

RECEIVED

APR 15 2024

## Application to Zoning Board of Appeals

Town of Franklinville, New York

BY: \_\_\_\_\_  
Initial: \_\_\_\_\_Date Received: \_\_\_\_\_ By: \_\_\_\_\_  
Application Number: \_\_\_\_\_ Fee Paid: \$ \_\_\_\_\_

## Part A: To Be Completed by Applicant

Application for a (an): ☐ Interpretation/Clarification of the Zoning Ordinance  
☒ Special Use Permit (Article 9)  
☐ Use Variance (Section 14.4)  
☐ Area Variance (Section 14.5)  
☐ Other \_\_\_\_\_

Location or address of property for which permit or variance is requested:

41.25 acres of Vacant Land fronting on Pine Street and Kingsbury Hill  
Road, Town of Franklinville, NYTax Map Number of Property: 40.003-2-2.11  
(Found on a Tax Bill)Applicant's Name: T.L. Schwab Transport, LLC Owner's Name: Schwab Land Holdings, LLC  
(If different from Applicant)

Applicant's Mailing Address:

(If different from above)

10090 Pigeon Hill Rd  
Delevan, NY 1404210090 Pigeon Hill Rd  
Delevan, NY 14042

Applicant's Phone Number: Home: Not Applicable Work: 716-353-8398

Reason for application:

(Applicants for variance should explain why their proposal meets the specific criteria contained in  
section 14.4 or 14.5, as applicable. Attach additional sheets if necessary.)

See attached letter from Peter J. Sorgi, Esq., Project Attorney

Previous Appeal: No ☒ Yes ☐ Date: \_\_\_\_\_  
Board Decision: \_\_\_\_\_Signature of Applicant: PS Date: 2.21.2024Signature of Owner: PS Date: 2.21.2024  
(If different from Applicant)

See attached Authorization

Any reference to Kingsbury Hill Road is hereby amended to Pine Street.

(Pine Street becomes Kingsbury Hill Road, but frontage of Project Site is on Pine Street.)

**Part 6: Action Taken By Zoning Board of Appeals**

Date of Public Hearing: \_\_\_\_\_.

Date of Zoning Board Action: \_\_\_\_\_.

Zoning Board Decision: ☐ Approved  
☐ Denied  
☐ Approved with the following conditions:

Signatures of Zoning Board of Appeals members in attendance:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Chairperson, Zoning Board of Appeals

Note: The granting of this variance or special use permit shall become void two years from the date of decision, if applicant has not completed construction and/or commenced operation of the use by that time.

"Reason for application"

and

Applicant's Position on Special Use Permit Criteria





February 21, 2024

Town of Franklinville Zoning Board of Appeals  
11 Park Square  
Franklinville, NY 14737

**Re: Application for Special Use Permit**  
**Applicant: T.L. Schwab Transport, LLC**  
**Property Owner: Schwab Land Holdings, LLC**  
**Property: Vacant Land with frontage on Pine Street and Kingsbury Hill Road, Town of Franklinville, NY; SBL No. 40.003-2-2.11; 41.75 ± acres**

Dear Town of Franklinville Zoning Board of Appeals:

Our firm represents T.L. Schwab Transport, LLC, the Applicant regarding the above-referenced Application for a Special Use Permit.

Project Description

The Applicant is proposing the construction of an approximately 52,000 square feet building with parking areas and related site infrastructure on approximately 11.5 acres of an approximately 41.75 acres site which is zoned Agricultural-Residential (AR). The proposed use is a Heavy Equipment Storage and Service Facility which is allowed in the AR Zoning District with a Special Use Permit from the Town of Franklinville Zoning Board of Appeals. The undeveloped land to be utilized for agricultural purposes – the growing of crops.

The Project Site will be utilized for the storage and service of trucks and trailers used to haul goods and materials. The primary access will be through an easement to the Great Lakes Cheese Facility which is located directly to the North of the Project Site with access onto NYS Route 16 through the southernmost driveway onto the Great Lakes Cheese Site. Much of the goods and materials being hauled will be to and from Great Lakes Cheese. The Project Site has a secondary access onto Kingsbury Hill Road which will be used primarily for employee and visitor access in their personal vehicles. There is also access from Fay Street via Pine Street which will be used sparingly for employee and visitor access in their personal vehicles.

**HOPKINS SORGI & MCCARTHY PLLC**

Attorneys at Law  
726 Main Street, Suite B • East Aurora, New York 14052  
Office: 716-805.7191 • Fax: 716-427-6501 • Mobile: 716-908-3289  
psorgi@hsmlegal.com  
hsmlegal.com

*Letter to Town of Franklinville Zoning Board of Appeals*

**Re:** *Application for Special Use Permit*

**Applicant:** *T.L. Schwab Transport, LLC*

**Property Owner:** *Schwab Land Holdings, LLC*

**Property:** *Vacant Land with frontage on Pine Street and Kingsbury Hill Road, Town of Franklinville, NY; SBL No. 40.003-2-2.11; 41.75 ± acres*

The Project Site is located in the Agricultural-Residential District ("AR"). The Proposed Use is classified by the Town of Franklinville Zoning Code as "Heavy Equipment Storage and Service" which is allowed by Special Use Permit pursuant to Section 6.1.2.c.13 of the Town of Franklinville Zoning Code granted by the Zoning Board of Appeals.

Section 9.4 of the Town of Franklinville Zoning Code sets forth the "Criteria for Granting Special Use Permits." The Criteria is set forth below in black with the Applicant's response to the Criteria **set forth in RED directly following each of the criterion.**

1. The proposed project is in harmony with the goals and objectives established in the Town's adopted policy guideline, *Vision For the Year 2010*.

**This Project is in harmony with the goals and objectives established in the Town's adopted policy guideline, *Vision For the Year 2010* ("Comprehensive Plan") as follows:**

**Comprehensive Plan Goal: Economic**

**The primary way this Project is consistent with the Comprehensive Plan is through the creation of substantial and sustainable economic development. This Project will provide trucking for local businesses, with a focus on the Great Lakes Cheese Facility located directly to the north of the Project Site.**

**Goal 1 at page 19 of the Comprehensive Plan is "Increase employment opportunities in the Town and Village." This Project will have local employees and will be constructed by local companies.**

**Comprehensive Plan Regional Economic Planning Initiatives**

**Page 84 of the Comprehensive Plan states that "Cattaraugus County places great importance on NYS Route 16 as a vital transportation corridor with considerable economic development potential." The Project Site is on NYS Route 16.**

2. The proposed project is in harmony with the general purposes and intent of this law.

**This Project is consistent with the Town of Franklinville Zoning Law because the proposed use is allowed and the Project Site constitutes only 27% of the Property. The remaining 73% of the Property will continue to be used for agricultural purposes which is also consistent with the Town of Franklinville Zoning Law.**



*Letter to Town of Franklinville Zoning Board of Appeals*

**Re:** *Application for Special Use Permit*

**Applicant:** *T.L. Schwab Transport, LLC*

**Property Owner:** *Schwab Land Holdings, LLC*

**Property:** *Vacant Land with frontage on Pine Street and Kingsbury Hill Road, Town of Franklinville, NY; SBL No. 40.003-2-2.11; 41.75 ± acres*

3. The nature and intensity of the proposed use is in harmony with the character of the adjacent neighborhood.

This Project is in harmony with the character of the adjacent neighborhood. The Site Plan was designed to provide substantial buffers to the adjoining homes to the West and South of the Project Site. The Project Site adjoins Great Lakes Cheese to the North and a wooded area to the East.

4. The proposed project will not tend to depreciate the value of adjacent property. A Special Use Permit shall only be granted when the proposed use is of such character, size and location that in general it will be in harmony with the orderly development of the district in which the property is situated, and will not be detrimental to the orderly development of adjacent areas.

As set forth above, the Project Site Plan was designed to provide substantial buffers to the adjoining homes to the West and South of the Project Site and therefore will not depreciate the value of adjacent development.

When the Town approved the Great Lakes Cheese Project, the following was stated in the Application documents: "there will be related job and economic growth in the Town and surrounding areas from this Project." Accordingly, having economic growth from the Great Lakes Cheese Project being located on the Property directly South of the Great Lakes Cheese Project constitutes planned and "orderly development of the district."

5. The proposed use will not alter the essential character of the neighborhood nor be detrimental to the residents thereof. A permit for a special use shall only be granted where it is clearly obvious that the special use will not impair the use, enjoyment and value of adjacent properties, and that any vehicular traffic will not be hazardous or otherwise detrimental to the prevailing residential character of neighborhood.

As set forth above, the Project Site Plan was designed to provide substantial buffers to the adjoining homes to the West and South of the Project Site and vehicular access will be directed to NYS Route 16 via the Great Lakes Cheese Site.

*Letter to Town of Franklinville Zoning Board of Appeals*

**Re:** *Application for Special Use Permit*

**Applicant:** *T.L. Schwab Transport, LLC*

**Property Owner:** *Schwab Land Holdings, LLC*

**Property:** *Vacant Land with frontage on Pine Street and Kingsbury Hill Road, Town of Franklinville, NY; SBL No. 40.003-2-2.11; 41.75 ± acres*

6. Criterion 6 is NOT APPLICABLE as is only relates to a "Special Use Permit for a use in a commercial or industrial district" – this Project is not in a commercial or industrial district.
7. If located near any parcel being used for an agricultural activity, the proposed use will not unduly adversely affect the pre-existing agricultural use.

For the reasons set forth above, the proposed use will not unduly adversely affect the pre-existing agricultural use. Agricultural use will continue on 73% of the Property and the only other agricultural use in proximity at 7907 Kingsbury Hill Road, does not adjoin the Project Site. Additionally, an Agricultural Data Statement has been submitted to Cattaraugus County and is attached hereto.

8. The proposed project will not be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of such proposed use or will not be detrimental to the property and improvements in the neighborhood or to the general welfare of the Town.

As set forth above, the Project Site Plan was designed to provide substantial buffers to the adjoining homes to the West and South of the Project Site and vehicular access will be directed to NYS Route 16 via the Great Lakes Cheese Site.

In addition to the Agricultural Data Statement, the Site Plan, Survey and Full Environmental Assessment Form are attached hereto.

Accordingly, we request that the Special Use Permit be granted. Thank you for your consideration of our application. Please contact me with any questions or if further information is required.

*Letter to Town of Franklinville Zoning Board of Appeals*

**Re:** *Application for Special Use Permit*

**Applicant:** *T.L. Schwab Transport, LLC*

**Property Owner:** *Schwab Land Holdings, LLC*

**Property:** *Vacant Land with frontage on Pine Street and Kingsbury Hill Road, Town of Franklinville, NY; SBL No. 40.003-2-2.11; 41.75 ± acres*

Sincerely,

HOPKINS SORGI & MCCARTHY PLLC

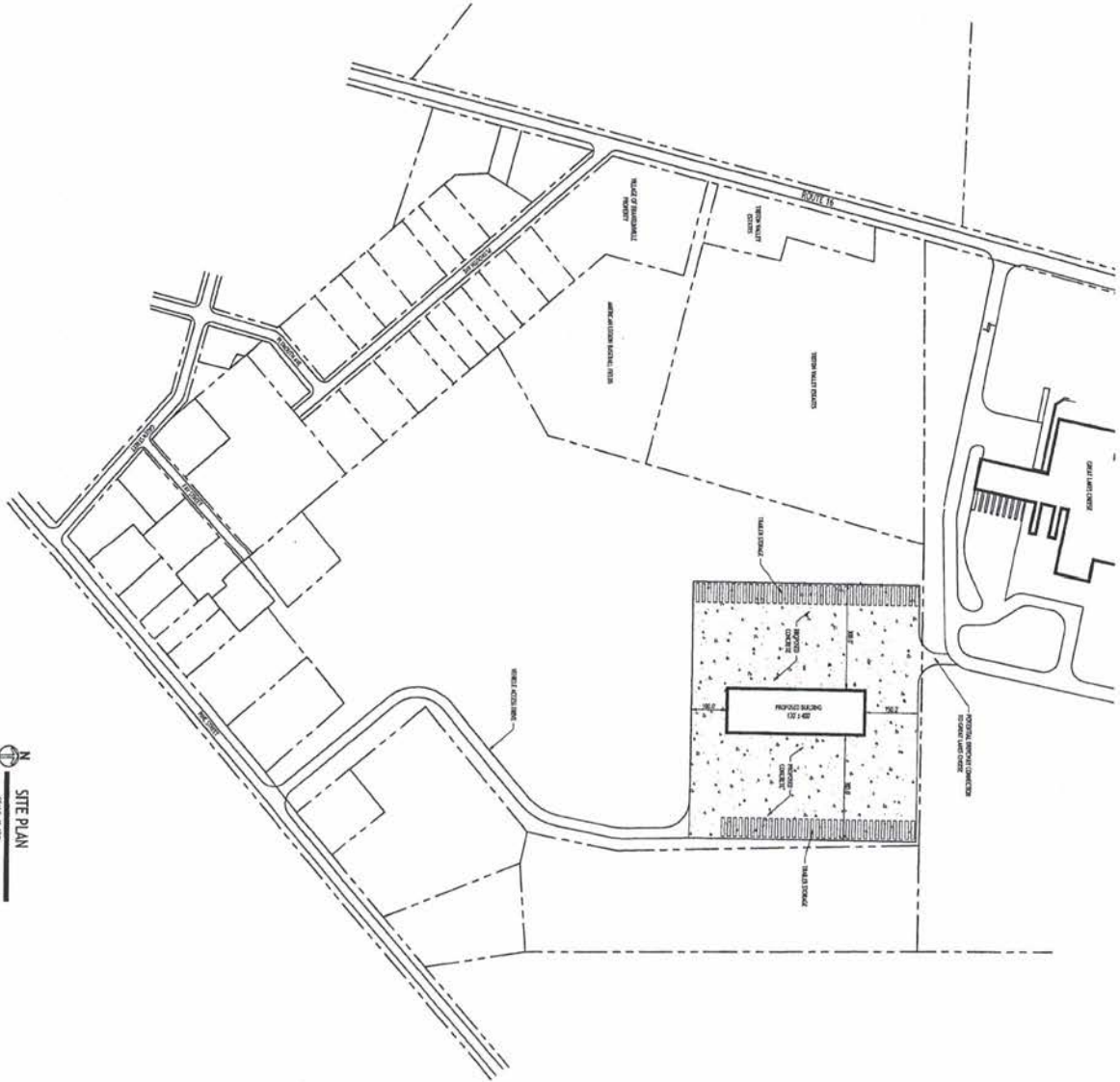
A handwritten signature in black ink, appearing to read 'P. Sorgi'.

Peter J. Sorgi, Esq.

Enc.



## Site Plan



N  
SITE PLAN  
SCALE: 1"=40'

NOTES: 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

C-100  
PROJECT NO. 24-00118

DESIGNER  
Carminawood Design  
1000  
1000  
1000

DESIGNER NAME  
Site Plan  
Concept



REVISIONS	
No.	Description

Heavy Equipment Storage  
& Service Facility  
Pine Street  
Town of Franklinville, New York

CARMINAWOOD  
DESIGN  
Buffalo | Utica | Greensboro

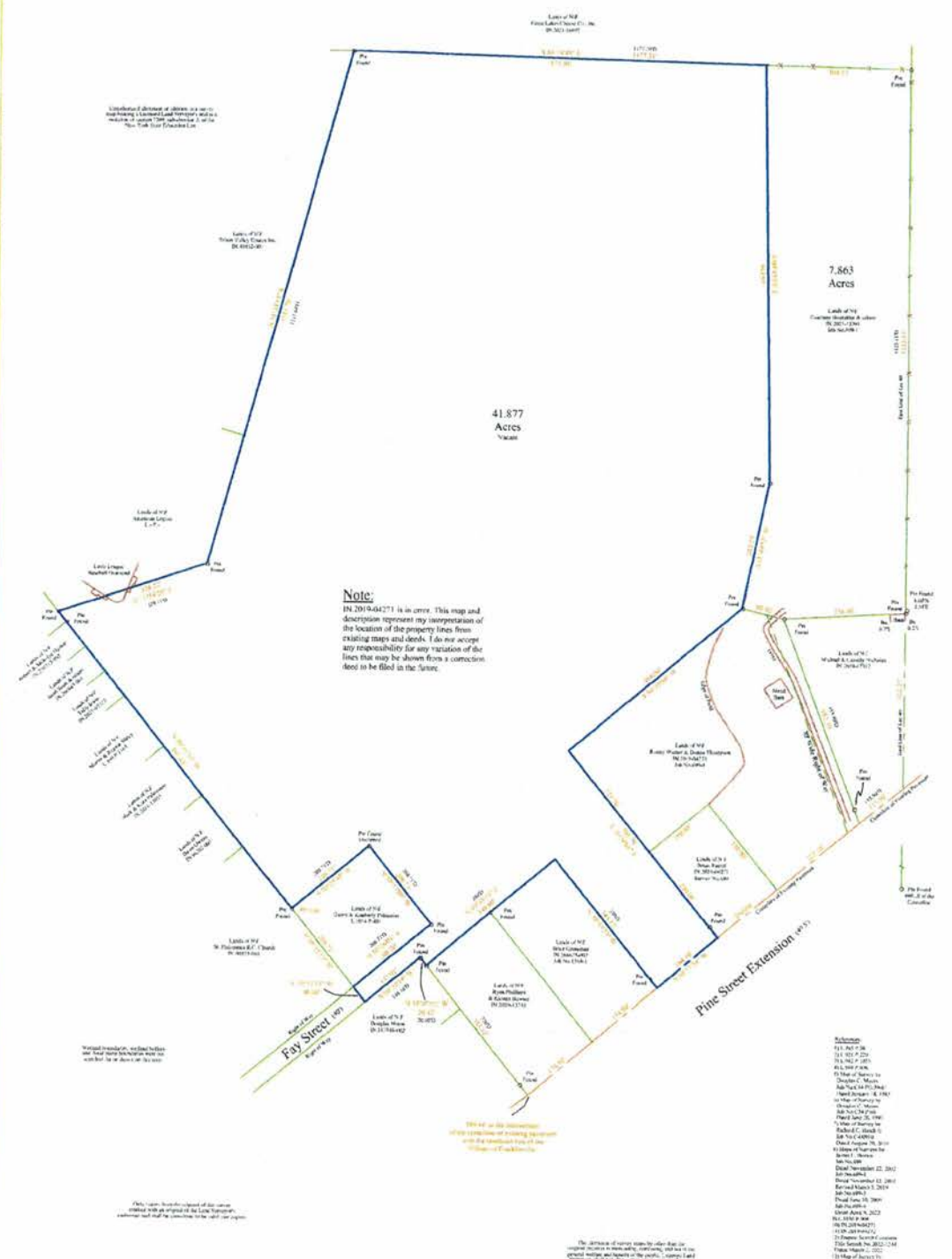


## Survey



**Legend for Symbols and Abbreviations**  
 Boundary of a lot, tract, or parcel  
 Boundary of a lot, tract, or parcel  
 Boundary of a lot, tract, or parcel  
 Boundary of a lot, tract, or parcel  
 Boundary of a lot, tract, or parcel

**Legend for Line Types**  
 Property Line  
 Easement  
 Right of Way  
 Survey Line  
 Boundary of a lot, tract, or parcel



**Note:**  
 This map is a survey of the lands of the County of Franklin, New York, and is not a map of the County of Franklin, New York. The map is a survey of the lands of the County of Franklin, New York, and is not a map of the County of Franklin, New York.

- Reference:  
 (1) Map of the County of Franklin, New York, 1850.  
 (2) Map of the County of Franklin, New York, 1860.  
 (3) Map of the County of Franklin, New York, 1870.  
 (4) Map of the County of Franklin, New York, 1880.  
 (5) Map of the County of Franklin, New York, 1890.  
 (6) Map of the County of Franklin, New York, 1900.  
 (7) Map of the County of Franklin, New York, 1910.  
 (8) Map of the County of Franklin, New York, 1920.  
 (9) Map of the County of Franklin, New York, 1930.  
 (10) Map of the County of Franklin, New York, 1940.  
 (11) Map of the County of Franklin, New York, 1950.  
 (12) Map of the County of Franklin, New York, 1960.  
 (13) Map of the County of Franklin, New York, 1970.  
 (14) Map of the County of Franklin, New York, 1980.  
 (15) Map of the County of Franklin, New York, 1990.  
 (16) Map of the County of Franklin, New York, 2000.  
 (17) Map of the County of Franklin, New York, 2010.  
 (18) Map of the County of Franklin, New York, 2020.

**James L. Brown**  
 Land Surveyor  
 P.O. Box 33  
 48th Street 18 South  
 Franklinville, N.Y. 14737-9506  
 N.Y.S. Lic. No. 40111  
 P.E. No. 40111-0001

**Map and Survey of Lands of for:**  
**Ronny Warner & Donna Thompson**  
 City/Town: Franklinville  
 County: Ulster  
 State: New York  
 Lot No.: 48  
 Parcel No.: 110444444  
 Date: April 11, 2022  
 Job No.: 00064



Revisions	
Date	Description

## Agricultural Data Statement





Cattaraugus County Planning Department  
Planning & Zoning Action  
Agricultural Data Statement



Municipality: Franklinville ☐ City ☒ Town ☐ Village

Referring Agency: ☒ Legislative/Town Board ☐ Planning Board ☒ Zoning Board of Appeals

Applicant:

Name: T.L. Schwab Transport, LLC  
Address: 10090 Pigeon Hil Road  
Delevan, NY 14042

Owner if Different from Applicant

Name: Schwab Land Holdings, LLC  
Address: 10090 Pigeon Hil Road  
Delevan, NY 14042

Location of Project: Vacant Land fronting on Pine Street and Kingsbury Hill Road

Parcel Number(s): 40.003-2-2.11 Total Acres: 41.75

Project Description (\*Required - be specific):

See attached

(Attach additional pages if necessary)

Type of Action: ☒ Site Plan Approval ☒ Special Use Permit ☐ Use Variance ☐ Subdivision

Is this parcel within an Agricultural District? ☒ Yes ☐ No

Is this parcel actively farmed? ☒ Yes ☐ No

List all farm operations\* within 500 feet of your parcel. Attach additional sheets if necessary.

Name: Allan and Mary Jane Gerstung  
Address: 7907 Kingsbury Hill Rd  
Franklinville, NY 14737

Is this parcel actively farmed? ☒ Yes ☐ No

Name: Great Lakes Cheese Co., Inc.  
Address: NYS Rt. 16 a/k/a 1958 Integrity  
Franklinville, NY 14737 Way

Is this parcel actively farmed? ☐ Yes ☒ No

PS

Signature of Applicant

See attached Authorization

Name: Dustin A. Brisky  
Address: 7846 Pine Street  
Franklinville, NY 14737

Is this parcel actively farmed? ☐ Yes ☒ No

Name: Ronny Warner + Donna Thompson  
Address: 7873 Kingsbury Hill Road  
Franklinville, NY 14737

Is this parcel actively farmed? ☐ Yes ☒ No

PS

Signature of Owner (if other than applicant)

Municipal Official Certification:

See attached Authorization

Submitted by:

Name: Craig Balcer  
Address: 11 Park Square  
City: Franklinville  
Phone: 716.796.5111

Title: Franklinville ZBA Chairman  
State: NY Zip: 14737  
Email: chiefwsfd5@aol.com

[Signature]  
Signature of Referring Officer

2.21.2024

Date





**Cattaraugus County Planning Department  
Planning & Zoning Action  
Agricultural Data Statement**

**Directions:**

1. Complete the Planning & Zoning Action Agricultural Data Statement
2. Attach additional sheets, if necessary
3. Sign Municipal Official Certification
4. Mail to: **Cattaraugus County EDPT  
Attn: Planning Department  
303 Court Street  
Little Valley, NY 14755**

**Please note:**

- A. This form must be completed for any application for a special use permit, site plan approval, use variance or a subdivision approval requiring municipal review that would occur on property within 500 feet of a farm operation located in a NYS Department of Ag & Markets certified Agricultural District.

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*\* "Farm operation" means the land and on-farm buildings equipment, manure, processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise....." AGM §301*

**Resource to Find Agricultural District Parcels:**

To search for subject parcel by Tax ID, Last Name, First Name, Street #, or Street Name, go to:

<https://maps.cattco.org/imate/index.aspx>

- Click on "Click Here for Public Access"
- Enter search query information
- Click "Search"
- Click on "Tax ID" that matches subject property

**From Tax Map ID / Property Data Page**

- Click "Pin Property on GIS Map"
- This will take you to Cattaraugus County Parcel Viewer
- Click box to "I agree to the above terms and conditions"
- Click "OK"

This will highlight subject parcel. In the upper left corner of page

- Click on the "Layer List" icon (looks like a stack of paper, or a layer cake)
- In the drop down menu under "Parcels and Sales", click the box to check "Parcel Labels". This will bring up names & address of surrounding parcels for reference/use on the Ag Data Statement form.
- Under Districts, scroll to and click "Agricultural District Parcels", this will highlight Agricultural District Parcels in green.
- Use the scale bar in the lower left corner to help estimate 500 feet or use the Measure tool in the upper right corner.

Use this information to list all farm operations with 500 feet of your parcel on the Agricultural Data Statement. Please note, this refers to the parcel boundary, not the project area.

For assistance or questions, please contact the Cattaraugus County Planning Department.

### Project Description


Construction of an approximately 52,000 square feet building with parking areas and related site infrastructure on approximately 11.5 acres of an approximately 41.75 acres site which is zoned Agricultural-Residential (AR). The undeveloped land to be utilized for agricultural purposes – growing of crops. Proposed Use is Heavy Equipment Storage and Service which is allowed in the AR Zoning District with a Special Use Permit from the Town of Franklinville Zoning Board of Appeals. Site Plan Approval is required from Franklinville Town Board. Project is proposed to access Great Lakes Cheese Facility for truck access to and from NYS Route 16.

### AUTHORIZATION

Schwab Land Holdings, LLC, as the record owner of 41.75± acres real property with frontage on Pine Street and Kingsbury Hill Road, Town of Franklinville, NY, bearing SBL No. 40.003-2-2.11, hereby authorizes T.L. Schwab Transport, LLC, as the entity that will be leasing the above referenced real property, to file any required land use approval regarding the aforementioned real property and to execute any required documentation regarding the aforementioned real property with the Town of Franklinville and Cattaraugus County Planning Board, along with applications for any other approvals/permits required from the Town of Franklinville and other governmental agencies in connection with the proposed development of the aforementioned real property.

T.L. Schwab Transport, LLC hereby authorizes Hopkins Sorgi & McCarthy PLLC (Project Attorney) and CarminaWood Design (Project Engineer) to file any required land use approval regarding the aforementioned real property and to execute any required documentation regarding the aforementioned real property with the Town of Franklinville and Cattaraugus County Planning Board, along with applications for any other approvals/permits required from the Town of Franklinville and other governmental agencies in connection with the proposed development of the aforementioned real property.

Schwab Land Holdings, LLC

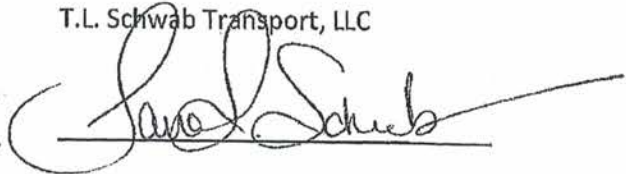


Name: Jason E. Schwab

Title: Member

Date: 2-20-24

T.L. Schwab Transport, LLC



Name: Tarra L. Schwab

Title: Member

Date: 2/20/24



# Full Environmental Assessment Form

**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**AMENDED 3.12.2024 TO ADD REZONING**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

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

Name of Action or Project: T.L. Schwab Transport, LLC Heavy Equipment Storage and Service <i>and Schwab Land Holdings, LLC rezoning</i>		
Project Location (describe, and attach a general location map): Vacant Land with frontage on Pine Street / Kingsbury Hill Road and Kay Street, Town of Franklinville, NY; SBL No. 40.003-2-2.11		
Brief Description of Proposed Action (include purpose or need): See Attached Exhibit A		
Name of Applicant/Sponsor: T.L. Schwab Transport, LLC <i>and Schwab Land Holdings, LLC</i>		Telephone: 716.353.8398
		E-Mail: lschwab@theschwabcompanies.com
Address: 10090 Pigeon Hill Road		
City/PO: Delevan	State: NY	Zip Code: 14042
Project Contact (if not same as sponsor; give name and title/role): Peter J. Sorgi, Esq., Project Attorney		Telephone: 716.908.3289
		E-Mail: psorgi@hsmlegal.com
Address: 726 Main Street, Suite B		
City/PO: East Aurora	State: NY	Zip Code: 14052
Property Owner (if not same as sponsor): Schwab Land Holdings, LLC		Telephone: 716.353.8398
		E-Mail: jschwab@theschwabcompanies.com
Address: 10090 Pigeon Hill Road		
City/PO: Delevan	State: NY	Zip Code: 14042



## B. Government Approvals

**B. Government Approvals, Funding, or Sponsorship.** ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	See Attached Exhibit B	See Attached Exhibit B
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	See Attached Exhibit B	See Attached Exhibit B
c. City, Town or <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals	See Attached Exhibit B	See Attached Exhibit B
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See Attached Exhibit B	See Attached Exhibit B
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See Attached Exhibit B	See Attached Exhibit B
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See Attached Exhibit B	See Attached Exhibit B
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See Attached Exhibit B	See Attached Exhibit B
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

## C. Planning and Zoning

### C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☒ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

### C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☐ Yes ☒ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ☒ No

If Yes, identify the plan(s):

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c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

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### C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☐ Yes ☒ No  
If Yes, what is the zoning classification(s) including any applicable overlay district?  
Agricultural - Residential - AR is present zoning which allows the Heavy Equipment Storage and Service Use but rezoning is sought for future development.

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☒ No

c. Is a zoning change requested as part of the proposed action? ☒ Yes ☐ No

If Yes,

i. What is the proposed new zoning for the site? Industrial -- I

### C.4. Existing community services.

a. In what school district is the project site located? Franklinville Central School District

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

Village of Franklinville Police Department, Cattaraugus County Sheriff and NYS Police

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

Town of Franklinville Fire Department

d. What parks serve the project site?

N/A

### D. Project Details

#### D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Commerical

b. a. Total acreage of the site of the proposed action? 11.5 acres

b. Total acreage to be physically disturbed? 11.5 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 41.75 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☒ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % Units:

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☒ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed?

iv. Minimum and maximum proposed lot sizes? Minimum Maximum

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☒ No

i. If No, anticipated period of construction: 6 months

ii. If Yes:

- Total number of phases anticipated

- Anticipated commencement date of phase 1 (including demolition) month year

- Anticipated completion date of final phase month year

- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

f. Does the project include new residential uses? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>				
If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes,	
i. Total number of structures <u>1</u>	
ii. Dimensions (in feet) of largest proposed structure: <u>20</u> height; <u>130</u> width; and <u>400</u> length	
iii. Approximate extent of building space to be heated or cooled: <u>52,000</u> square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____	
iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
• Volume (specify tons or cubic yards): _____	
• Over what duration of time? _____	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____	
iv. Will there be onsite dewatering or processing of excavated materials? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
ix. Summarize site reclamation goals and plan: _____	
_____	
_____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____	
_____	
_____	



ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments?

☐ Yes ☐ No

If Yes, describe:

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?

☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_

- proposed method of plant removal: \_\_\_\_\_

- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?

☒ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ 750 gallons/day

ii. Will the proposed action obtain water from an existing public water supply?

☒ Yes ☐ No

If Yes:

- Name of district or service area: Village of Franklinville
- Does the existing public water supply have capacity to serve the proposal? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No
- Do existing lines serve the project site? ☒ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project?

☐ Yes ☒ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_

- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

☐ Yes ☐ No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?

☒ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ 750 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?

☒ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: Franklinville Sewage Treatment
- Name of district: Franklinville
- Does the existing wastewater treatment plant have capacity to serve the project? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No



<ul style="list-style-type: none"> <li>• Do existing sewer lines serve the project site?</li> <li>• Will a line extension within an existing district be necessary to serve the project?</li> </ul>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> <li>• Describe extensions or capacity expansions proposed to serve this project: _____</li> </ul>	
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>• Applicant/sponsor for new district: _____</li> <li>• Date application submitted or anticipated: _____</li> <li>• What is the receiving water for the wastewater discharge? _____</li> </ul>	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____ _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____ _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. How much impervious surface will the project create in relation to total size of project parcel?                  _____ Square feet or <u>7.7</u> acres (impervious surface)                  _____ Square feet or <u>26.5</u> acres (parcel size)</li> <li>ii. Describe types of new point sources. <u>Stormwater management pond outfall</u></li> <li>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  <u>on-site stormwater management facility</u></li> </ul>	
<ul style="list-style-type: none"> <li>• If to surface waters, identify receiving water bodies or wetlands: _____</li> <li>• Will stormwater runoff flow to adjacent properties? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></li> </ul>	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
If Yes, identify: <ul style="list-style-type: none"> <li>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)</li> <li>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)</li> <li>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)</li> </ul>	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>ii. In addition to emissions as calculated in the application, the project will generate:             <ul style="list-style-type: none"> <li>• _____ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)</li> <li>• _____ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)</li> <li>• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)</li> <li>• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)</li> <li>• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)</li> <li>• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)</li> </ul> </li> </ul>	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

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i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

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j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☒ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend  
☐ Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

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

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iii. Parking spaces: Existing \_\_\_\_\_ 0 \_\_\_\_\_ Proposed \_\_\_\_\_ 50 \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

iv. Does the proposed action include any shared use parking? ☐ Yes ☒ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

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vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No

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k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☒ Yes ☐ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_  
TBD. Additional demand for the new building will be minimal.

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

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☒ No

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l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: \_\_\_\_\_ 24 hours
- Saturday: \_\_\_\_\_ 7 AM - 7 PM
- Sunday: \_\_\_\_\_ 24 hours
- Holidays: \_\_\_\_\_ 24 hours

ii. During Operations:

- Monday - Friday: \_\_\_\_\_ 7 AM - 7 PM
- Saturday: \_\_\_\_\_ Closed
- Sunday: \_\_\_\_\_ Closed
- Holidays: \_\_\_\_\_ Closed



<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:  <u>Typical construction noise during the hours listed in the previous item.</u></p>	
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>Describe: _____</p>	
<p>n. Will the proposed action have outdoor lighting? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  <u>Parking lot and building mounted lights, dark sky fixtures, 20' max. mounting height, directed down at pavement. Approx. 150' from nearest occupied structure.</u></p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>Describe: _____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Product(s) to be stored <u>petroleum</u></p> <p>ii. Volume(s) <u>40,000</u> per unit time <u>month</u> (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____  <u>20,000 gallon above ground tank with self-containment -- will meet NYSDEC standards</u></p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe proposed treatment(s): _____          _____          _____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> <li>• Construction: _____ tons per _____ (unit of time)</li> <li>• Operation : _____ tons per _____ (unit of time)</li> </ul> <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul>	



s. Does the proposed action include construction or modification of a solid waste management facility?

☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing: \_\_\_\_\_

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_

ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_

iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?

☐ Yes ☐ No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

#### E. Site and Setting of Proposed Action

##### E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- ☐ Urban ☒ Industrial ☒ Commercial ☒ Residential (suburban) ☒ Rural (non-farm)  
☒ Forest ☒ Agriculture ☐ Aquatic ☐ Other (specify): Athletic Fields, Mobile Home Park

ii. If mix of uses, generally describe:

Area is mixed use with both high density and low density residential uses and non-residential uses, however location of Project Site adjoins Great Lakes Cheese Plant and Forested area.

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	11.5	+11.5
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	0
• Agricultural (includes active orchards, field, greenhouse etc.)	41.75	30.25	-11.5
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____	0	0	0

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☒ No  
i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☒ No  
If Yes,  
i. Identify Facilities: \_\_\_\_\_

e. Does the project site contain an existing dam? ☐ Yes ☒ No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection: \_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☒ No  
If Yes:  
i. Has the facility been formally closed? ☐ Yes ☐ No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_  
iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☒ No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: \_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☒ No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No  
☐ Yes - Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
☐ Yes - Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
☐ Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☒ No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): \_\_\_\_\_



v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☒ No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: \_\_\_\_\_

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**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ > 7 feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No  
If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site:

Olean silt loam	25.2 %
Chenango gravelly silt	47.9 %
Chenango channery silt	17.3 %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ > 5 feet

e. Drainage status of project site soils: ☒ Well Drained: \_\_\_\_\_ 74 % of site  
☐ Moderately Well Drained: \_\_\_\_\_ % of site  
☒ Poorly Drained \_\_\_\_\_ 26 % of site

f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: \_\_\_\_\_ 100 % of site  
☐ 10-15%: \_\_\_\_\_ % of site  
☐ 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☒ No  
If Yes, describe: \_\_\_\_\_

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h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☒ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☒ Yes ☐ No  
If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☒ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name small drainage ditch along north property line Classification \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name \_\_\_\_\_ Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☒ No  
If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_

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i. Is the project site in a designated Floodway? ☐ Yes ☒ No

j. Is the project site in the 100-year Floodplain? ☐ Yes ☒ No

k. Is the project site in the 500-year Floodplain? ☐ Yes ☒ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☒ Yes ☐ No  
If Yes:

i. Name of aquifer: Principal Aquifer



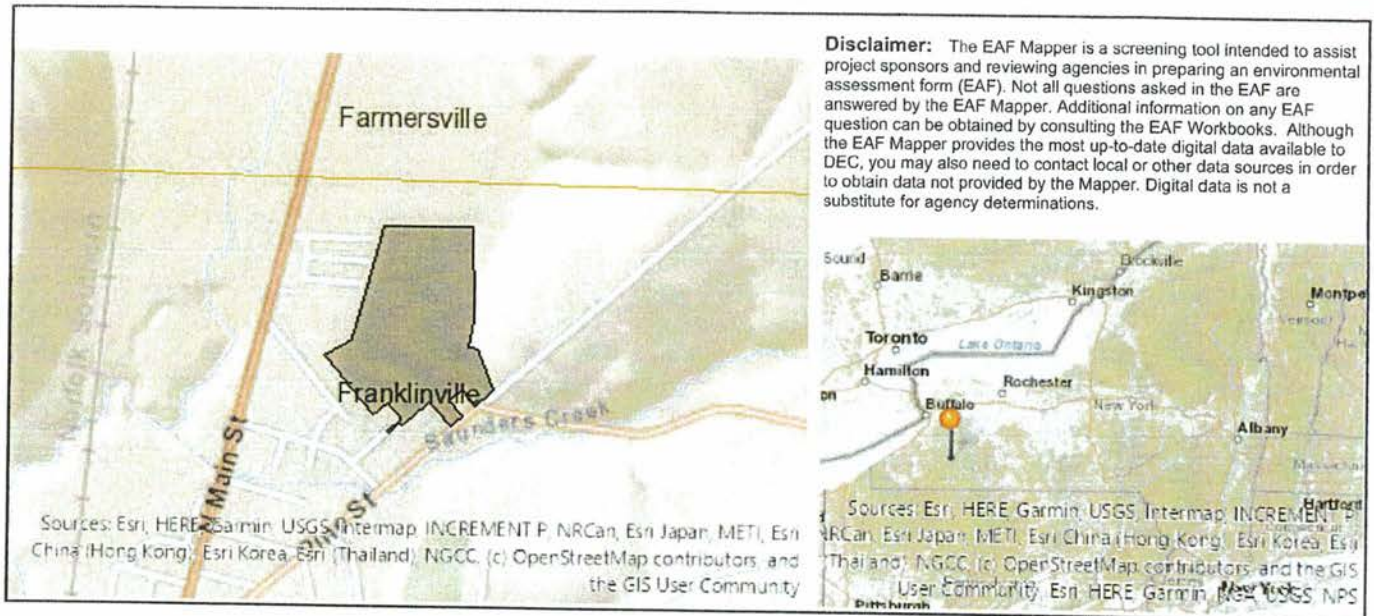
<p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>wildlife typically found in this area      potentially bald eagle per DEC Mapper</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Species and listing (endangered or threatened): _____</p> <p>Bald Eagle</p> <p>_____</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Species and listing: _____</p> <p>_____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p>	
<p><b>E.3. Designated Public Resources On or Near Project Site</b></p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: CATTen5</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>i. If Yes: acreage(s) on project site? 41.75</p> <p>ii. Source(s) of soil rating(s): United States Department of Agriculture -- See Attached Exhibit C</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p>	





# EAF Mapper Summary Report

Monday, February 19, 2024 10:20 AM



B.1.i [Coastal or Waterfront Area]	No
B.1.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.j. [100 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.k. [500 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No



E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Bald Eagle
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	CATTcn5
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Eligible property: Saint Philomena Roman Catholic Church
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

## Exhibit A to FEAF

### **Brief Description of Proposed Action:**

Schwab Land Holdings, LLC, the property owner, is seeking to rezone approximately 41.75 acres from Agricultural - Residential A R to Industrial (I). Approximately 11.5 acres will be utilized as a Heavy Equipment Storage and Service Facility and the remaining approximately 30.25 acres will continue to be farmed but it is anticipated that in the future, some of the approximately 30.25 acres will be used for an industrial or manufacturing use. The Property is contiguous to the Great Lakes Cheese Facility and this Property is ideal for the anticipated businesses that will be developed as a result of the Great Lakes Cheese Facility. Schwab Land Holdings, LLC has been working with Corey Wiktor, Cattaraugus County Industrial Development Agency Executive Director, and Mr. Wiktor has a potential industrial or manufacturing user for approximately five acres of the Property. The potential industrial or manufacturing user would be located to Cattaraugus County from outside of Western New York and good jobs will be one of many positive results from this potential project.

T.L. Schwab Transport, LLC is proposing the construction of an approximately 52,000 square feet building with parking areas and related site infrastructure on approximately 11.5 acres of an approximately 41.75 acres site which is zoned Agricultural-Residential (AR). The proposed use is a Heavy Equipment Storage and Service Facility which is allowed in the AR Zoning District with a Special Use Permit from the Town of Franklinville Zoning Board of Appeals.

T.L. Schwab Transport, LLC's Project Site will be utilized for the storage and service of trucks and trailers used to haul goods and materials. The primary access will be through an easement to the Great Lakes Cheese Facility which is located directly to the North of the Project Site with access onto NYS Route 16 through the southernmost driveway onto the Great Lakes Cheese Site. Much of the goods and materials being hauled will be to and from Great Lakes Cheese. The Project Site has a secondary access onto Kingsbury Hill Road which will be used primarily for employee and visitor access in their personal vehicles. There is also access from Fay Street via Pine Street which will be used sparingly for employee and visitor access in their personal vehicles.

Proper screening and buffering from residential properties for the currently proposed T.L. Schwab Transport LLC project and any future projects will occur and require Site Plan Approval from the Franklinville Town Board and approvals from other government entities.

## EXHIBIT B TO FEA

### B. Government Approvals

**B. Government Approvals, Funding, or Sponsorship.** ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	Yes or No	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board or Village Board of Trustees	Yes	Franklinville Town Board – Site Plan  Rezoning Application	2.2024  3.2024
b. City, Town or Village Planning Board or Commission	No		
c. City, Town or Village Zoning Board of Appeals	Yes	Franklinville Zoning Board of Appeals – Special Use Permit	2.2024
d. Other Local Agencies	Yes	Town of Franklinville Building Department – Building Permit;  Village of Franklinville Department of Public Works – Sewer and Water	4.2024  3.2024
e. County Agencies	Yes	Cattaraugus County Industrial Development Agency – Financial Assistance  Cattaraugus County Department of Economic Development, Planning and Tourism – Ag Data Statement  Cattaraugus County Department of Health – septic and well (if public sewer and/or public water are not available).	2.2024  2.2024  3.2024 (if needed)
f. Regional Agencies	No		



g. State Agencies	Yes	NYS Department of Environmental Conservation – SPDES	2.2024
		NYS Department Environmental Conservation -- Bulk Petroleum Permit	3.2024
		NYS Department Environmental Conservation – Endangered Species	2.2024
		NYS Office of Parks, Recreation and Historic Preservation – Archeology / Historic Resources	2.2024
		NYS Department of Agriculture and Markets – Ag Data Statement	2.2024
h. Federal Agencies	Yes	US Department of Fish & Wildlife – Endangered Species	2.2024