

RESOLUTION APPROVING OPEN DEVELOPMENT AREA

WHEREAS, Gerald N. LaCroix and Lisa A. LaCroix (hereinafter the “Applicants”) are the owners of a parcel (Tax Map No. 37.-2-15) located at 21260 Route 22, in the Town of Hoosick, New York. The parcel is approximately 15 acres in size; and

WHEREAS, the Applicants applied to the Hoosick Planning Board (hereinafter “Planning Board”) for subdivision approval to create a new lot of approximately 3 acres to be divided out of the existing parcel and then conveyed to the Village of Hoosick Falls (the “Village”) as the location of two water supply wells to serve the Village’s water supply system; and

WHEREAS, the development of the two water supply wells to serve the Village’s water supply system will be undertaken as a major component of the remedial action ordered by the Department of Environmental Conservation (“DEC”) in response to the contamination with PFOA in the Village’s current water supply source associated with the Saint-Gobain McCaffrey Street Site (the “Site”); and

WHEREAS, the development of the new water supply wells as a remedial measure are exempt from review under the State Environmental Quality Review Act (“SEQRA”) pursuant to DEC’s Regulations as set forth in 6 NYCRR 375-2.11(b); and

WHEREAS, due to the proposed layout, access to the new lot will be by an easement through a portion of the existing parcel to be retained by the Applicants; and

WHEREAS, the proposed easement will extend from Route 22, an existing improved State highway, over and across the Applicants’ lot to the location of the new water supply wells and associated infrastructure; and

WHEREAS, as a consequence of the proposed layout, the new lot will not have direct fee-owned frontage on an improved public highway, but will be accessed by the easement; and

WHEREAS, in such circumstances, New York Town Law Section 280-a requires the establishment of an open development area through resolution the Town Board; and

WHEREAS, Applicants and the Village of Hoosick Falls are requesting the Town of Hoosick Town Board (hereinafter “Town Board”), to establish an open development area for this proposed subdivision in order to accommodate the development of a new water source for the Village of Hoosick Falls; and

WHEREAS, the responsible parties for the Site are Saint-Gobain Performance Plastics (“Saint-Gobain”) and Honeywell International, Inc. (“Honeywell”); and Honeywell has assumed lead responsibility for implementing the remedial measure and the Applicants have authorized Honeywell to apply to the Town for an open development area; and

WHEREAS, the Town Board entertained such request at its meeting held January 8, 2024, and in compliance with applicable legal requirements, referred the request to the Planning Board

for recommendation; and

WHEREAS, the Applicant presented the request for establishment of an open development area to the Planning Board at its meeting held on January 15, 2024; and

WHEREAS, the Planning Board considered information regarding the easement required for access to the new lot which will be a condition of this subdivision and required to be recorded in the Office of the Rensselaer County Clerk to run with the land and be a part of the title to each such lot; and

WHEREAS, the record on the request for approval of the subdivision, relying upon the establishment of an open development area for this subdivision, has been duly reviewed and approved by the Planning Board, and this Resolution Approving Open Development Area is now before the Town Board for its consideration.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Hoosick in regular session duly convened as follows:

1. The Town Board of Hoosick hereby establishes an open development area for the subdivision to be referred to as “the LaCroix/Village of Hoosick Falls Subdivision” located off Route 22 as hereinabove described, and as set forth in the Subdivision Map approved by the Planning Board, a copy of which is attached hereto.

The foregoing Resolution, offered by _____ and seconded by _____, was duly put to a roll call vote as follows:

The foregoing Resolution was/was not thereupon declared duly adopted.

_____, 2024