies for SEQR review, with the stipulation that such referrals do not occur until Mr. Adler provides the required metes and bounds descriptions for each of the proposed PHB and PDMU districts, the required SEQR form and fees, and that the map be amended to reflect that the PHB district would run along the back property lines of the Seneca Turnpike properties.

A roll call vote then was held and resulted as follows:

Councilman Miscione - Aye

Councilman Woodland	-	Aye
Councilman Backman	-	Aye
Councilman Reynolds	-	Aye
Supervisor Tyksinski	-	Aye.

The Resolution was declared unanimously carried and duly *ADOPTED*.

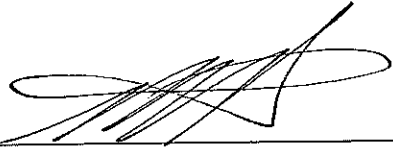
STATE OF NEW YORK
COUNTY OF ONEIDA
TOWN OF NEW HARTFORD

JAN 19 2012
TOWN OF NEW HARTFORD
TOWN CLERK

AMENDED PETITION FOR ZONING AMENDMENT
PURSUANT TO ARTICLE XIV OF THE
TOWN OF NEW HARTFORD ZONING CODE

The undersigned Petitioners who together own more than fifty percent (50%) of the property included within the Planned Development Park District (PDP) located along Woods Highway in the Town of New Hartford consisting of parcels identified on Exhibit 1, hereby Petition the Town Board to amend the Zoning Map of the Town of New Hartford to re-designate approximately 216 acres of the PDP as Planned Development Mixed Use (PDMU) as shown on exhibit A and as described by metes and bounds on exhibit B. The Petitioners moreover further Petition the Town Board to amend the Zoning Map of the Town of New Hartford to re-designate approximately 30.5 acres of the PDP as Planned Highway Business (PHB) as shown on exhibit C and as described by metes and bounds on exhibit D.

The purpose of the requested Zoning Map amendment is to bring the Town of New Hartford Zoning into compliance with the Town of New Hartford Comprehensive Plan. Specifically it will help accomplish the goals of a) reducing the number, types, and availability of Planned Development Districts in the Town and, b) providing a transitional Planned Highway Business (PHB) zone along Seneca Turnpike. The amendment will also encourage economic growth.

By 
Its: MICHAEL PALADINO

STATE OF NEW YORK)
): ss
COUNTY OF ONEIDA)

On the 10th day of January in the year 2012 before me, the undersigned, personally appeared Michael Paladino, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

DEBBIE VERMINSKI
Notary Public, State of New York
Appointed in Oneida County
Reg. No. 01VE5024704
Commission Expires March 14, 20 14

RECEIVED

JAN 19 2012

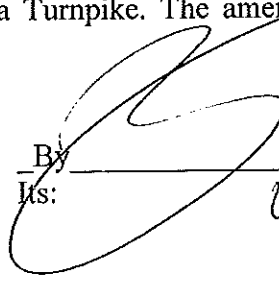
TOWN OF NEW HARTFORD
TOWN CLERK

STATE OF NEW YORK
COUNTY OF ONEIDA
TOWN OF NEW HARTFORD

AMENDED PETITION FOR ZONING AMENDMENT
PURSUANT TO ARTICLE XIV OF THE
TOWN OF NEW HARTFORD ZONING CODE

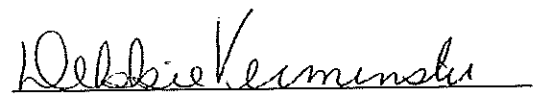
The undersigned Petitioners who together own more than fifty percent (50%) of the property included within the Planned Development Park District (PDP) located along Woods Highway in the Town of New Hartford consisting of parcels identified on Exhibit 1, hereby Petition the Town Board to amend the Zoning Map of the Town of New Hartford to re-designate approximately 216 acres of the PDP as Planned Development Mixed Use (PDMU) as shown on exhibit A and as described by metes and bounds on exhibit B. The Petitioners moreover further Petition the Town Board to amend the Zoning Map of the Town of New Hartford to re-designate approximately 30.5 acres of the PDP as Planned Highway Business (PHB) as shown on exhibit C and as described by metes and bounds on exhibit D.

The purpose of the requested Zoning Map amendment is to bring the Town of New Hartford Zoning into compliance with the Town of New Hartford Comprehensive Plan. Specifically it will help accomplish the goals of a) reducing the number, types, and availability of Planned Development Districts in the Town and, b) providing a transitional Planned Highway Business (PHB) zone along Seneca Turnpike. The amendment will also encourage economic growth.

By:  Member (RONALD WARGO)
Its: WOODS 840, LLC

STATE OF NEW YORK)
) : ss
COUNTY OF ONEIDA)

On the 19th day of January in the year 2012 before me, the undersigned, personally appeared Ronald J. Wargo, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

DEBBIE VERMINSKI
Notary Public, State of New York
Appointed in Oneida County
Reg. No. 01VE5024704
Commission Expires March 14, 2014

RECEIVED

JAN 19 2012

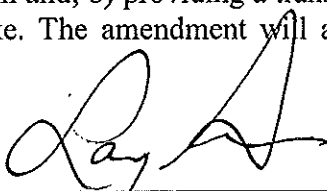
TOWN OF NEW HARTFORD
TOWN CLERK

STATE OF NEW YORK
COUNTY OF ONEIDA
TOWN OF NEW HARTFORD

AMENDED PETITION FOR ZONING AMENDMENT
PURSUANT TO ARTICLE XIV OF THE
TOWN OF NEW HARTFORD ZONING CODE

The undersigned Petitioners who together own more than fifty percent (50%) of the property included within the Planned Development Park District (PDP) located along Woods Highway in the Town of New Hartford consisting of parcels identified on Exhibit 1, hereby Petition the Town Board to amend the Zoning Map of the Town of New Hartford to re-designate approximately 216 acres of the PDP as Planned Development Mixed Use (PDMU) as shown on exhibit A and as described by metes and bounds on exhibit B. The Petitioners moreover further Petition the Town Board to amend the Zoning Map of the Town of New Hartford to re-designate approximately 30.5 acres of the PDP as Planned Highway Business (PHB) as shown on exhibit C and as described by metes and bounds on exhibit D.

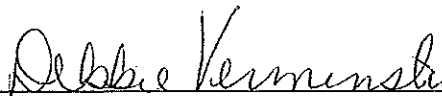
The purpose of the requested Zoning Map amendment is to bring the Town of New Hartford Zoning into compliance with the Town of New Hartford Comprehensive Plan. Specifically it will help accomplish the goals of a) reducing the number, types, and availability of Planned Development Districts in the Town and, b) providing a transitional Planned Highway Business (PHB) zone along Seneca Turnpike. The amendment will also encourage economic growth.

By 
Its: NEW HARTFORD OFFICE GROUP, LLC
LT GROUP LLC
LARRY ADLER - MEMBER

STATE OF NEW YORK)
) : ss
COUNTY OF ONEIDA)

On the 19th day of January in the year 2012 before me, the undersigned, personally appeared Larry Adler, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

DEBBIE VERMINSKI
Notary Public, State of New York
Appointed in Oneida County
Reg. No. 01VE5024704
Commission Expires March 14, 2014


Notary Public
~~**DEBBIE VERMINSKI**
Notary Public, State of New York
Appointed in Oneida County
Reg. No. 01VE5024704~~

STATE OF NEW YORK
COUNTY OF ONEIDA
TOWN OF NEW HARTFORD

RECEIVED

JAN 19 2012

TOWN OF NEW HARTFORD
TOWN CLERK

AMENDED PETITION FOR ZONING AMENDMENT
PURSUANT TO ARTICLE XIV OF THE
TOWN OF NEW HARTFORD ZONING CODE

The undersigned Petitioners who together own more than fifty percent (50%) of the property included within the Planned Development Park District (PDP) located along Woods Highway in the Town of New Hartford consisting of parcels identified on Exhibit 1, hereby Petition the Town Board to amend the Zoning Map of the Town of New Hartford to re-designate approximately 216 acres of the PDP as Planned Development Mixed Use (PDMU) as shown on exhibit A and as described by metes and bounds on exhibit B. The Petitioners moreover further Petition the Town Board to amend the Zoning Map of the Town of New Hartford to re-designate approximately 30.5 acres of the PDP as Planned Highway Business (PHB) as shown on exhibit C and as described by metes and bounds on exhibit D.

The purpose of the requested Zoning Map amendment is to bring the Town of New Hartford Zoning into compliance with the Town of New Hartford Comprehensive Plan. Specifically it will help accomplish the goals of a) reducing the number, types, and availability of Planned Development Districts in the Town and, b) providing a transitional Planned Highway Business (PHB) zone along Seneca Turnpike. The amendment will also encourage economic growth.

By Ronald J. Casichio
Its: _____

STATE OF NEW YORK)
): ss
COUNTY OF Oneida)

On the 19th day of January in the year 2012 before me, the undersigned, personally appeared Ronald J. Casichio, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Holly A. Gaetano
Notary Public

HOLLY A. GAETANO
Notary Public, State of New York
Qualified in Oneida County
My Commission Expires 11/19/2015

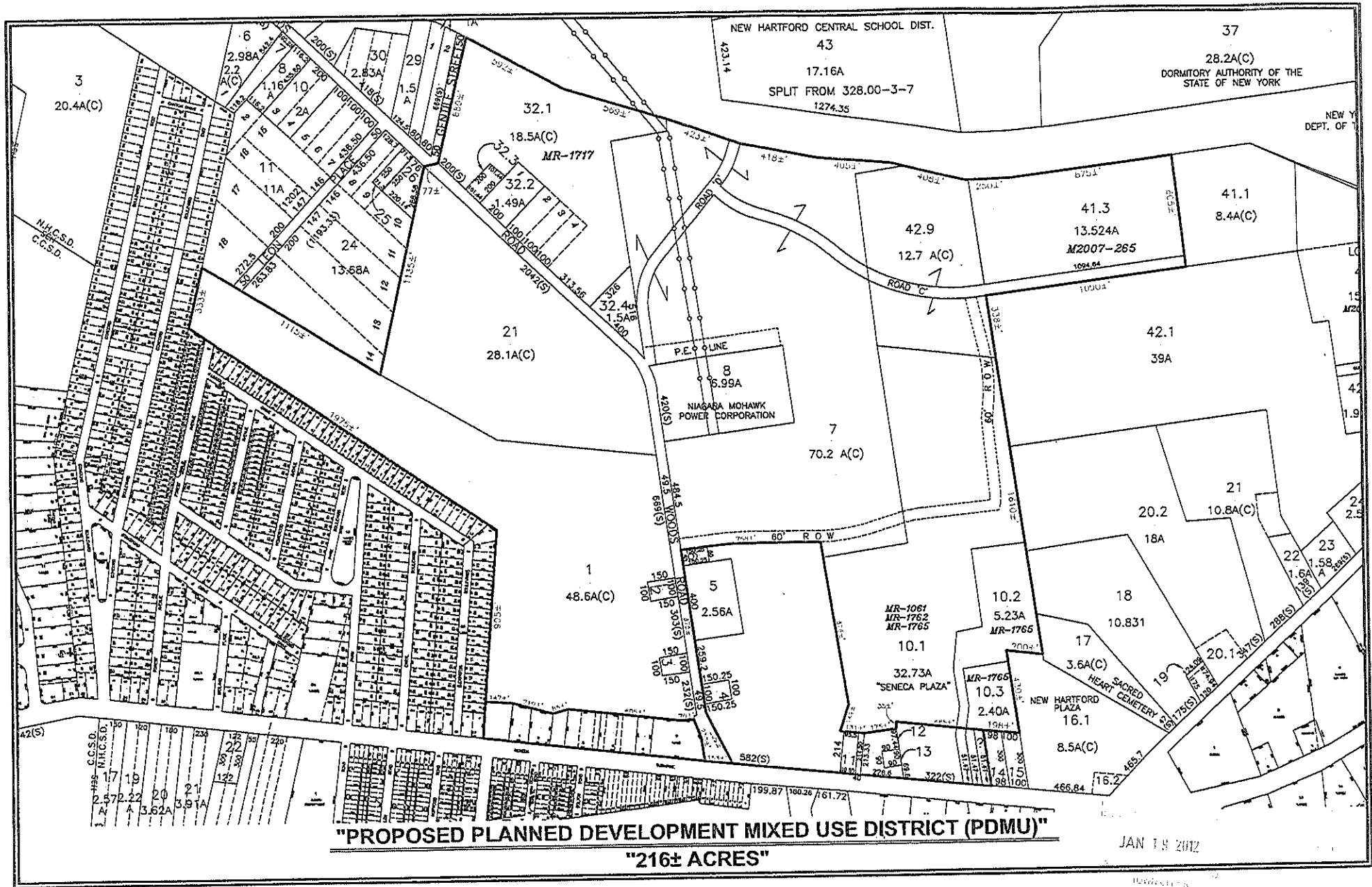
RECEIVED

JAN 19 2012

TOWN OF NEW HARTFORD
TOWN CLERK

EXHIBIT 1 - PROPERTIES IN THE PDP ZONE

<u>PARCEL NO.</u>	<u>NAME</u>	<u>ACREAGE</u>
#328.000-3-1	- Karen Szymanski/David Ladanza	48.6
#328.000-3-2	- Ann & Daniel Rieben	0.34
#328.000-3-3	- Samuel & Margaret Silverman	0.34
#328.000-3-4	- James & Linda Radlo	0.34
#328.000-3-5	- Kim & James Marscher	2.56
#328.000-3-6	- New Hartford Office Group, LLC	0.28
#328.000-3-7	- New Hartford Office Group, LLC	78.51
#328.000-3-8	- Niagara Mohawk Power Corp.	6.99
#328.000-3-10.1	- PAR Technology Corporation	31.03
#328.000-3-10.2	- PAR Technology Corporation	5.23
#328.000-3-10.3	- PAR Technology Corporation	2.40
#328.000-3-11	- Norman & Rosemary Ruzinsky	0.49
#328.000-3-13	- Seneca Turnpike, LLC	0.19
#328.010-2-1	- Mary & Terrance Tupaj	0.46
#328.010-2-2	- Mary & Terrance Tupaj	0.54
#328.010-2-3	- Girolamo & Michele Tavolante	0.80
#328.010-2-5	- Tim & Kathryn Maine	0.92
#328.010-2-6	- Norman Deep	0.37
#328.010-2-7	- Fred Grimaldi	1.30
#316.000-2-21	- Michael Paladino	28.10
#316.000-2-32.1	- Woods 840, LLC	18.50
#316.000-2-32.2	- James & Michelle Henderson	1.49
#316.000-2-32.3	- David Wargo	0.47
#316.000-2-32.4	- Crown Atlantic Company, LLC	1.50
#316.000-2-41.1	- AXNY Office LP	<u>15.02</u>
		246.77



"PROPOSED PLANNED DEVELOPMENT MIXED USE DISTRICT (PDMU)"
"216± ACRES"

JAN 18 2012

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of New Hartford, County of Oneida, State of New York and more particularly described as follows:

Beginning at a Point on the northerly boundary of N.Y.State Route 5, State Highway number 9205 at its intersection with the division line between the property of Herbert and Ida Robinson on the west, [Tax Parcel 328.006-3-17, Deed Book 2706 Page 682] and the property of Karen Szymanski EtAL on the east, [Tax Parcel 328.000-3-1, Deed Book 2359, Page 148], said point also being approximately 120 feet easterly of the southeasterly corner of Lexington Boulevard; thence northeasterly approximately 1100 feet along said division line to an angle point; thence through the property of Karen Szymanski EtAL along a northerly bearing having an exterior clockwise deflection angle of approximately 174 degrees from the back tangent or previously mentioned division line and a distance of approximately 480 feet to an angle point on the division line between the property of Frank and James Paladino, [Tax Parcel 316.000-2-21, Deed Book 2681 Page 675], on the northeast and the property of Karen Szymanski, EtAL on the southwest; thence along said division line on a southeasterly bearing having an exterior clockwise deflection angle of approximately 274 degrees from the back tangent and a distance of approximately 876 feet to an angle point in the center of existing Woods Road, a Town highway; thence along a northwesterly bearing having an exterior clockwise deflection angle of approximately 76 degrees from the back tangent and a distance of approximately 520 feet to a point, [the last mentioned course and distance fronting approximately 420 feet of the Niagara Mohawk Power Corporation parcel of land, Tax Parcel 328.000-3-8], said point being a point on the division line between the property of John and Rose Wargo on southwest, [Tax Parcel 316.000-2-32.1, Deed Book 2085 Page 460] and the property of Frank Beckerman EtAL on the northeast, [Tax Parcel 328.000-3-7, Deed Book 1763 Page 392]; thence continuing northwesterly along the last mentioned bearing and along said division line approximately 1200 feet to an angle point on the division line between the property of John and Rose Wargo on the northwest and the property of Frank Beckerman, EtAL on the southeast; thence northeasterly along said division line on a bearing having an exterior clockwise deflection angle from the back tangent of approximately 270 degrees and a distance of approximately 300 feet to an angle point on the division line between the property of John and Rose Wargo on the southwest and the property of Frank Beckerman EtAL on the northeast; thence northwesterly along said division line on a bearing having an exterior clockwise deflection angle from

the back tangent of approximately 97 degrees, a distance of approximately 1350 feet to a point on the corporation line between the TOWN OF WHITESTOWN on the northwest and the TOWN OF NEW HARTFORD on the southeast, said point also being on the northerly property line of Frank Beckerman EtAL (Deed Book 1763 Page 392); thence northeasterly along said property line on a bearing having an exterior clockwise deflection angle from the back tangent of approximately 263 degrees and a distance of approximately 200 feet to an angle point on the division line between the property of Jon E. Yager EtAL on the northeast, [Tax Parcel 316.000-2-33, Deed Book 2753 Page 276] and the property of Frank Beckerman, EtAL on the southwest, [Tax Parcel 328.000-3-7, Deed Book 1763 Page 392]; thence southeasterly along said division line on a bearing having an exterior clockwise deflection angle of approximately 272 degrees from the back tangent and a distance of approximately 800 feet, [(approximately 265 feet along Jon E. Yager, EtAL westerly property line and approximately 535 feet along B.O.C.E.S. westerly property line, (Tax Parcel 316.000-2-36)], to an angle point on the division line between the property of B.O.C.E.S. on the northwest and the property of Frank Beckerman, EtAL on the southeast; thence northeasterly along said division line on a bearing having an exterior clockwise deflection angle from the back tangent of approximately 87 degrees and a distance of approximately 1230 feet to an angle point on the division line between the property of B.O.C.E.S. on the northeast and the property of Frank Beckerman EtAL on the southwest; thence southeasterly along said division line on a bearing having an exterior clockwise deflection angle from the back tangent of approximately 271 degrees and a distance of approximately 950 feet, [(i.e. approximately 870 feet along B.O.C.E.S. westerly property line and approximately 80 feet along Elmer McCubbin and Wife westerly property line (Tax Parcel 316.000-2-41.1, Deed Book 1410 Page 567)], to an angle point on the division line between the property of Jon E. Yager EtAL, on the southeast, (Tax Parcel 316.000-2-42, Deed Book 2753 Page 276) and the property of Frank Beckerman, EtAL (Tax Parcel 328.000-3-7) on the northwest, thence southwesterly along said division line on a bearing having an exterior clockwise deflection angle from the back tangent of approximately 270 degrees and a distance of approximately 610 feet to an angle point on the division line between the property of Jon E. Yager EtAL on the northeast and the property of Frank Beckerman EtAL on the Southwest; thence southeasterly along said division line on a bearing having an exterior clockwise deflection angle from the back tangent of approximately 90 degrees and a distance of approximately 920 feet to an angle point on the division line between the property of Jon E. Yager EtAL on the northeast and the property of Par Technology Corporation (Tax Parcel 328.000-3-9) on the southwest; thence

southeasterly along said division line on a bearing having an exterior clockwise deflection angle from the back tangent of approximately 102 degrees and a distance of approximately 640 feet to an angle point, on the division line between the property of Par Technology Corporation on the southwest (Tax Parcel 328.000-3-9), and the following four properties on the northeast:

- 1) Jon E. Yager, EtAL - Tax Parcel 316.000-2-42, Deed Book 2753 Page 276
- 2) Fifth Garden Park - Tax Parcel 328.000-3-20.2, Deed Book 2327 Page 17
- 3) John M. Coyne - Tax Parcel 328.000-3-18, Deed Book 2371 Page 57
- 4) Sacred Heart Cemetery - Tax Parcel 328.000-3-17;

thence southeasterly along said division line on a bearing having an exterior clockwise deflection angle from the back tangent of approximately 257 degrees and a distance of approximately 1610 feet to an angle point on the division line between the property of Loomis and Richard Grossman on the southwest (Tax Parcel 328.000-3-16.1, Deed Book 2713 Page 498) and Par Technology Corporation on the northeast, (Tax Parcel 328.000-3-9); thence northwesterly along said division line on a bearing having an exterior clockwise deflection angle from the back tangent of approximately 283 degrees and a distance of approximately 200 feet to an angle point on the division line between the property of Loomis and Richard Grossman on the northeast and the property of Par Technology Corporation (Tax Parcel 328.000-3-9) on the southwest; thence southeasterly along said division line on a bearing having an exterior clockwise deflection angle from the back tangent of approximately 78 degrees and a distance of approximately 430 feet to an angle point, on the division line between the property of Par Technology Corporation (Tax Parcel 328.000-3-9) on the northeast and the following two (2) properties on the southwest:

- 1) Lawrence R. Adler and Craig G. Delasin, Tax Parcel 328.000-3-15, Deed Book 2808 Page 1
- 2) Frank and Beatrice Marn, Tax Parcel 328.000-3-14, Deed Book 1888 Page 661; thence northwesterly along said division line on a bearing having an exterior clockwise deflection angle from the back tangent of approximately 283 degrees and a distance of approximately 198 feet to an angle point on the division line between the property of Frank and Beatrice Marn on the northeast and the property of Par

Technology Corporation on the southwest (Tax Parcel 328.000-

3-10, Deed Book 2166 Page 61); thence southeasterly along said division line on a bearing having an exterior clockwise deflection angle from the back tangent of approximately 78 degrees and a distance of approximately 300 feet to a point on the northerly highway boundary of the aforesaid New York State Highway, State Highway Number 9205 also known as SENECA TURNPIKE; thence northwesterly along said northerly highway boundary on a bearing having an exterior clockwise deflection angle of approximately 283 degrees and a distance of 2720 feet to the point of beginning, containing approximately 197 acres of land, more or less.

January 19, 2012

PROPOSED DESCRIPTION OF THE PROPOSED
“**PLANNED HIGHWAY BUSINESS DISTRICT**”
TOWN OF NEW HARTFORD

“**PARCEL #1 - 5.2+/- ACRES**”

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF NEW HARTFORD, COUNTY OF ONEIDA AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

Beginning at a point on the northerly highway boundary of New York State Route 5 (State Highway Number 9205) (Seneca Turnpike), said point standing at the intersection of the northerly highway boundary of New York State Route 5 with the division line between the westerly boundary of Herbert and Ida Robinson (Now or Formerly) on the west (Tax Parcel 328.006-3-17) (Liber 2706 of Deeds at Page 682) and the property of Karen Szymanski, Etal. (Now or Formerly) on the east (Tax Parcel 328.000-3-1) (Liber 2359 of Deeds at Page 148); said point of beginning being approximately 120 feet easterly of the southeasterly corner of Lexington Boulevard; thence northeasterly a distance of approximately 195 feet along said aforementioned division line to a point; thence easterly a distance of approximately 147 feet and through the property of Karen Szymanski, Etal. to the northwesterly corner of lands of Terrence Tupaj (Reputed Owner) (Tax Parcel 328.010-2-1); thence easterly a distance of approximately 219 feet along the northerly boundary of Terrence Tupaj and then along the northerly boundary of lands of Terrence Tupaj and Mary Tupaj (Reputed Owner) (Tax Parcel 328.010-2-2) to the northeasterly corner of Terrence Tupaj and Mary Tupaj; thence northeasterly a distance of approximately 85 feet through the property of Karen Szymanski, Etal. to the northwesterly corner of lands of Girolamo Tavolante and Michele Tavolante (Reputed Owner) (Tax Parcel 328.010-2-3); thence easterly a distance of approximately 605 feet along the northerly boundary of Girolamo Tavolante and Michele Tavolante, the northerly boundary of Timothy Maine and Kathryn Maine (Reputed Owner) (Tax Parcel 328.010-2-5), the northerly boundary of Norman Deep (Reputed Owner) (Tax Parcel 328.010-2-6) and then along the northerly boundary of Fred B. Grimaldi (Reputed Owner) (Tax Parcel 328.010-2-7) to a point; thence continuing along the northerly boundary of Fred B. Grimaldi in an easterly direction a distance of approximately 70 feet to the westerly highway boundary of Woods Road; thence southerly a distance of approximately 230 feet along the westerly highway boundary of Woods Road to the northerly highway boundary of New York State Route 5; thence westerly along the northerly highway boundary of New York State Route 5 a distance of approximately 1189 feet to the point and place of beginning.

The above described parcel containing 5.2 acres of land, more or less.

Subject to any easements, covenants or restrictions of record.

January 19, 2012

PROPOSED DESCRIPTION OF THE PROPOSED
“PLANNED HIGHWAY BUSINESS DISTRICT”
TOWN OF NEW HARTFORD

“PARCEL #2 - 25.3+/- ACRES”

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF NEW HARTFORD, COUNTY OF ONEIDA AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

Beginning at a point on the northerly highway boundary of New York State Route 5 (State Highway Number 9205) (Seneca Turnpike), said point standing at the intersection of the northerly highway boundary of New York State Route 5 with the division line between the easterly highway boundary of Woods Road on the west and the property of the New Hartford Office Group, LLC (Now or Formerly) on the east (Tax Parcel 328.000-3-7) (Instrument Number 2005-025875); thence northerly a distance of approximately 309 feet along the easterly highway boundary of Woods Road to a point; thence continuing northerly a distance of approximately 875 feet along the easterly highway boundary of Woods Road to a point standing on the southerly highway boundary of a 60 ft. wide Town Highway (Road “A”) (Instrument Number 2010-016652); thence easterly a distance of approximately 758 feet along the southerly highway boundary of a 60 ft. wide Town Highway (Road “A”) to a point standing on the northerly extension of the division line of the lands of the New Hartford Office Group, LLC on the west and Par Technology Corporation (Now or Formerly) (Liber 2166 of Deeds at Page 61) (Tax Parcel 328.00-3-10.1) on the east; thence southerly a distance of approximately 878 feet along the northerly extension of the division line of the lands of the New Hartford Office Group, LLC on the west and Par Technology Corporation on the east and then along the division line of the lands of the New Hartford Office Group, LLC on the west and Par Technology Corporation on the east to a point; thence southwesterly a distance of approximately 149 feet continuing along the division line of the lands of the New Hartford Office Group, LLC on the west and Par Technology Corporation on the east to the division line of the lands of the New Hartford Office Group, LLC on the south and Par Technology Corporation on the north; thence easterly a distance of approximately 131 feet along the division line of the lands of the New Hartford Office Group, LLC on the south and Par Technology Corporation on the north and then along the northerly boundary of Norman Ruzinsky and Rosemary Ruzinsky (Now or Formerly) and continuing along the easterly extension of the northerly boundary of Norman Ruzinsky and Rosemary Ruzinsky through the lands of Par Technology Corporation to a point; thence easterly at an exterior angle of approximately 166 degrees a distance of approximately 175 feet through the lands of Par Technology Corporation to a point; thence northerly at an exterior angle of approximately 104 degrees a distance of approximately 35 feet through the lands of Par Technology Corporation to point; thence easterly at an interior angle of approximately 90 degrees a distance of approximately 564 feet through the lands of Par Technology Corporation (Tax Parcel

328.00-3-10.1) (Tax Parcel 328.00-3-10.2) (Tax Parcel 328.00-3-10.3) to the division line between the property of Par Technology Corporation (Tax Parcel 328.00-23-10.3) on the west and the property of Southside Land Associates, LLC (Now or Formerly) (Tax Parcel 328.000-3-14) on the east; thence southerly along said aforementioned division line a distance of approximately **300 feet** to a point standing on the northerly highway boundary of New York State Route 5; thence northwesterly along the northerly highway boundary of New York State Route 5 a distance of approximately **1403 feet** to the **point and place of beginning**.

The above described parcel containing **25.3 acres** of land, more or less.

Subject to any easements, covenants or restrictions of record.

617.20
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

RECORDED
JAN 19 2012
TOWN OF NEW HARTFORD
TOWN CLERK

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

THIS AREA FOR LEAD AGENCY USE ONLY

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: Part 1 Part 2 Part 3
Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore a negative declaration will be prepared.
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED** negative declaration will be prepared.*
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a **positive** declaration will be prepared.

*A Conditioned Negative Declaration is only valid for Unlisted Actions

REZONING OF PDP TO PDMU + PHB
Name of Action

NEW HARTFORD TOWN BOARD
Name of Lead Agency

PATRICK TYKSIŃSKI
Print or Type Name of Responsible Officer in Lead Agency

TOWN SUPERVISOR
Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from responsible officer)

PART 1--PROJECT INFORMATION
Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

Name of Action REZONING

Location of Action (include Street Address; Municipality and County)

PROPERTY LOCATED ALONG SENECA TPK + WOODS HIGHWAY, NEW HARTF

Name of Applicant/Sponsor LARRY ADLER

Address 6007 FAIR LAKES RD STE 100

City/PO E. SYRACUSE State NY Zip Code 13057

Business Telephone 315-362-8816

Name of Owner (if different) SEE PETITION FOR OTHER PROP. OWNERS REQUESTING REZONING

Address _____

City/PO _____ State _____ Zip Code _____

Business Telephone _____

Description of Action:

REZONING OF TOTAL OF APPROX. 250 ACRES FROM PLANNED DEVELOPMENT PARK (PDP) TO PLANNED DEVELOPMENT MIXED USE (PDMU) AND PLANNED HIGHWAY BUSINESS (PHB) FOR PROPERTY LOCATED ALONG SENECA TURNPIECE + WOODS HIGHWAY.

Please Complete Each Question--Indicate N.A. if not applicable

A. SITE DESCRIPTION

Physical setting of overall project, both developed and undeveloped areas.

1. Present Land Use: Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Other ABANDONED AGRICULTURE

2. Total acreage of project area 250^{1/2} acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	<u>235</u> acres	<u>235</u> acres
Forested	<u>0</u> acres	_____ acres
Agricultural (Includes orchards, cropland, pasture, etc.)	<u>0</u> acres	_____ acres
Wetland (Freshwater or tidal as per Articles 24,25 of ECL)	<u>0</u> acres	_____ acres
Water Surface Area	<u>0</u> acres	_____ acres
Unvegetated (Rock, earth or fill)	<u>0</u> acres	_____ acres
Roads, buildings and other paved surfaces	<u>15</u> acres	<u>15</u> acres
Other (Indicate type) _____	_____ acres	_____ acres

3. What is predominant soil type(s) on project site? KENDALIA, AURORA, LIMA
- a. Soil drainage: Well drained _____% of site Moderately well drained 50% of site.
 Poorly drained 50% of site
- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? N/A acres (see 1 NYCRR 370).
4. Are there bedrock outcroppings on project site? Yes No
- a. What is depth to bedrock 2-6 (in feet)
5. Approximate percentage of proposed project site with slopes:
 0-10% 100% 10- 15% _____% 15% or greater _____%
6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places? Yes No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No
8. What is the depth of the water table? 3-8 (in feet)
9. Is site located over a primary, principal, or sole source aquifer? Yes No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No

11. Does project site contain any species of plant or animal life that is identified as threatened or endangered? Yes No

According to:

1999 BUSINESS PARK ETS

Identify each species:

12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations?)

Yes No

Describe:

13. Is the project site presently used by the community or neighborhood as an open space or recreation area?

Yes No

If yes, explain:

14. Does the present site include scenic views known to be important to the community? Yes No

15. Streams within or contiguous to project area:

N/A

a. Name of Stream and name of River to which it is tributary

16. Lakes, ponds, wetland areas within or contiguous to project area:

N/A

b. Size (in acres):

17. Is the site served by existing public utilities? Yes No
- a. If YES, does sufficient capacity exist to allow connection? Yes No
- b. If YES, will improvements be necessary to allow connection? Yes No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? Yes No
20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No

B. Project Description **REZONING ONLY**

1. Physical dimensions and scale of project (fill in dimensions as appropriate).
- a. Total contiguous acreage owned or controlled by project sponsor: 80 +/- acres.
- b. Project acreage to be developed: _____ acres initially; 250 acres ultimately.
- c. Project acreage to remain undeveloped: 0 acres.
- d. Length of project, in miles: N/A (if appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed. _____ %
- f. Number of off-street parking spaces existing _____; proposed _____
- g. Maximum vehicular trips generated per hour: _____ (upon completion of project)?
- h. If residential: Number and type of housing units:
- | | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|------------|-----------------|-------------|
| Initially | _____ | _____ | _____ | _____ |
| Ultimately | _____ | _____ | _____ | _____ |
- i. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; _____ length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? _____ ft.
2. How much natural material (i.e. rock, earth, etc.) will be removed from the site? 0 tons/cubic yards.
3. Will disturbed areas be reclaimed Yes No N/A
- a. If yes, for what intended purpose is the site being reclaimed?
-
- b. Will topsoil be stockpiled for reclamation? Yes No
- c. Will upper subsoil be stockpiled for reclamation? Yes No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0 acres.

5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?
 Yes No

6. If single phase project: Anticipated period of construction: _____ months, (including demolition)

7. If multi-phased: *REZONING ONLY*

a. Total number of phases anticipated 1 (number)

b. Anticipated date of commencement phase 1: _____ month _____ year, (including demolition)

c. Approximate completion date of final phase: _____ month _____ year.

d. Is phase 1 functionally dependent on subsequent phases? Yes No

8. Will blasting occur during construction? Yes No

9. Number of jobs generated: during construction _____; after project is complete _____

10. Number of jobs eliminated by this project 0.

11. Will project require relocation of any projects or facilities? Yes No

If yes, explain:

12. Is surface liquid waste disposal involved? Yes No

a. If yes, indicate type of waste (sewage, industrial, etc) and amount _____

b. Name of water body into which effluent will be discharged _____

13. Is subsurface liquid waste disposal involved? Yes No Type _____

14. Will surface area of an existing water body increase or decrease by proposal? Yes No

If yes, explain:

15. Is project or any portion of project located in a 100 year flood plain? Yes No

16. Will the project generate solid waste? Yes No *REZONING ONLY*

a. If yes, what is the amount per month? _____ tons

b. If yes, will an existing solid waste facility be used? Yes No

c. If yes, give name _____; location _____

d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? Yes No

e. If yes, explain:

17. Will the project involve the disposal of solid waste? Yes No

a. If yes, what is the anticipated rate of disposal? _____ tons/month.

b. If yes, what is the anticipated site life? _____ years.

18. Will project use herbicides or pesticides? Yes No

19. Will project routinely produce odors (more than one hour per day)? Yes No

20. Will project produce operating noise exceeding the local ambient noise levels? Yes No

21. Will project result in an increase in energy use? Yes No

If yes, indicate type(s)

22. If water supply is from wells, indicate pumping capacity N/A gallons/minute.

23. Total anticipated water usage per day _____ gallons/day.

24. Does project involve Local, State or Federal funding? Yes No

If yes, explain:

25. Approvals Required:

	Yes	No	Type	Submittal Date
City, Town, Village Board	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ZONING AMENDMENT - TOWN BOARD, NH.	
City, Town, Village Planning Board	<input type="checkbox"/>	<input type="checkbox"/>		
City, Town Zoning Board	<input type="checkbox"/>	<input type="checkbox"/>		
City, County Health Department	<input type="checkbox"/>	<input type="checkbox"/>		
Other Local Agencies	<input type="checkbox"/>	<input type="checkbox"/>		
Other Regional Agencies	<input type="checkbox"/>	<input type="checkbox"/>		
State Agencies	<input type="checkbox"/>	<input type="checkbox"/>		
Federal Agencies	<input type="checkbox"/>	<input type="checkbox"/>		

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? Yes No

If Yes, indicate decision required:

- Zoning amendment
- Zoning variance
- New/revision of master plan
- Subdivision
- Site plan
- Special use permit
- Resource management plan
- Other

2. What is the zoning classification(s) of the site?

PLANNED DEVELOPMENT PARK (PDP)

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

UNCHANGED BY REZONING

4. What is the proposed zoning of the site?

PLANNED DEVELOPMENT MIXED USE (PDMU) +
PLANNED HIGHWAY BUSINESS (PHB)

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

6. Is the proposed action consistent with the recommended uses in adopted local land use plans? Yes No

CONFORMS TO TOWN COMPREHENSIVE PLAN.

7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?

USES - COMMERCIAL, MANUFACTURING, RETAIL,
RESIDENTIAL
ZONING - PLANNED DEVELOPMENT MIXED USE (PDMU)
- PLANNED HIGHWAY BUSINESS (PHB)

8. Is the proposed action compatible with adjoining/surrounding land uses with a ¼ mile? Yes No

9. If the proposed action is the subdivision of land, how many lots are proposed? N/A

a. What is the minimum lot size proposed? _____

10. Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)?
 Yes No

a. If yes, is existing capacity sufficient to handle projected demand? Yes No

12. Will the proposed action result in the generation of traffic significantly above present levels? Yes No

a. If yes, is the existing road network adequate to handle the additional traffic. Yes No

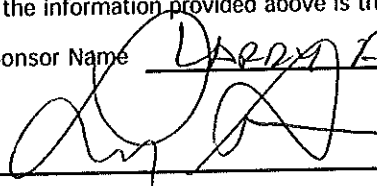
D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

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

Applicant/Sponsor Name DARIN ADLER Date 1/17/12

Signature 

Title _____

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

PART 2 - PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

- ! In completing the form the reviewer should be guided by the question: Have my responses and determinations been **reasonable**? The reviewer is not expected to be an expert environmental analyst.
- ! The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- ! The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- ! The number of examples per question does not indicate the importance of each question.
- ! In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

- a. Answer each of the 20 questions in PART 2. Answer **Yes** if there will be any impact.
- b. **Maybe** answers should be considered as **Yes** answers.
- c. If answering **Yes** to a question then check the appropriate box(column 1 or 2)to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- d. Identifying that an Impact will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- e. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- f. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

	1	2	3
	Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

Impact on Land

1. Will the Proposed Action result in a physical change to the project site?

NO YES

Examples that would apply to column 2

- | | | | | |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction on land where the depth to the water table is less than 3 feet. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction of paved parking area for 1,000 or more vehicles. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction that will continue for more than 1 year or involve more than one phase or stage. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Construction or expansion of a sanitary landfill.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Construction in a designated floodway.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.)

NO YES

• Specific land forms:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

Impact on Water

3. Will Proposed Action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)

NO YES

Examples that would apply to column 2

• Developable area of site contains a protected water body.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Dredging more than 100 cubic yards of material from channel of a protected stream.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Extension of utility distribution facilities through a protected water body.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Construction in a designated freshwater or tidal wetland.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

4. Will Proposed Action affect any non-protected existing or new body of water?

NO YES

Examples that would apply to column 2

• A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Construction of a body of water that exceeds 10 acres of surface area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

1	2	3	
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change	

5. Will Proposed Action affect surface or groundwater quality or quantity?

NO YES

Examples that would apply to column 2

- Proposed Action will require a discharge permit. Yes No
- Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action. Yes No
- Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity. Yes No
- Construction or operation causing any contamination of a water supply system. Yes No
- Proposed Action will adversely affect groundwater. Yes No
- Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity. Yes No
- Proposed Action would use water in excess of 20,000 gallons per day. Yes No
- Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions. Yes No
- Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons. Yes No
- Proposed Action will allow residential uses in areas without water and/or sewer services. Yes No
- Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities. Yes No
- Other impacts: Yes No

1	2	3	
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change	

6. Will Proposed Action alter drainage flow or patterns, or surface water runoff?

NO YES

Examples that would apply to column 2

- | | | | | |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Proposed Action would change flood water flows | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action may cause substantial erosion. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action is incompatible with existing drainage patterns. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will allow development in a designated floodway. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

IMPACT ON AIR

7. Will Proposed Action affect air quality?

NO YES

Examples that would apply to column 2

- | | | | | |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Proposed Action will induce 1,000 or more vehicle trips in any given hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will result in the incineration of more than 1 ton of refuse per hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will allow an increase in the amount of land committed to industrial use. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will allow an increase in the density of industrial development within existing industrial areas. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

IMPACT ON PLANTS AND ANIMALS

8. Will Proposed Action affect any threatened or endangered species?

NO YES

Examples that would apply to column 2

- | | | | | |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Reduction of one or more species listed on the New York or Federal list, using the site, over or near the site, or found on the site. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Removal of any portion of a critical or significant wildlife habitat.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Application of pesticide or herbicide more than twice a year, other than for agricultural purposes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

9. Will Proposed Action substantially affect non-threatened or non-endangered species?

NO YES

Examples that would apply to column 2

• Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

IMPACT ON AGRICULTURAL LAND RESOURCES

10. Will Proposed Action affect agricultural land resources?

NO YES

Examples that would apply to column 2

• The Proposed Action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Construction activity would excavate or compact the soil profile of agricultural land.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• The Proposed Action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• The Proposed Action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

IMPACT ON AESTHETIC RESOURCES

11. Will Proposed Action affect aesthetic resources? (If necessary, use the Visual EAF Addendum in Section 617.20, Appendix B.)

NO YES

Examples that would apply to column 2

• Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Project components that will result in the elimination or significant screening of scenic views known to be important to the area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. Will Proposed Action impact any site or structure of historic, prehistoric or paleontological importance?

NO YES

Examples that would apply to column 2

• Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Any impact to an archaeological site or fossil bed located within the project site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

	1	2	3	
	Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change	

• Other impacts:

Yes No

IMPACT ON OPEN SPACE AND RECREATION

13. Will proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?

NO YES

Examples that would apply to column 2

• The permanent foreclosure of a future recreational opportunity.

Yes No

• A major reduction of an open space important to the community.

Yes No

• Other impacts:

Yes No

IMPACT ON CRITICAL ENVIRONMENTAL AREAS

14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6NYCRR 617.14(g)?

NO YES

List the environmental characteristics that caused the designation of the CEA.

Examples that would apply to column 2

• Proposed Action to locate within the CEA?

Yes No

• Proposed Action will result in a reduction in the quantity of the resource?

Yes No

• Proposed Action will result in a reduction in the quality of the resource?

Yes No

• Proposed Action will impact the use, function or enjoyment of the resource?

Yes No

• Other impacts:

Yes No

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

IMPACT ON TRANSPORTATION

15. Will there be an effect to existing transportation systems?

NO YES

Examples that would apply to column 2

- | | | | | |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Alteration of present patterns of movement of people and/or goods. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will result in major traffic problems. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

IMPACT ON ENERGY

16. Will Proposed Action affect the community's sources of fuel or energy supply?

NO YES

Examples that would apply to column 2

- | | | | | |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

NOISE AND ODOR IMPACT

17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action?

NO YES

Examples that would apply to column 2

- | | | | | |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Blasting within 1,500 feet of a hospital, school or other sensitive facility. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Odors will occur routinely (more than one hour per day). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will remove natural barriers that would act as a noise screen. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

IMPACT ON PUBLIC HEALTH

18. Will Proposed Action affect public health and safety?

NO YES

- | | | | |
|--|--------------------------|--------------------------|--|
| <ul style="list-style-type: none"> • Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none"> • Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none"> • Storage facilities for one million or more gallons of liquefied natural gas or other flammable liquids. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none"> • Proposed Action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none"> • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

**IMPACT ON GROWTH AND CHARACTER
OF COMMUNITY OR NEIGHBORHOOD**

19. Will Proposed Action affect the character of the existing community?

NO YES

Examples that would apply to column 2

- | | | | |
|---|--------------------------|--------------------------|--|
| <ul style="list-style-type: none"> • The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none"> • The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none"> • Proposed Action will conflict with officially adopted plans or goals. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none"> • Proposed Action will cause a change in the density of land use. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none"> • Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none"> • Development will create a demand for additional community services (e.g. schools, police and fire, etc.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Proposed Action will set an important precedent for future projects.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action will create or eliminate employment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

20. Is there, or is there likely to be, public controversy related to potential adverse environment impacts?
 NO YES

If Any Action In Part 2 Is Identified as a Potential Large Impact or If you Cannot Determine the Magnitude of Impact, Proceed to Part 3

Part 3 - EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions (If you need more space, attach additional sheets)

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is important.

To answer the question of importance, consider:

- ! The probability of the impact occurring
- ! The duration of the impact
- ! Its irreversibility, including permanently lost resources of value
- ! Whether the impact can or will be controlled
- ! The regional consequence of the impact
- ! Its potential divergence from local needs and goals
- ! Whether known objections to the project relate to this impact.