

Board of Zoning Appeals Application



BZA Application

REGARDING THE PREMISES AT 241 South Allen Street

APPLICANT 241 South Allen Street Holding, LLC/ Eleftheria Properties, LLC

ADDRESS P.O Box 8683 CITY Albany STATE NY ZIP 12208

PHONE 518-438-2093 (o) 518-441-8115 (c) EMAIL _____

I, the undersigned **APPLICANT**, hereby state that the information and facts set forth in this application are true to the best of my knowledge and belief.

APPLICANT SIGNATURE *[Signature]* member DATE 4/21/14

AUTHORIZED AGENT Harris Sanders Architects, PC / Danny Sanders, Principal

AFFILIATION Architect of Record

ADDRESS 252 Washington Avenue CITY Albany STATE NY ZIP 12210

PHONE 518-426-3544 (o) 518-469-1408 (c) EMAIL dsanders@sandersarchitects.com

I, the undersigned **APPLICANT**, hereby authorize the agent to bring the application herein before the Board of Zoning Appeals of the City of Albany.

APPLICANT SIGNATURE *[Signature]* member DATE 4/21/14

PROPERTY OWNER Same As Applicant

ADDRESS _____ CITY _____ STATE _____ ZIP _____

PHONE _____ EMAIL _____

I, the undersigned **OWNER**, hereby authorize the applicant to bring the application herein before the Board of Zoning Appeals of the City of Albany.

OWNER SIGNATURE *[Signature]* member DATE 4/21/14

REQUEST:

- | | |
|---|--|
| <input type="checkbox"/> SPECIAL USE PERMIT | <input type="checkbox"/> PARKING LOT PERMIT |
| <input type="checkbox"/> USE VARIANCE | <input type="checkbox"/> INTERPRETATION |
| <input checked="" type="checkbox"/> AREA VARIANCE | <input type="checkbox"/> ADMINISTRATIVE APPEAL |

Is the property within (500) feet of a municipal boundary, State or County property, road, park or facility, or other recreation area? ☐ Yes ☒ No If yes, the submission will require review by the Albany County Planning Board.

Does any State officer, officer or employee of the City of Albany or Albany County have any affiliation with, or interest in the Applicant or this BZA Application? ☐ Yes ☒ No If yes, provide the name, address and nature and extent of the affiliation or interest by the officer/employee.

AREA VARIANCE STANDARDS

Applications for area variances must be based on some extraordinary topographic condition or other physical condition inherent in the parcel (for example: exceptional narrowness, shallowness, shape or area). This condition must prohibit or unreasonably restrict the use of the land and/or building.

- * When considering a request for an area variance, the Board shall take into consideration the benefit to the applicant if the variance is granted, as weighted against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the Board shall also consider:
 - [1] Whether an **undesirable change** will be produced in the character of the neighborhood or a **detriment to nearby properties** will be created by the granting of the area variance.
 - [2] Whether the **benefit sought** by the applicant can be **achieved** by some method feasible for the applicant to pursue, **other** than an area variance.
 - [3] Whether the requested area variance is **substantial**.
 - [4] Whether the proposed variance will have an **adverse effect** or **impact** on the physical or environmental **conditions** in the neighborhood or district.
 - [5] Whether the alleged difficulty was **self-created**, which consideration shall be relevant to the decision of the Board, but shall not necessarily preclude the granting of the area variance.

[1] DESCRIPTION OF CONDITIONS

Describe topographic condition or other physical condition of the property and the manner by which this condition restricts use:

The site is a odd shaped parcel with street frontage on South Allen Street at 390 feet (30 additional feet for access road between 261& 265 S. Allen) and 540 feet along the rear property line (attached site map). Under the current Zoning Ordinance in an R-3A Multifamily Low-Density Residential District (which the subject property is in). The overall land area is 2.2 +/- acres (96,000 sq ft +/-) allows for 48 garden apartments. The topography is best described as "bowled".

[2] BENEFIT TO APPLICANT

Please describe why the proposed project cannot be achieved without an area variance:

The allowable R-3A Zoning District maximum lot coverage is 35%. Which would allow a "footprint" of 33,600 sq ft +/- (35% of 96,000 +/-). Three two-story buildings with a "footprint" of 11,200 sq ft +/- with 16 units per building (8 units per floor) could fit on the site and meet all minimum/maximum requirements, but would be extremely "tight" and in our opinion unsightly.

[3] SUBSTANTIAL

Please describe why you feel the proposed project is not substantial in nature:

The Applicant proposes two three-story buildings facing South Allen Street while also taking advantage of the "bowled" topography allowing 32 interior parking spaces per building and 20 surface spaces.

The "footprint" of the two buildings would reduce the lot coverage to 23% with each buildings "footprint" of 11,200 sq ft +/- with 24 units per building (8 units per floor). As previously stated the three building two-story concept (with no variance needed), in our opinion, would have an adverse effect on the physical conditions/appearance in the neighborhood.

[4] CHARACTER OF NEIGHBORHOOD

Please describe how the proposed use would be compatible with the existing neighborhood and would not negatively impact traffic patterns, general safety, architectural character, property values, and the atmosphere of the area:

In requesting the area variance from the height requirements the Applicant feels with the two three-story buildings proposal, as shown on the submitted site plan, would be compatible with the existing neighborhood, both architecturally and aesthetically, along with maintaining the integrity of the neighborhood and increasing property values. The two building proposal also allows for a more "open" site with plantings and ample green-space along S. Allen Street and the sides of each building.

[5] SELF-CREATED

Were you aware of the requirements of the City of Albany Zoning Ordinance at the time of purchase of the property? Yes ☒ No ☐

If you answered no, did you use the services of an attorney? Yes ☐ No ☐

617.20
Appendix B
Short Environmental Assessment Form

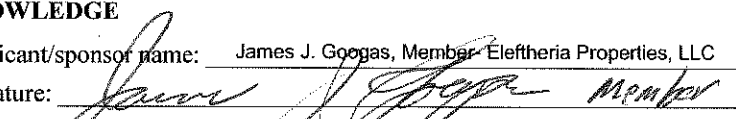
Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Construct two three-story garden apartments, 24 units per building- total 48. Maximum allowed under current R-3A Zoning District			
Name of Action or Project: The Eleftheria			
Project Location (describe, and attach a location map): 241 South Allen Street, Albany, New York 12208			
Brief Description of Proposed Action: Construct two three-story garden apartment buildings which would exceed the maximum "allowable height of 35 feet or 2 1/2 stories whichever is less", for a R-3A Zoning District.			
Name of Applicant or Sponsor: 241 South Allen Street Holding, LLC/Eleftheria Properties, LLC		Telephone: 518-438-2093 (o) 518-441-8115 (c) E-Mail:	
Address: P.O. Box 8683			
City/PO: Albany		State: New York	Zip Code: 12208
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		2.2 +/- acres	
b. Total acreage to be physically disturbed?		.77 +/- acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____		NO <input type="checkbox"/>	YES <input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES City of Albany storm water/sewer system			

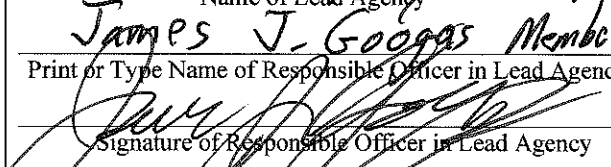
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>James J. Googas, Member Eleftheria Properties, LLC</u> Date: <u>4/21/14</u>		
Signature: <u> member</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
<div style="display: flex; justify-content: space-between;"> <div> <u>2415 Allen St Holding, LLC / ElrePharm Properties LLC</u> Name of Lead Agency </div> <div> <u>4/21/14</u> Date </div> </div>	
<div style="display: flex; justify-content: space-between;"> <div> <u>James J. Googins Member</u> Print or Type Name of Responsible Officer in Lead Agency </div> <div> Title of Responsible Officer </div> </div>	
<div style="display: flex; justify-content: space-between;"> <div>  Signature of Responsible Officer in Lead Agency </div> <div> Signature of Preparer (if different from Responsible Officer) </div> </div>	

PRINT

KATHY M. SHEEHAN
MAYOR

CITY OF ALBANY
DIVISION OF BUILDINGS & REGULATORY COMPLIANCE
CITY HALL – ROOM 303
ALBANY, NEW YORK 12207
PHONE (518) 434-5165 FAX (518) 434-6015
WWW.ALBANYNY.ORG

April 17, 2014

241 South Allen St. Holding, LLC./Eleftheria Properties, LLC.
PO Box 8683
Albany, NY 12208

Re: 241 South Allen Street
Application Number: 68965

Dear Sir:

On **April 11, 2014**, you made an Application for work at the above referenced property involving:
Construction of a two 24 unit three story garden apartment buildings at a height of 45+/- feet.

The property is located in an area which is zoned **R-3A**.

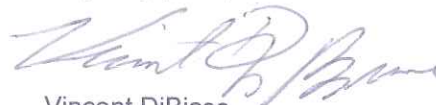
This Application has been examined for compliance with the applicable provisions of the Zoning Ordinance of the City of Albany.

That review revealed that the proposed work will not comply with the following provisions of the Zoning Ordinance: **375-67D(2)(H) Yard Requirements. Proposed construction height of 3 stories or 45+/- feet exceeds the maximum building height of 2.5 stories or 35' feet in an R-3A zoning district.**

Therefore, your Application of 4/11/14 is hereby **DENIED** pursuant to Sections 375-59 and 375-9(d) of the Zoning Ordinance.

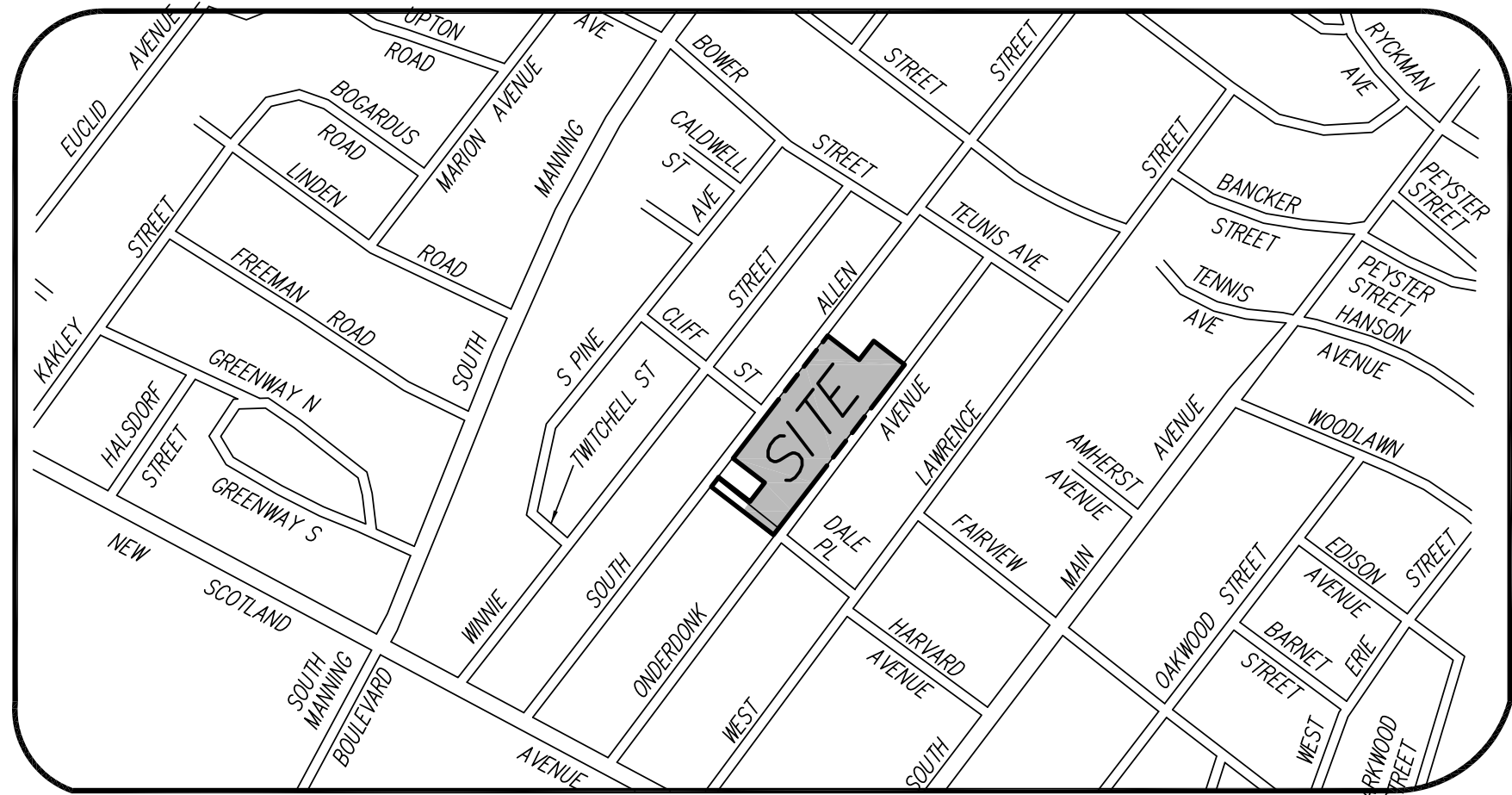
These objections may be addressed by filing revised plans reflecting conditions which comply with the requirements of the Zoning Ordinance. In the alternative, this Denial may be appealed to the Board of Zoning Appeals on forms available from the Office of Planning and Neighborhood Development, 200 Henry Johnson Blvd. *This appeal must be filed completely with the Office of Planning and Neighborhood development within thirty (30) days of the date of this letter. Should this cause of Denial be resolved by successful Appeal, a full set of construction documents prepared by a NYS licensed architect or engineer may be required to be submitted to this office prior to a Building Permit being issued.*

Very truly yours,



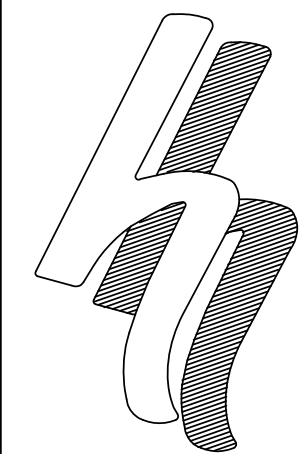
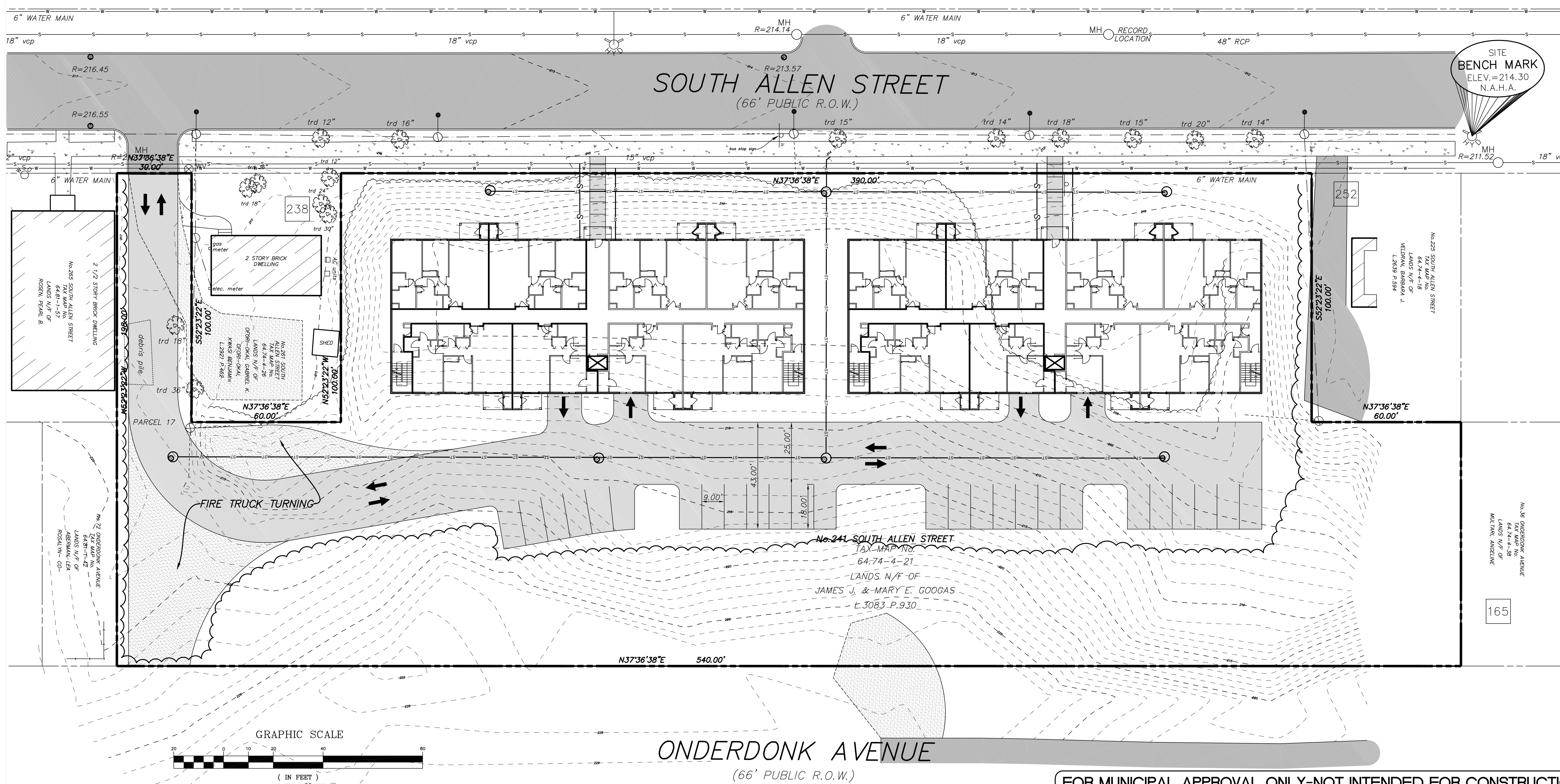
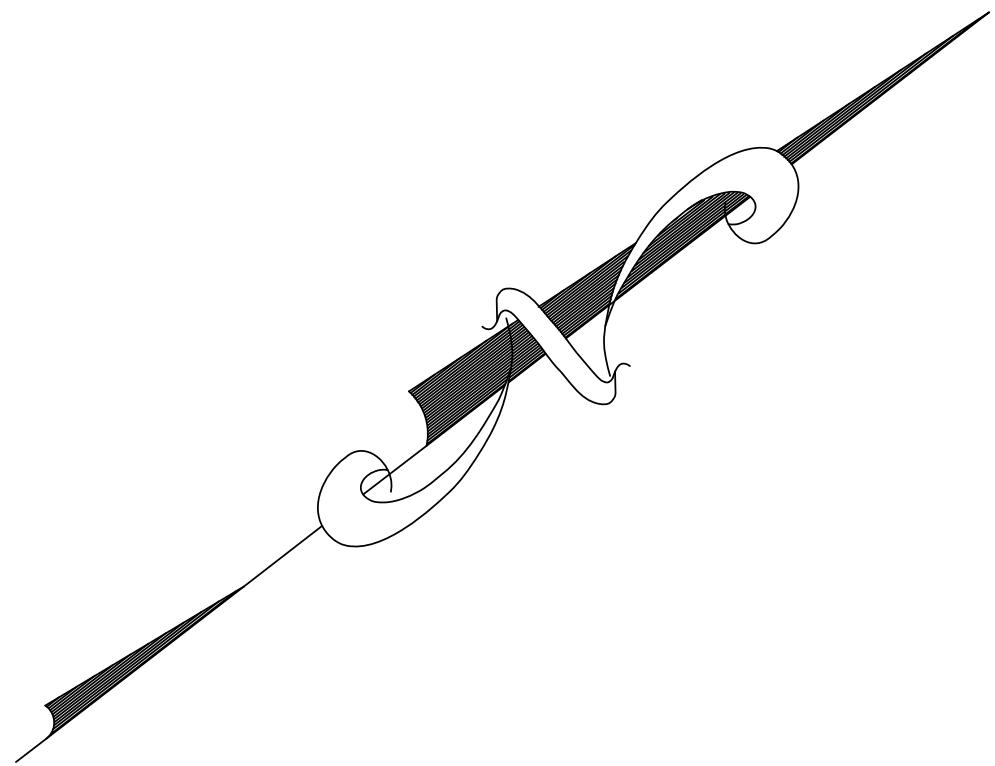
Vincent DiBiase
Deputy Chief Inspector

cc: Planning Office



VICINITY MAP

MAP NOT TO SCALE

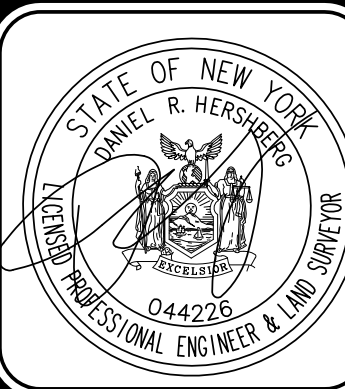


HERSHBERG
&
HERSHBERG

Consulting Engineers
and Land Surveyors

18 Locust Street
Albany, New York 12203

ALTERATION OF THIS
DOCUMENT EXCEPT BY A
LICENSED PROFESSIONAL
ENGINEER OR LAND
SURVEYOR, IS ILLEGAL



DATE	
REMARKS	
REVISIONS	

EXISTING CONDITIONS
PROPOSED APARTMENTS
241 SOUTH ALLEN STREET
ALBANY, NEW YORK

FILE: 130302 C:\K: DRW DATE: 4/22/14 SCALE: 1"=30' 6/17/15

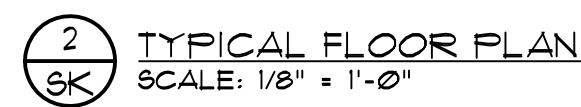


1 WEST ELEVATION
SCALE: 1/8" = 1'-0"



2 EAST ELEVATION
SCALE: 1/8" = 1'-0"

DATE: 4/22/14 REVISED:	
PROJECT NO.: DESIGNED BY: DRAWN BY: CHECKED BY: SCALE: NOTES:	
PRELIMINARY ELEVATIONS	
HARRIS A. SANDERS ARCHITECTS, P.C. 252 WASHINGTON AVENUE, ALBANY, NEW YORK 12210 NEW APARTMENTS FOR: 241 SOUTH ALLEN STREET HOLDING, LLC 241 SOUTH ALLEN STREET ALBANY, NEW YORK	
SHEET NO.	
SK2	
OF:	



131 Onderdonk Avenue
Albany, NY 12208

June 8, 2014

Department of Development & Planning
Attn: Board of Zoning Appeals
200 Henry Johnson Blvd
Albany, NY 12210

To the Board of Zoning Appeals:

I am writing these comments with regards to Case 5-14, 4187 to be discussed at the Board of Zoning Appeals meeting on June 11, 2014. This is the proposed apartment development project on 241 South Allen Street by applicant 241 South Allen Street Holdings, LLC.

I have concerns about answers submitted on the Board of Zoning Appeals application.

Question 13 raises questions.

13a: Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? The answer was submitted as No.

There is an adjoining wetland to the north of the proposed action (which also contains a wetland), identified by the Army Corps of Engineers in 2005. The Army Corps has not been asked to make a jurisdictional determination by any owners of these properties. At the bottom of the hill below this wetland, there is water discharging onto Teunis Avenue on a daily basis. If this water comes from that wetland, this raises questions about the water management functions performed by the wetland for the waters that flow through it.

13b: Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? The answer was submitted as No.

This is incorrect. The Army Corps of Engineers has identified an isolated wetland on the premises of 241 South Allen Street. Mr. Googas (aka 241 South Allen Street Holdings, LLC) showed me the map of the wetland and claimed that the Army Corps will submit a letter to the City of Albany confirming this. Perhaps the Corps had not completed its study at the time when the BZA application was submitted.

Building directly on top of a wetland raises serious environmental and water management issues for the surrounding neighborhood. I raised some of these issues in my letter to the Albany Planning Board on May 11, 2014.

The existence of the wetland to the north of the proposed project, in addition to the wetland on 241 South Allen Street, leads me to wonder about question 17a: Will storm water discharge flow to adjacent properties? The answer was submitted as No.

The two wetlands are currently joined by a channel that runs behind the former South Allen Street Playground. With the channel removed, would there be problems with storm water discharge from the north wetland?

Is there any connection between the wetland on 241 South Allen Street and water management functions in the surrounding neighborhood, which struggles with a high water table?

I believe that these issues raise important questions about the environmental impact of the proposed development project. Thank you.

Sincerely,


Laura Cohen

Concerns Regarding the Application for Variance Regarding 241 S. Allen St., Albany NY

Respectfully submitted by:

Commander Matt McCann, US Navy Civil Engineer Corps,
and Mrs. Kerri McCann
482 West Lawrence St.
Albany NY 12208

-On page 1 of the application, the applicant indicates there is no park or other recreation area within 500 feet of the property. Until very recently, a park with playground equipment was located on the property, which was vigorously used by community children during the summer months. It is not clear to me, as a community homeowner, what happened to that park or why the applicant indicates proximity to this park.

-In section [1] DESCRIPTION OF CONDITIONS on the Area Variance, the applicant lists the topography as "bowled." Bowled indicates a bowl-shaped depression. However, the actual topography is more accurately described as a valley with clearly defined steep-sloped sides leading to a continuously wet stream at the valley floor.

-In item 6 on form 617.20 Appendix B Part 1, the applicant indicates that the proposed action is "consistent with the predominant character of the existing build or natural landscape." The proposed site is a green field site with no previous development, so it is clearly not consistent with the existing natural landscape.

-In item 8a on form 617.20 Appendix B Part 1, the applicant indicates no substantial increase in traffic above present levels as a result of the proposed action. I would be interested to know if the applicant has conducted a traffic analysis to substantiate his claim of not substantial increase as a result of a 48-unit apartment complex on a green field site in a residential neighborhood.

-In item 13a on form 617.20 Appendix B Part 1, the applicant indicates the site of the proposed action does not contain wetlands or other waterbodies regulated by federal, state or local agency. Does the applicant have documentation to substantiate his claim? Given the clear continuous presence of water at the bottom of the valley-shaped property, it appears that this land is a waterbody that would be regulated by some level of government.

-In item 13b on form 617.20 Appendix B Part 1, the applicant indicates that the proposed action would not physically alter or encroach into any existing wetland or waterbody. This claim appears to be completely contrary to the actual conditions on the site.

-In item 16 on form 617.20 Appendix B Part 1, the applicant indicates that the site is not located within the 100 year flood plain. Is there documentation to substantiate this claim? Given the continuous presence of water on the site and the valley-shaped site plan which represents the sole catch basin for a significant area of surrounding land, it seems likely that the site is located within the 100 year flood plain.

-In item 18 on form 617.20 Appendix B Part 1, the applicant indicates the proposed action would not require the impoundment of water. The applicant has verbally indicated to neighbors as well as publically at a recent planning board meeting, that there would, in fact, be construction of water impoundment facilities.

-In item 9 on form 617.20 Appendix B Part 2, the applicant indicates no or small impact to natural resources. Given the valley topography of the site, the continuous presence of water and the fact that this catch basin occupies the lowest elevation in near proximity, it seems impossible that the construction would have no impact on the groundwater flow or the waterbody present on the site. Does the applicant have documentation to demonstrate that the proposed action would have no impact on the natural resources of this green field site?

-In item 10 on form 617.20 Appendix B Part 2, the applicant indicates no increase in the potential for erosion, flooding or drainage problems as a result of the proposed action. Given the valley geography, continuous presence of water, low-lying attitude, it seems apparent that there is a significant potential for erosion, flooding or drainage problems, particularly when considering that the proposed action will eliminate some or all of the catch basin provided by the natural geography for the surrounding properties. Does the applicant have documentation to substantiate the lack of potential for these problems?