APPENDIX D

CASE 10-T-0189

EM&CP SUPPLEMENT SWPPP AMENDMENTS

SEGMENT 6

SWPPP Amendments Memorandum

To:	Town of Ballston
From:	Kiewit Engineering Group
Date:	Jan 14, 2025
Subject	Construction of Cable Monitoring and Telecommunications Hut
Reference:	Champlain Hudson Power Express Segment 6 (Package 4A) Ballston Spa to Glenville SWPPP: Appendix G – SWPPP Amendments Memorandum

Memo Contents:

2025-01-14 Amendment 02

This memo is to update the Champlain Hudson Power Express Segment 6 SWPPP to coincide with a Certificate Amendment being filed with NYSDPS. This memorandum will be filed in Appendix G (Amendments Memorandum) of the SWPPP in the CHPE Segment 6 Environmental Management and Construction Plan (EM&CP). This amendment is for the construction and operation of a Cable Monitoring and Telecommunication Hut (CMT Hut). The CMT Hut is an 8 ft by 12 ft prefabricated permanent structure that houses fiber optic infrastructure. The proposed hut location in the Town of Ballston is the following address:

45 Outlet Rd
Ballston Lake, NY 12019

The site design is shown on new sheet C-190, attached. CHPE has proposed to use the "Substation Pervious Gravel Section" (new sheet C-600A Detail 5 – SMP1) for the pad surrounding the hut and the "Limited Use Pervious Access Road" (new sheet C-600B – SMP2) for the driveway leading to the hut. Equipment pads and driveways using these details have been previously approved by NYSDEC as pervious surfaces for other energy projects and renewable energy projects, respectively. NYSDEC has indicated that CHPE can utilize these details for the CMT hut sites and with the use of these details the sites will be considered to result in no increase to impervious area in the post-project condition. Perpetual inspection and maintenance of the stormwater management practices (SMP1 & SMP2) will follow the guidelines set forth in the NYSDEC - Stormwater Design Manual, Section 12.2.6 - Porous Pavement (Dated 7/31/2024) and the NYSDEC – Maintenance Guidance – Sections 2.9 & 3.9 (Dated 3/31/2017). A draft Post Construction Operations & Maintenance (O&M) Plan has been included with this memo.

The driveway entrance into the site will need to cross the swale running on the south side of Outlet Road, which CHPE has delineated as a Palustrine Emergent Wetland (Wetland P4A-M). The wetland is under both NYSDEC (NYSDEC FWW R-41) and United States Army Corp of Engineers (USACE) jurisdiction. An 18" HDPE culvert will be installed below the driveway to convey water through the swale. This will result in an increase 161 SF of permanent wetland impact due to the driveway/culvert footprint within wetland P4A-M and a corresponding 161 SF decrease to previously permitted temporary wetland impacts. CHPE will obtain approval from the NYSDEC and USACE for the revision to wetland impacts prior to construction.

SWPPP Impacts:

- There is no new limit of work and no increase to the previously disturbed area total.
- There is no change to the receiving waters.
- There are no new impacts to historic or cultural resources.
- As CHPE has proposed to use details approved by NYSDEC as pervious, there will be no increase in post-project impervious area.

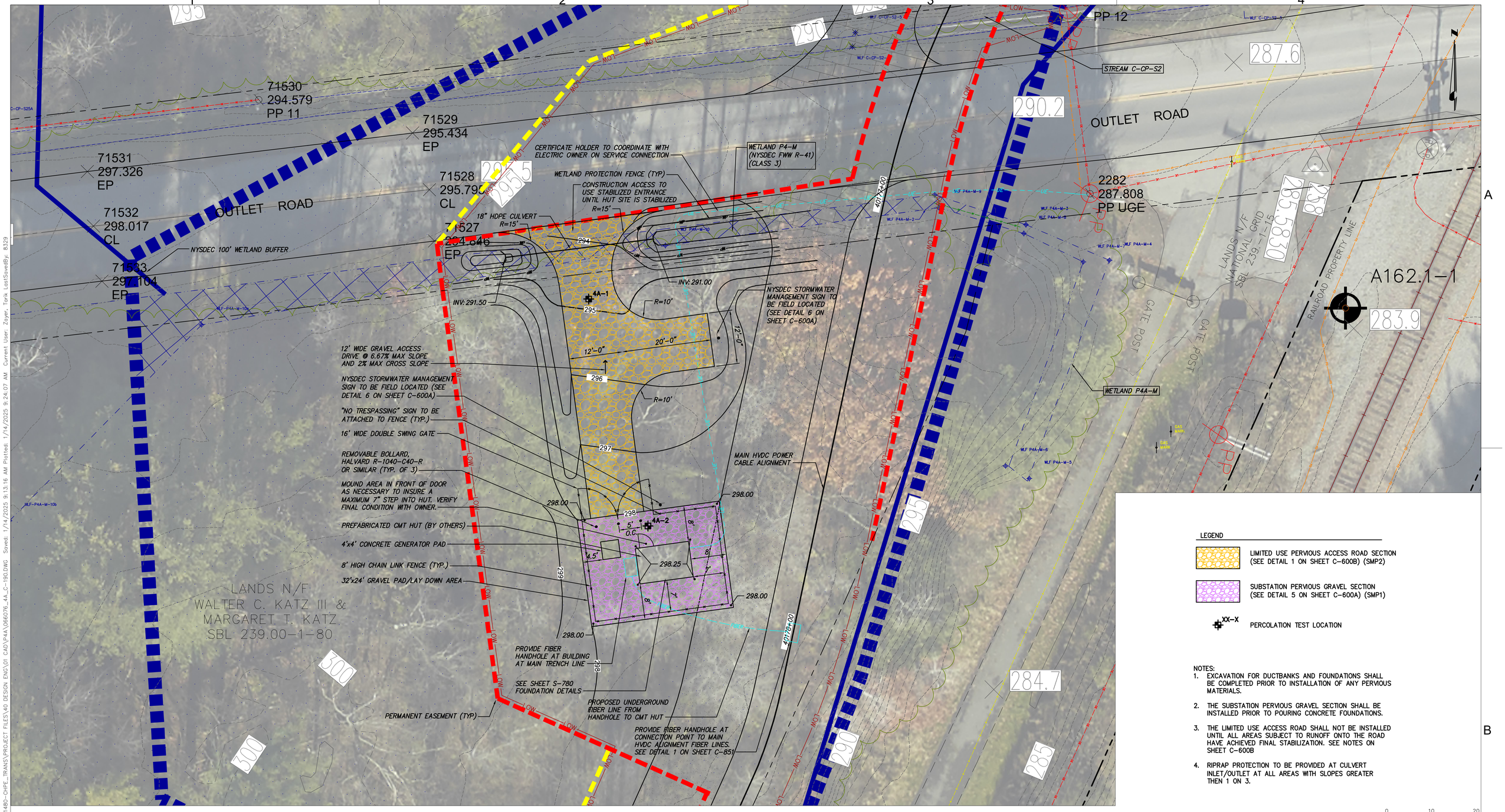
Approved erosion and sediment control measures will be utilized and procedures for use will be followed, as described in the approved SWPPP. Updates to the implementation of erosion and sediment control measures are shown on the attached sheet C-190.

This SWPPP amendment coincides with an amendment to the Certificate of Environmental compatibility and Public Need Amendment being submit to the New York Public Service Commission.

Copies To: Town Engineer

Attachments:

- Segment 6 (Package 4A) EM&CP Appendix C New Sheets C-190, C-600A, C-600B
- Draft Post-Construction Operations and Maintenance Plan
- CHPE Easement Agreement



LEGEND

- LIMITED USE PERVIOUS ACCESS ROAD SECTION (SEE DETAIL 1 ON SHEET C-600B) (SMP2)
- SUBSTATION PERVIOUS GRAVEL SECTION (SEE DETAIL 5 ON SHEET C-600A) (SMP1)
- XX-X PERCOLATION TEST LOCATION

NOTES:
1. EXCAVATION FOR DUCTBANKS AND FOUNDATIONS SHALL BE COMPLETED PRIOR TO INSTALLATION OF ANY PERVIOUS MATERIALS.
2. THE SUBSTATION PERVIOUS GRAVEL SECTION SHALL BE INSTALLED PRIOR TO POURING CONCRETE FOUNDATIONS.
3. THE LIMITED USE ACCESS ROAD SHALL NOT BE INSTALLED UNTIL ALL AREAS SUBJECT TO RUNOFF ONTO THE ROAD HAVE ACHIEVED FINAL STABILIZATION. SEE NOTES ON SHEET C-600B
4. RIPRAP PROTECTION TO BE PROVIDED AT CULVERT INLET/OUTLET AT ALL AREAS WITH SLOPES GREATER THEN 1 ON 3.

0 10 20
Scale in feet

CMT HUT #2 CIVIL PLAN
SCALE: 1" = 10'

CHPE Champlain Hudson Power Express

Kiewit

PROJECT NO.: 21162 | PROJECT NO.: 066076 | ALTERED ON: | AFFIXED ON: 01/13/2025

STATE OF NEW YORK · JOSEPH P. ROMANO · LICENSED PROFESSIONAL ENGINEER · 081993

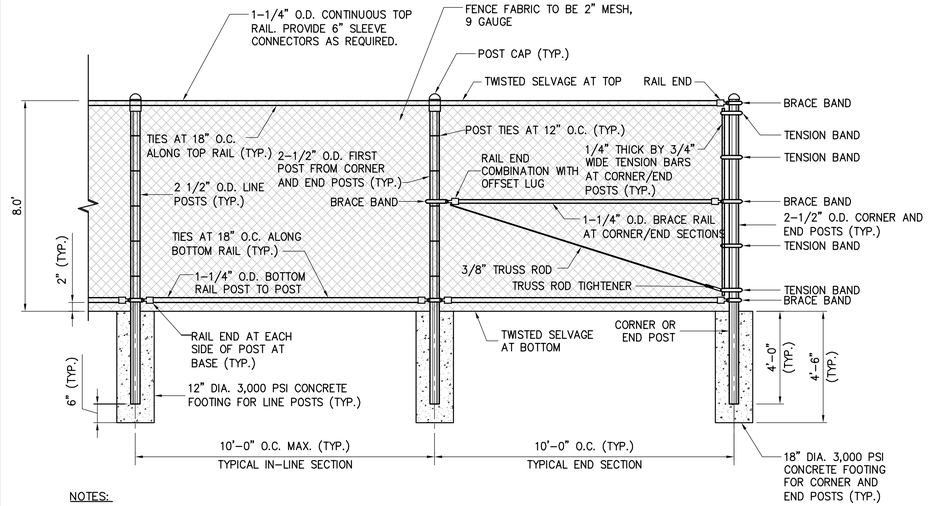
No.	DATE	SUBMITTAL / REVISION DESCRIPTION	DB	APP
0	01/13/2025	NDC-0087: ISSUED FOR CONSTRUCTION SUBMISSION	JM	JR

DRAWN BY: JTM | DESIGNED BY: JTM | APPROVED BY: JPR | SCALE: AS SHOWN | DATE: 08/03/2023 | 2

CHAMPLAIN HUDSON POWER EXPRESS
SEGMENT 6 (PACKAGE 4A) - CP: BALLSTON TO GLENVILLE
CMT HUT #2 CIVIL PLAN
TOWN OF BALLSTON

PERMIT DRAWING NO. C-190

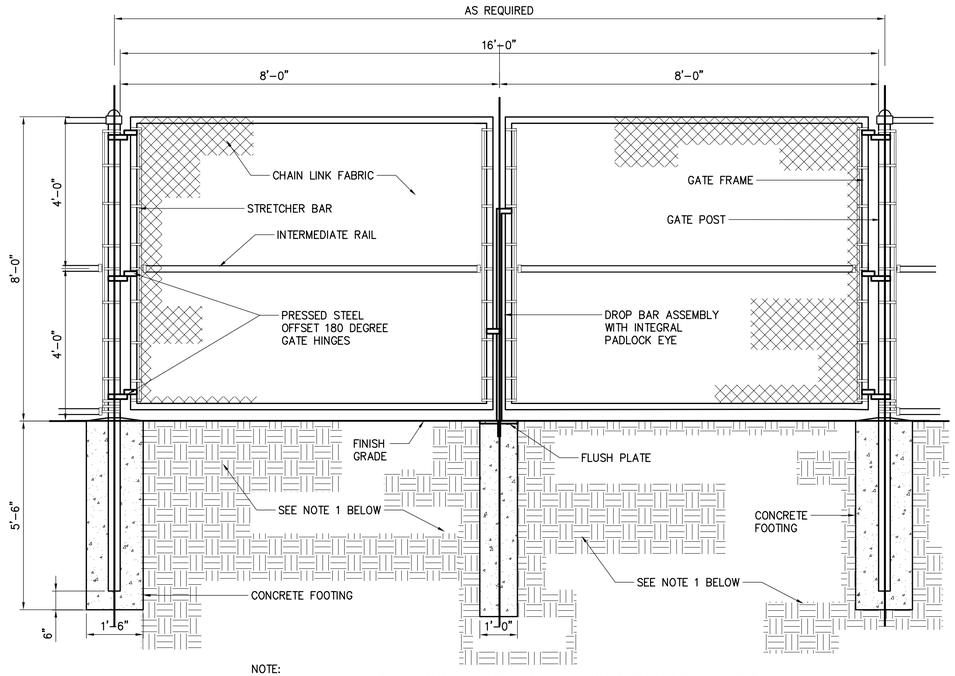
DRAWING NO. C-190



NOTES:

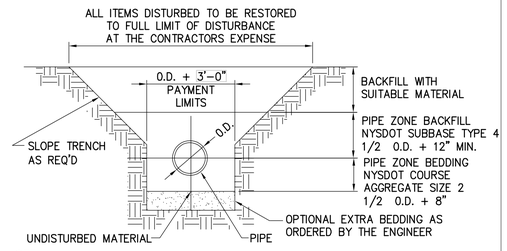
1. ALL POSTS, RAILS, HARDWARE, AND COMPONENTS TO BE GALVANIZED STEEL.
2. ALL TIES TO BE 9 GAUGE.
3. INSTALL BRACE RAIL ASSEMBLIES IN EACH DIRECTION FROM CORNER POSTS, AND AT ALL END POSTS
4. BRACE/TENSION BANDS TO BE 1/8"X1" AND FASTENED WITH 3/8"X1–1/2" CARRIAGE BOLTS.

1 8' HIGH CHAIN LINK FENCE
SCALE: N.T.S.



NOTE:
1. SEE DETAIL 5 FOR GRAVEL BACKFILL AROUND THE FENCE AND C–190 FOR GRAVEL LIMITS.

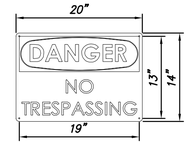
2 16' WIDE DOUBLE SWING GATE
SCALE: N.T.S.



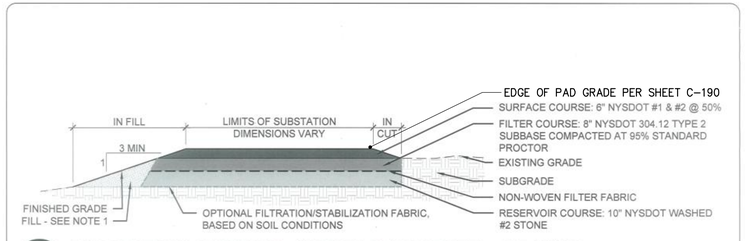
NOTE:

1. SEE DETAIL 4 ON SHEET C–601 FOR END SECTION TREATMENT / TYPICAL CULVERT OUTFALL RIPRAP DETAIL

3 TYPICAL CULVERT TRENCH DETAIL
SCALE: N.T.S.



4 NO TRESPASSING SIGN
SCALE: N.T.S.



1 C-101 SUBSTATION SECTION - INFILTRATION RATE ≥ 0.5 IN/HR
Scale: NTS

NOTES:
1. ALL FILL USED FOR SIDE SLOPES SHALL BE ONSITE MATERIAL FROM AREA CUT TO CREATE THE SUBSTATION OR SHALL BE OFFSITE FILL COMPACTED TO HAVE AN INFILTRATION RATE LESS THAN THE SUBSTATION SUBGRADE.
2. INFILTRATION TESTING SHALL BE COMPLETED AS REQUIRED BY APPENDIX D OF THE 2010 NYS STORMWATER MANAGEMENT DESIGN MANUAL, OR AS APPROVED BY THE NYS DEC REGIONAL OFFICE OR MS4 REPRESENTATIVE.
3. THIS SECTION SHALL BE APPLICABLE TO MEET THE STORMWATER MANAGEMENT REQUIREMENTS OF NEW DEVELOPMENT AND REDEVELOPMENT PROJECTS, PER THE 2010 NYS STORMWATER MANAGEMENT DESIGN MANUAL, FOR SITES WITH INFILTRATION RATES OF GREATER THAN OR EQUAL TO 0.5 INCHES PER HOUR.
4. ALL THOSE UTILIZING THIS SECTION, WITH THE EXCEPTION OF NATIONAL GRID, SHALL INCLUDE THE FOLLOWING NOTE IN ALL STORMWATER REPORTS AND DRAWINGS:
   "NATIONAL GRID (NG) TOGETHER WITH THE CONSULTING FIRM, ENVIRONMENTAL DESIGN & RESEARCH (EDR), PREPARED A NYSDEC STORMWATER MANAGEMENT PROTOTYPE SYSTEM (SYSTEM), WHICH MAY BE APPLICABLE TO SUBSTATION PROJECTS. THE USER ASSUMES THE SOLE RESPONSIBILITY FOR THE USE OF THIS SYSTEM, ITS APPLICABILITY TO THE PROJECT SITE, AND VERIFICATION OF THE APPROPRIATE USE AND COMPLIANCE WITH VILLAGE, TOWN, CITY, COUNTY, STATE, AND FEDERAL STORMWATER REQUIREMENTS FOR THIS LOCATION."

5 SUBSTATION PERVIOUS GRAVEL SECTION
SCALE: N.T.S.

NOTES:

1. SIGN SHALL HAVE MINIMUM DIMENSIONS OF 18 INCHES BY 24 INCHES AND SHALL HAVE WHITE LETTERS ON A GREEN BACKGROUND AND CONTAIN THE FOLLOWING INFORMATION.
   A. STORMWATER MANAGEMENT PRACTICE
   B. (INSERT SPDES CONSTRUCTION PERMIT #)
   C. PRACTICE MUST BE MAINTAINED IN ACCORDANCE WITH OPERATION AND MAINTENANCE PLAN
   D. THIS SIGN MAY NOT BE REMOVED OR ALTERED.
2. REFER TO SECTION 3.5 OF CHAPTER 3 OF THE JULY 31,2024 NEW YORK STATE DEC STORMWATER MANAGEMENT DESIGN MANUAL.
3. CONTRACTOR TO CONFIRM SIGN VERBIAGE AND LETTERING WITH OWNER PRIOR TO SHOP DRAWING SUBMITTAL.

6 NYS STORMWATER MANAGEMENT PRACTICE SIGN
SCALE: N.T.S.

CHPE Champlain Hudson Power Express

PROJECT NO.: 21162	PROJECT NO.: 066076	ALTERED ON:	AFFIXED ON: 01/13/2025
Kiewit	Drawing Copyright © 2024 CHA 111 Winners Circle, PO Box 5269 Albany, NY 12205-0269 518.453.4500 - www.chacompanies.com		STATE OF NEW YORK JOSEPH P. ROMANO 081993 LICENSED PROFESSIONAL ENGINEER

No.	DATE	SUBMITTAL / REVISION DESCRIPTION	DB	APP
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DRAWN BY: JTM | DESIGNED BY: JTM | APPROVED BY: JPR | SCALE: AS NOTED | DATE:

CHAMPLAIN HUDSON POWER EXPRESS

PREFABRICATED CMT HUT
SITE DETAILS

PERMIT DRAWING NO.
C-600A

DRAWING NO.
C-600A

GENERAL NOTES:

1. USE OF THIS DETAIL/CRITERION IS LIMITED TO ACCESS ROADS USED ON AN OCCASIONAL BASIS ONLY (I.E. PROVIDE ACCESS FOR MOWING, EQUIPMENT REPAIR OR MAINTENANCE, ETC.).
2. LIMITED USE PERVIOUS ACCESS ROAD IS LIMITED TO LOW IMPACT IRREGULAR MAINTENANCE ACCESS ASSOCIATED WITH RENEWABLE ENERGY PROJECTS IN NEW YORK STATE.
3. REMOVE STUMPS, ROCKS AND DEBRIS AS NECESSARY. FILL VOIDS TO MATCH EXISTING NATIVE SOILS AND COMPACTION LEVEL.
4. REMOVED TOPSOIL MAY BE SPREAD IN ADJACENT AREAS AS DIRECTED BY THE PROJECT ENGINEER. COMPACT TO THE DEGREE OF THE NATIVE INSITU SOIL. DO NOT PLACE IN AN AREA THAT IMPEDES STORMWATER DRAINAGE.
5. GRADE ROADWAY, WHERE NECESSARY, TO NATIVE SOIL AND DESIRED ELEVATION. MINOR GRADING FOR CROSS SLOPE CUT AND FILL MAY BE REQUIRED.
6. REMOVE REFUSE SOILS AS DIRECTED BY THE PROJECT ENGINEER. DO NOT PLACE IN AN AREA THAT IMPEDES STORMWATER DRAINAGE.
7. ROADWAY WIDTH TO BE DETERMINED BY CLIENT.
8. THE LIMITED USE PERVIOUS ACCESS ROAD CROSS SLOPE SHALL BE 2% IN MOST CASES AND SHOULD NOT EXCEED 6%. THE LONGITUDINAL SLOPE OF THE ACCESS DRIVE SHOULD NOT EXCEED 15%.
9. LIMITED USE PERVIOUS ACCESS ROAD IS NOT INTENDED TO BE UTILIZED FOR CONSTRUCTION WHICH MAY SUBJECT THE ACCESS TO SEDIMENT TRACKING. THIS SPECIFICATION IS TO BE DEVELOPED FOR POST-CONSTRUCTION USE. SOIL RESTORATION PRACTICES MAY BE APPLICABLE TO RESTORE CONSTRUCTION RELATED COMPACTION TO PRE-EXISTING CONDITIONS AND SHOULD BE VERIFIED BY SOIL PENETROMETER READINGS. THE PENETROMETER READINGS SHALL BE COMPARED TO THE RESPECTIVE RECORDED READINGS TAKEN PRIOR TO CONSTRUCTION, EVERY 100 LINEAR FEET ALONG THE PROPOSED ROADWAY.
10. TO ENSURE THAT SOIL IS NOT TRACKED ONTO THE LIMITED USE PERVIOUS ACCESS ROAD, IT SHALL NOT BE USED BY CONSTRUCTION VEHICLES TRANSPORTING SOIL, FILL MATERIAL, ETC. IF THE LIMITED USE PERVIOUS ACCESS IS COMPLETED DURING THE INITIAL PHASES OF CONSTRUCTION, A STANDARD NEW YORK STATE STABILIZED CONSTRUCTION ACCESS SHALL BE CONSTRUCTED AND UTILIZED TO REMOVE SEDIMENT FROM CONSTRUCTION VEHICLES AND EQUIPMENT PRIOR TO ENTERING THE LIMITED USE PERVIOUS ACCESS ROAD FROM ANY LOCATION ON, OR OFF SITE. MAINTENANCE OF THE PERVIOUS ACCESS ROAD WILL BE REQUIRED IF SEDIMENT IS OBSERVED WITHIN THE CLEAN STONE.
11. THE LIMITED USE PERVIOUS ACCESS ROAD SHALL NOT BE CONSTRUCTED OR USED UNTIL ALL AREAS SUBJECT TO RUNOFF ONTO THE PERVIOUS ACCESS HAVE ACHIEVED FINAL STABILIZATION.
12. PROJECTS SHOULD AVOID INSTALLATION OF THE LIMITED USE PERVIOUS ACCESS ROAD IN POORLY DRAINED AREAS, HOWEVER IF NO ALTERNATIVE LOCATION IS AVAILABLE, THE PROJECT SHALL UTILIZE WOVEN GEOTEXTILE MATERIAL AS DETAILED IN FOLLOWING NOTES.
13. THE DRAINAGE DITCH IS OFFERED IN THE DETAIL FOR CIRCUMSTANCES WHEN CONCENTRATED FLOW COULD NOT BE AVOIDED. THE INTENTION OF THIS DESIGN IS TO MINIMIZE ALTERATIONS TO HYDROLOGY, HOWEVER WHEN DEALING WITH 5%-15% GRADES NOT PARALLEL TO THE CONTOUR, A ROADSIDE DITCH MAY BE REQUIRED. THE NYS STANDARDS AND SPECIFICATIONS FOR EROSION AND SEDIMENT CONTROLS FOR GRASSED WATERWAYS AND VEGETATED WATERWAYS ARE APPLICABLE FOR SIZING AND STABILIZATION. DIMENSIONS FOR THE GRASSED WATERWAY SPECIFICATION WOULD BE DESIGNED FOR PROJECT SPECIFIC HYDROLOGIC RUNOFF CALCULATIONS, AND A SEPARATE DETAIL FOR THE SPECIFIC GRASSED WATERWAY WOULD BE INCLUDED IN THIS PRACTICE. RUNOFF DISCHARGES WILL BE SUBJECT TO THE OUTLET REQUIREMENTS OF THE REFERENCED STANDARD. INCREASED POST-DEVELOPMENT RUNOFF FROM THE ASSOCIATED ROADSIDE DITCH MAY REQUIRE ADDITIONAL PRACTICES TO ATTENUATE RUNOFF TO PRE-DEVELOPMENT CONDITIONS.
14. IF A ROADSIDE DITCH IS NOT UTILIZED TO CAPTURE RUNOFF FROM THE ACCESS ROAD, THE PERVIOUS ACCESS ROAD WILL HAVE A WELL-ESTABLISHED PERENNIAL VEGETATIVE COVER, WHICH SHALL CONSIST OF UNIFORM VEGETATION (I.E. BUFFER), 20 FEET WIDE AND PARALLEL TO THE DOWN GRADIENT SIDE OF THE ACCESS ROAD. POST-CONSTRUCTION OPERATION AND MAINTENANCE PRACTICES WILL MAINTAIN THIS VEGETATIVE COVER TO ENSURE FINAL STABILIZATION FOR THE LIFE OF THE ACCESS ROAD.
15. THE DESIGN PROFESSIONAL MUST ACCOUNT FOR THE LIMITED USE PERVIOUS ACCESS ROAD IN THEIR SITE ASSESSMENT/HYDROLOGY ANALYSIS. IF THE HYDROLOGY ANALYSIS SHOWS THAT THE HYDROLOGY HAS BEEN ALTERED FROM PRE- TO POST-DEVELOPMENT CONDITIONS (SEE APPENDIX A OF GP-0-15-002 FOR THE DEFINITION OF "ALTER THE HYDROLOGY..."), THE DESIGN MUST INCLUDE THE NECESSARY DETENTION/RETENTION PRACTICES TO ATTENUATE THE RATES (10 AND 100 YEAR EVENTS) TO PRE-DEVELOPMENT CONDITIONS.

GEOGRID MATERIAL NOTES:

1. THE GEOGRID, OR COMPARABLE PRODUCT, IS INTENDED FOR USE FOR ALL CONDITIONS, IN ORDER TO ASSIST IN MATERIAL SEPARATION FROM NATIVE SOILS AND PRESERVE ACCESS LOADS.
2. GRAVEL FILL MATERIAL SHALL CONSIST OF 1-4" CLEAN, DURABLE, SHARP-ANGLED CRUSHED STONE OF UNIFORM QUALITY, MEETING THE SPECIFICATIONS OF NYSDOT ITEM 703-02, SIZE DESIGNATION 3-5 OF TABLE 703-4. STONE MAY BE PLACED IN FRONT OF, AND SPREAD WITH, A TRACKED VEHICLE. GRAVEL SHALL NOT BE COMPACTED.
3. GEOGRID SHALL BE MIRAFI BXG110 OR APPROVED EQUAL. GEOGRID SHALL BE DESIGNED BASED ON EXISTING SOIL CONDITIONS AND PROPOSED HAUL ROAD SLOPES.
4. IF MORE THAN ONE ROLL WIDTH IS REQUIRED, ROLLS SHOULD OVERLAP A MINIMUM OF SIX INCHES.
5. REFER TO MANUFACTURER'S SPECIFICATION FOR PROPER TYING AND CONNECTIONS.
6. LIMITED USE PERVIOUS ACCESS ROAD SHALL BE TOP DRESSED AS REQUIRED WITH ONLY 1-4" CRUSHED STONE MEETING NYSDOT ITEM 703-02 SPECIFICATIONS.

BASIS OF DESIGN: TENCATE MIRAFI BXG110 GEOGRIDS; 365 SOUTH HOLLAND DRIVE, PENDERGRASS, GA; 800-685-9990 OR 706-693-2226; WWW.MIRAFI.COM

GEOWEB MATERIAL NOTES:

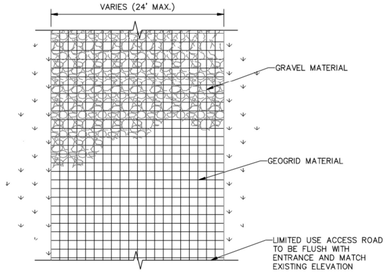
1. THE GEOWEB, OR COMPARABLE PRODUCT, IS SUGGESTED FOR USE ON ROAD PROFILES EXCEEDING 10%. THE GEOWEB PRODUCT IS INTENDED TO LIMIT SHIFTING STONE MATERIAL DURING USE.
2. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
3. WHERE REQUIRED, A NATIVE SOIL WEDGE SHALL BE PLACED TO ACCOMMODATE ROAD CROSS SLOPE OF 2%. NATIVE SOIL SHALL BE COMPACTED TO MATCH EXISTING SOIL CONDITIONS.
4. GRAVEL FILL MATERIAL SHALL CONSIST OF 1-4" CLEAN, DURABLE, SHARP-ANGLED CRUSHED STONE OF UNIFORM QUALITY, MEETING THE SPECIFICATIONS OF NYSDOT ITEM 703-02, SIZE DESIGNATION 3-5 OF TABLE 703-4. STONE MAY BE PLACED IN FRONT OF, AND SPREAD WITH, A TRACKED VEHICLE. GRAVEL SHALL NOT BE COMPACTED.
5. GEOWEB SYSTEM SHALL BE PRESTO GEOSYSTEM GEOWEB OR APPROVED EQUAL. GEOWEB SHALL BE DESIGNED BASED ON EXISTING SOIL CONDITIONS AND PROPOSED HAUL ROAD SLOPES.
6. LIMITED USE PERVIOUS ACCESS ROAD SHALL BE TOP DRESSED AS REQUIRED WITH ONLY 1-4" CRUSHED STONE, SIZE 3A, MEETING NYSDOT ITEM 703-02 SPECIFICATIONS.
7. THE TOP EDGES OF ADJACENT CELL WALLS SHALL BE FLUSH WHEN CONNECTING. ALIGN THE I-SLOTS FOR INTERLEAF AND END TO END CONNECTIONS. THE GEOWEB PANELS SHALL BE CONNECTED WITH ATRA KEYS AT EACH INTERLEAD AND END TO END CONNECTIONS. REFER TO MANUFACTURER'S SPECIFICATION FOR PROPER INSTALLATION, TYING AND CONNECTIONS.

BASIS OF DESIGN: PRESTO GEOSYSTEMS GEOWEB; 670 NORTH PERKINS STREET, APPLETON, WI; 800-548-3424 OR 920-738-1222; INFO@PRESTOGEO.COM; WWW.PRESTOGEO.COM

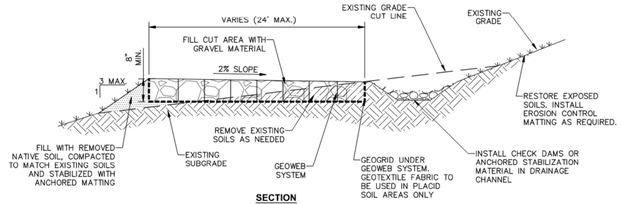
WOVEN GEOTEXTILE MATERIAL NOTES:

1. SPECIFIED GEOTEXTILE WILL ONLY BE UTILIZED IN PLACID SOILS. PLACID SOILS CONSIST OF POORLY DRAINED SOILS COMPOSED OF FINELY TEXTURED PARTICLES AND ARE PRONE TO RUTTING. PLACID SOILS ARE TYPICALLY PRESENT IN LOW-LYING AREAS WITH HYDROLOGIC SOILS GROUP (HSG) OF C OR D, OR AS SPCIFIED FROM AN ENVIRONMENTAL SCIENTIST, SOIL SCIENTIST, OR GEOTECHNICAL DATA.
2. THE CONCERN FOR POTENTIAL REDUCTION OF NATIVE INFILTRATION RATES DUE TO THE GEOTEXTILE MATERIAL WOULD NOT BE A SIGNIFICANT CONCERN IN POORLY DRAINED SOILS WHERE SEGREGATION OF PERVIOUS STONE AND NATIVE MATERIALS IS CRUCIAL FOR LONG TERM OPERATION AND MAINTENANCE.

BASIS OF DESIGN: TENCATE MIRAFI RSI-SERIES WOVEN GEOSYNTHETICS; 365 SOUTH HOLLAND DRIVE, PENDERGRASS, GA; 800-685-9990 OR 706-693-2226; WWW.MIRAFI.COM



1 LIMITED USE PERVIOUS ACCESS ROAD - 0% TO 10% SLOPES
SCALE: N.T.S.

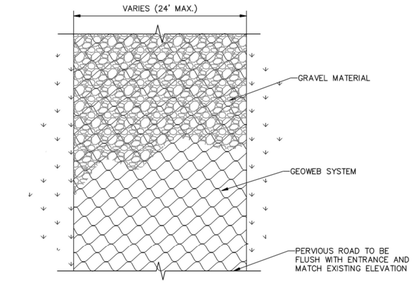


SECTION

NOTE:

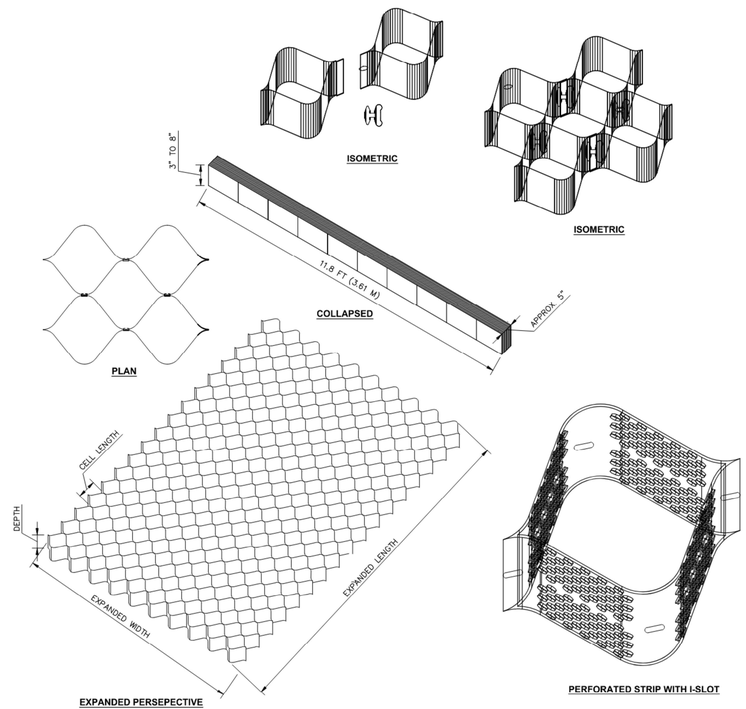
1. THE ROADSIDE DITCH SHALL BE DESIGNED IN ACCORDANCE WITH THE NEW YORK STATE STANDARDS AND SPECIFICATIONS FOR EROSION AND SEDIMENT CONTROLS FOR GRASSED AND VEGETATED WATERWAYS. ADDITIONAL DETAILS WILL BE PROVIDED SPECIFIC TO THE SITE DESIGN.

2 LIMITED USE PERVIOUS ACCESS ROAD - 10% AND GREATER SLOPES WITH DITCH
SCALE: N.T.S.



SECTION

3 LIMITED USE PERVIOUS ACCESS ROAD - 10% AND GREATER SLOPES
SCALE: N.T.S.



4 GEOWEB SYSTEM
SCALE: N.T.S.

1 LIMITED USE PERVIOUS ACCESS ROAD SECTION
SCALE: N.T.S.

CHPE Champlain Hudson Power Express

Kiewit

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CHAMPLAIN HUDSON POWER EXPRESS

PREFABRICATED CMT HUT
SITE DETAILS

PERMIT DRAWING NO.
C-600B

DRAWING NO.
C-600B

Appendix I: Draft Post-Construction Operation and Maintenance Manual

Documents included:

☒ Draft Post-Construction Operation and Maintenance Manual **(Include when project installed post-construction stormwater management practices),** including:

- List of all SMPs installed on the project, including SMP IDs and plan references as listed in the SWPPP
- If applicable, a list of all BMPs that will be followed to address pollutant of concern sources
- Location map depicting SMPs to be maintained
- Contact information for Owner
- Contact information for responsible maintenance party, including information regarding whether the responsible maintenance party is employed by the Owner or by an outside contractor
- Table of maintenance tasks and frequencies for each SMP type
- Inspection form with list of maintenance checks and fields for recording observations
- Schedule of proposed self-inspections

Note: The final version of the Post-Construction Operation and Maintenance Manual shall be included in the NOT/Stormwater Maintenance Permit request, along with the following as-built plans:

- As-Built Drainage Utility Plan, showing:
    - Site surface features, including buildings, structures, and site furnishings, as well as surface footprints of any installed SMPs
    - Drainage structures, including manholes, inlets, rooftop drains, outfalls, and catch basins
    - Drainage pipes
    - Subsurface drainage features of installed SMPs, including the subsurface footprint (when different from the surface footprint) and any internal pipes or structures
    - Topographic contours, or spot elevations if the site is relatively flat
    - Callouts for all points of discharge from the site, including sewer connections, outfalls, on-site disposal systems, direct discharges, or any others related to other SPDES permits
    - Callouts for each installed SMP, including the SMP ID, type (manufacturer and model name), function, size, and storage volume
    - Callouts for drainage structures and pipes, including sizes, materials, and inverts, as known
- As-Built Cover and Contributing Drainage Area Plan, including:
    - Site surface features, including buildings, structures, and site furnishings, as well as surface footprints of any installed SMPs
    - Drainage structures, including manholes, inlets, rooftop drains, and catch basins
    - Drainage pipes
    - Delineation of all individual drainage areas across the entire site (i.e. no overlapping drainage areas). Indicate the "drainage point" (or points) associated with each individual drainage area
    - Within the boundary of each drainage area, also delineate each cover type shown in Table 2.8 of the NYC SWM, using a different hatch for each type
    - Add "design points" of interest, where the total contributing drainage area to that point is required for design or reporting purposes. At a minimum, include design points for each proposed SMP and any points of discharge, including sewer

connections, outfalls, on-site disposal systems, direct discharges, or any others related to other SPDES permits
    - Callouts for each design point, including the IDs of all individual drainage areas that contribute to the design point, the total contributing area to the design point, and the total area of each surface type within the total contributing area
- As-Built SMP Section/Detail Plans, showing:
    - Elevations for bottom of practice, interface of each media layer, top of ponding, and top of practice
    - Elevations for inverts in, inverts out, and/or overflows
    - Elevations of any groundwater table or bedrock
    - Elevations for the top and bottom of active storage zones
    - Ponding depths
    - Media slope, depths, and specifications
    - Any observation wells and their materials specifications
    - Any pretreatment devices and proprietary SMPs.

If any of the above documents are not included, explain why below:

N/A

Ballston SMP1 & SMP2

VICINITY MAP - CHPE SEGMENT 6

Created by: Kiewit Geospatial Services
Print Date: 1/13/2025 1:00 PM

N

0 0.25 0.5 Mi

Esri, CGIAR, USGS, New York State, Maxar, Esri, TomTom, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS, USFWS, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

GR 2. Overflows and Drains

Description: Green roofs typically drain through a network of underdrains to outlet at roof drainage infrastructure. These drainage structures need to be inspected and cleaned periodically to ensure that the medium drains properly.

Instruction: Review the specific maintenance plan for this practice to determine where inspection ports are. Remove the cover and inspect the port.

Table 2.8.2 GR Overflows and Drains

Problem (Check if Present)	Follow-Up Actions
☐ Inspection port for roof drainage (can be clogged with debris)	☐ Remove debris by hand or flush through with a hose. ☐ Other:
	☐ Kick-Out to Level 2 Inspection: Debris cannot be removed, or it appears that debris has accumulated in the underdrains.
☐ Damage to other roof drainage structures (e.g., roof scuppers)	☐ Call contractor or individual in charge of regular building maintenance. This is a building maintenance issue. ☐ Other:

2.9. Permeable Pavement

Areas of Permeable Pavement

Key areas to inspect for permeable pavement include the following:

- PP1. Drainage Area
- PP2. Pavement Surface

Note: Permeable pavements include several materials, including porous asphalt materials, which appear similar to an asphalt parking lot, permeable concrete, and “interlocking concrete pavers,” which are individual paving blocks. References to removing and replacing individual blocks of pavement refer only to this last category.

Figure 2.9.1. Key Areas for Level 1 Inspection of Permeable Pavement

Permeable Pavement Level 1 Inspection

The Level 1 Inspection focuses on the Drainage Area (PP1) and the Pavement Surface (PP2). This inspection should be conducted on a regular basis, with an early spring inspection to ensure that the practice has survived the winter, particularly if there has been a significant amount of snow.

On a routine basis, the Level 1 Inspector should also ensure that the pavement area and its drainage are properly managed. Some key activities to avoid include:

1. Applying sand during winter months
2. Certain types of permeable pavement should not be plowed with steel-bladed plows.
3. Poor management of dumpsters
4. Storing or placing dirt, grit, mulch, sand, or other similar materials on or near the pavement surface

PP 1. Drainage Area

Description: The drainage area sends runoff to the Permeable pavement area and is uphill from the Permeable pavement. When it rains, water runs off and flows to the Permeable pavement area, and it may pond there temporarily.

Instruction: Look for areas that are uphill from the Permeable pavement. Consult **Table 2.9.1** below:

Table 2.9.1 PP Drainage Area

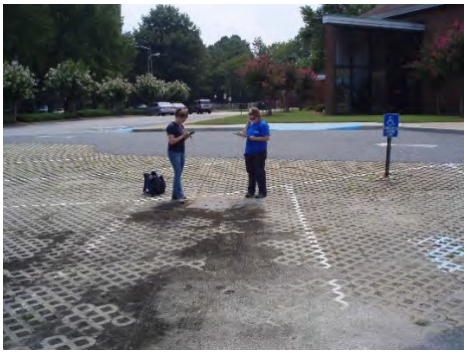
Problem (Check if Present)		Follow-Up Actions
	☐ Bare soil, erosion of the ground (rills washing out the dirt)	☐ Seed and straw areas of bare soil to establish vegetation. ☐ Fill in erosion areas with soil, compact, and seed and straw to establish vegetation. ☐ If a rill or small channel is forming, try to redirect water flowing to this area by creating a small berm or adding topsoil to areas that are heavily compacted. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Large areas of soil have been eroded, or larger channels are forming. May require rerouting of flow paths.
	☐ Piles of grass clippings, mulch, dirt, salt, or other materials	☐ Remove or cover piles of grass clippings, mulch, dirt, etc. ☐ Other:
	☐ Open containers of oil, grease, paint, or other substances	☐ Cover or properly dispose of materials; consult your local solid waste authority for guidance on materials that may be toxic or hazardous. ☐ Other:

PP 2. Permeable Pavement Surface

Description: The surface of the Permeable pavement should be relatively clean (not a lot of dirt and grit on the surface), free of cracks and broken pavement, and should NOT hold water after a rainstorm for more than a few hours.

Instruction: Examine the entire permeable pavement surface. Consult **Table 2.9.2** below for possible problems.

Table 2.9.2 PP Surface

Problem (Check if Present)	Follow-Up Actions
 ☐ Dirt and grit accumulating on pavement surface	☐ For small areas (e.g., driveways, patios), try a leaf blower or sweep the area to remove the dirt/grit from the Permeable pavement and properly dispose of the material. ☐ If dirt/grit remain in the joint areas between paver blocks, agitate with a rough brush and vacuum the surface with a wet/dry vac. ☐ Remove and replace clogged blocks in segmented pavers. ☐ For larger areas (e.g., parking lots, courtyards), hire a vacuum sweeper to restore the surface to a cleaner condition. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Grit is widespread and cannot be removed by manual sweeping.
 ☐ Grass and weeds are growing on the permeable pavement surface (applies only to pavement types that are not intended to be covered in vegetation).	☐ If paver type is not intended to be covered in vegetation, remove the grass/weeds either mechanically (pulling, by hand or with a flame weeder) or with a herbicide approved for use in or near water (consult your local Extension Office for suggestions). ☐ Follow the actions listed above for removing dirt/grit from the pavement surface. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Grass/weeds cover more than 25% of surface area.
 ☐ Slumping, sinking, cracking, or breaking of the pavement surface *(Source: CSN, 2013)*	☐ For small areas (e.g., patios, small driveway), it may be possible to remove the damaged pavers, check and fill in the underlying gravel, and replace with new materials. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Problem affects more than a small, isolated area. Will typically require a qualified contractor to fix it. ☐ Problem recurs or occurs in multiple small locations.
 ☐ Water stands on Permeable pavement for days after a rainstorm; the Permeable pavement is clogged and doesn't let water through. *(Source: CSN, 2013)*	☐ Kick-Out to Level 2 Inspection: This is generally a serious problem, and it will be necessary to activate a Level 2 Inspection.

3.9. Permeable Pavement – Level 2 Inspections and Triggers for Level 3

The most likely triggers for a Level 3 Inspection for Permeable Pavement are:

- Ponding or
- Highly clogged pavement

Table 3.9.1 Level 2 Inspection: PERMEABLE PAVEMENT

Recommended Repairs and Required Skills	Triggers for Level 3 Inspection
Observed Condition: Bare Soil or Erosion in the Drainage Area	
	• Large rills or gullies are forming in the drainage area. • An attempt to regrade the drainage area has been unsuccessful • Fixing the problem would require major regrading (i.e., redirecting more than a 100-square-foot area. • It is not clear why the problem is occurring.
Observed Condition: Dirt or Grit Accumulating, or Grass Growing on Pavement Surface	
Condition 1: Grit beginning to form but is isolated to a small area or does not fill the joints between paver blocks Try to agitate and sweep by hand, or hire a contractor with a vacuum sweeper. Also investigate the drainage area for potential sediment sources. If no obvious sources are found, discuss winter sanding and salting operations with the property owner to identify whether this could be the source. Condition 2: Grit is forming and cannot be removed with agitation and hand sweeping Hire a vendor with a regenerative air vacuum sweeper, maximum power 2,500 rpm; avoid sweepers that use water.	• More than 2 inches of sand/dirt/grit are on some of the pavement surface. • More than 25% of the pavement surface is covered with sand/dirt/grit to the extent that joints between paver blocks are filled. • Regenerative air sweeper cannot remove grit.
Observed Condition: Structural Damage	
Condition 1: Portions of porous asphalt or permeable pavers are damaged, and the cause is known to be at the surface. If the damage is from a single event such as heavy equipment or heavy fallen objects, or the surface has been damaged by wear over time, hire a contractor experienced in permeable pavement installation to repair the damaged areas. Condition 2: Damage to other structures, such as drainage infrastructure If possible, repair or replace damaged items, or hire a contractor with permeable pavement experience if the damaged infrastructure is within the pavement surface.	• More than 25% of the surface needs to be repaired or replaced. • It appears that the underlying material has “caved in,” indicating an underlying water conveyance or soil stabilization issue. • Problem is repaired but recurs within less than five years.

Table 3.9.1 Level 2 Inspection: PERMEABLE PAVEMENT	
Recommended Repairs and Required Skills	**Triggers for Level 3 Inspection**
Observed Condition: Ponding on the Pavement Surface	
Condition 1: Underdrains (if present) may be clogged Check to see whether underdrains are clogged by inspecting cleanouts (if present) or catch basins and looking for debris. If underdrains appear clogged, it may be necessary to hire a router service to ream out the underdrains. Condition 2: At time of Level 2 inspection, water is not ponded, and there is no obvious clogging of the surface. Conduct a flood test to determine whether the ponding is an ongoing problem.	• Water stands on the pavement surface more than 72 hours after a storm, and the problem cannot be resolved by unclogging underdrains. • More than 25% of the pavement surface is covered with sand/dirt/grit to the extent that joints between paver blocks are filled.

Figure 3.9.1. Winter salting, sanding, plowing, and snow storage can cause problems for permeable pavement surfaces, which will trigger a Level 3 investigation.

Figure 3.9.2. A Level 3 investigation is warranted if more than 25% of the permeable pavement surface appears to be clogged, or joints are filled in, or, as shown in the photo, vegetation is growing.

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

Permeable Pavement Stormwater Management Practices Level 1 Inspection Checklist

SMP ID #	Applicable to SMP1 & SMP2	**SMP Owner**	CHPE, LLC	☒ Private ☐ Public
SMP Location (Address; Latitude & Longitude)	45 Outlet Road Ballston Lake, NY 12019			
	Latitude	42°57'23.09"N	**Longitude**	73°51'24.46"W

Party Responsible for Maintenance	**System Type**		**Type of Site**
☒ Same as SMP Owner ☐ Other _____	☐ Seasonal ☒ Continuous Use ☐ Other	☐ Above Ground ☒ Below Ground	☒ Commercial ☐ Industrial ☐ Residential ☐ State

Inspection Date		**Inspection Time**	
Inspector			
Date of Last Inspection			

PP Drainage Area

Look for areas that are uphill from the Permeable pavement.

Problem (Check if Present)		**Follow-Up Actions**
	☐ Bare soil, erosion of the ground (rills washing out the dirt)	☐ Seed and straw areas of bare soil to establish vegetation. ☐ Fill in erosion areas with soil, compact, and seed and straw to establish vegetation. ☐ If a rill or small channel is forming, try to redirect water flowing to this area by creating a small berm or adding topsoil to areas that are heavily compacted. ☐ Other:

PP Drainage Area

Look for areas that are uphill from the Permeable pavement.

Problem (Check if Present)		Follow-Up Actions
		☐ Kick-Out to Level 2 Inspection: Large areas of soil have been eroded, or larger channels are forming. May require rerouting of flow paths.
	☐ Piles of grass clippings, mulch, dirt, salt, or other materials	☐ Remove or cover piles of grass clippings, mulch, dirt, etc. ☐ Other:
	☐ Open containers of oil, grease, paint, or other substances	☐ Cover or properly dispose of materials; consult your local solid waste authority for guidance on materials that may be toxic or hazardous. ☐ Other:

PP Surface

Examine the entire permeable pavement surface.

Problem (Check if Present)	Follow-Up Actions
 ☐ Dirt and grit accumulating on pavement surface	☐ For small areas (e.g., driveways, patios), try a leaf blower or sweep the area to remove the dirt/grit from the Permeable pavement and properly dispose of the material. ☐ If dirt/grit remain in the joint areas between paver blocks, agitate with a rough brush and vacuum the surface with a wet/dry vac. ☐ Remove and replace clogged blocks in segmented pavers. ☐ For larger areas (e.g., parking lots, courtyards), hire a vacuum sweeper to restore the surface to a cleaner condition. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Grit is widespread and cannot be removed by manual sweeping.
 ☐ Grass and weeds are growing on the permeable pavement surface (applies only to pavement types that are not intended to be covered in vegetation).	☐ If paver type is not intended to be covered in vegetation, remove the grass/weeds either mechanically (pulling, by hand or with a flame weeder) or with a herbicide approved for use in or near water (consult your local Extension Office for suggestions). ☐ Follow the actions listed above for removing dirt/grit from the pavement surface. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Grass/weeds cover more than 25% of surface area.
 ☐ Slumping, sinking, cracking, or breaking of the pavement surface *(Source: CSN, 2013)*	☐ For small areas (e.g., patios, small driveway), it may be possible to remove the damaged pavers, check and fill in the underlying gravel, and replace with new materials. ☐ Other: ☐ Kick-Out to Level 2 Inspection: Problem affects more than a small, isolated area. Will typically require a qualified contractor to fix it. ☐ Problem recurs or occurs in multiple small locations.
 ☐ Water stands on Permeable pavement for days after a rainstorm; the Permeable pavement is clogged and doesn't let water through. *(Source: CSN, 2013)*	☐ Kick-Out to Level 2 Inspection: This is generally a serious problem, and it will be necessary to activate a Level 2 Inspection.

Additional Notes:

Inspector:_____ Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

"I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected."

Inspector/Operator: _____ Date: _____

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

Permeable Pavement Stormwater Management Practices Level 2 Inspection Checklist

SMP ID #	Applicable to SMP1 & SMP2	**SMP Owner**	CHPE, LLC	☑ Private ☐ Public
SMP Location (Address; Latitude & Longitude)	45 Outlet Road Ballston Lake, NY 12019			
	Latitude	42°57'23.09"N	**Longitude**	73°51'24.46"W

Party Responsible for Maintenance	**System Type**		**Type of Site**
☑ Same as SMP Owner ☐ Other _____	☐ Seasonal ☑ Continuous Use ☐ Other	☐ Above Ground ☑ Below Ground	☑ Commercial ☐ Industrial ☐ Residential ☐ State

Inspection Date		**Inspection Time**	
Inspector			
Date of Last Inspection			

Level 2 Inspection: PERMEABLE PAVEMENT

Recommended Repairs and Required Skills	Triggers for Level 3 Inspection
Observed Condition: Bare Soil or Erosion in the Drainage Area	
☐ Condition 1: Extensive problem spots, but no channels or rills forming Reseed problem areas. If problem persists or grass does not take, consider hiring a landscape contractor. ☐ Condition 2: Problem is extensive, and rills/channels are beginning to form May be necessary to divert or redirect water that is causing the erosion problem. If it appears that simple regrading—such as installing a berm or leveling a low spot–will fix the problem, make repairs and check to ensure that the problem is repaired after the next storm.	• Large rills or gullies are forming in the drainage area. • An attempt to regrade the drainage area has been unsuccessful • Fixing the problem would require major regrading (i.e., redirecting more than a 100-square-foot area. • It is not clear why the problem is occurring. ☐ Level 3 inspection necessary
Observed Condition: Dirt or Grit Accumulating, or Grass Growing on Pavement Surface	
☐ Condition 1: Grit beginning to form but is isolated to a small area or does not fill the joints between paver blocks Try to agitate and sweep by hand, or hire a contractor with a vacuum sweeper. Also investigate the drainage area for potential sediment sources. If no obvious sources are found, discuss winter sanding and salting operations with the property owner to identify whether this could be the source. ☐ Condition 2: Grit is forming and cannot be removed with agitation and hand sweeping Hire a vendor with a regenerative air vacuum sweeper, maximum power 2,500 rpm; avoid sweepers that use water.	• More than 2 inches of sand/dirt/grit are on some of the pavement surface. • More than 25% of the pavement surface is covered with sand/dirt/grit to the extent that joints between paver blocks are filled. • Regenerative air sweeper cannot remove grit. ☐ Level 3 inspection necessary

Level 2 Inspection: PERMEABLE PAVEMENT

Recommended Repairs and Required Skills	Triggers for Level 3 Inspection
Observed Condition: Structural Damage	
☐ Condition 1: Portions of porous asphalt or permeable pavers are damaged, and the cause is known to be at the surface. If the damage is from a single event such as heavy equipment or heavy fallen objects, or the surface has been damaged by wear over time, hire a contractor experienced in permeable pavement installation to repair the damaged areas. ☐ Condition 2: Damage to other structures, such as drainage infrastructure If possible, repair or replace damaged items, or hire a contractor with permeable pavement experience if the damaged infrastructure is within the pavement surface.	• More than 25% of the surface needs to be repaired or replaced. • It appears that the underlying material has "caved in," indicating an underlying water conveyance or soil stabilization issue. • Problem is repaired but recurs within less than five years. ☐ Level 3 inspection necessary
Observed Condition: Ponding on the Pavement Surface	
☐ Condition 1: Underdrains (if present) may be clogged Check to see whether underdrains are clogged by inspecting cleanouts (if present) or catch basins and looking for debris. If underdrains appear clogged, it may be necessary to hire a router service to ream out the underdrains. ☐ Condition 2: At time of Level 2 inspection, water is not ponded, and there is no obvious clogging of the surface. Conduct a flood test to determine whether the ponding is an ongoing problem.	• Water stands on the pavement surface more than 72 hours after a storm, and the problem cannot be resolved by unclogging underdrains. • More than 25% of the pavement surface is covered with sand/dirt/grit to the extent that joints between paver blocks are filled. ☐ Level 3 inspection necessary

Notes:

Inspector:_____ Date: _____

Complete the following if follow-up/corrective actions were identified during this inspection:

Certified Completion of Follow-Up Actions:

"I hereby certify that the follow-up/corrective actions identified in the inspection performed on _____ (DATE) have been completed and any required maintenance deficiencies have been adequately corrected."

Inspector/Operator: _____ Date: _____

Permeable Pavement SMP Inspection Schedule

INSPECTION TYPE	FREQUENCY	NOTES
Level 1: PP1 & PP2	3 Times Annually	April 1 (Early Spring Reqm't), August 1, November 1
Level 1: PP1 & PP2	As Needed	After rainfall events greater than 1.5"
Level 2	As Needed	Contingent upon Level 1 inspection triggers
Level 3	As Needed	Contingent upon Level 1 inspection triggers

GRANT OF EXCLUSIVE PERMANENT EASEMENT

As of the 9TH day of January, 2024 (the "**Effective Date**"), and in consideration of the sum of One Dollar ($1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Walter C. Katz III and Margaret T. Katz, having an address of 20 White Beach Road, Ballston, New York 12019 (collectively, "**Grantor**"), being the owners of or having an interest in that certain parcel of real property located at Outlet Road in the Town of Ballston, County of Saratoga, State of New York, Tax Map No. 239.00-1-80.3 and being a portion of the same property as described in a deed recorded in the Saratoga County Clerk's Office in Liber 1578 of Deeds at Page 240, the legal description of which is attached hereto and made a part hereof as **Exhibit A** (the "**Property**"), DO HEREBY GRANT AND CONVEY to CHPE LLC, a limited liability company organized and existing pursuant to the laws of the State of New York and having an address of 623 Fifth Avenue, 20th Floor, New York, NY 10022 ("**Grantee**"), and its successors and assigns, a permanent, exclusive easement (the "**Exclusive Easement**") through, under, and on a portion of the Property for the purposes set forth below.

The portion of the Property encumbered by the Exclusive Easement is depicted on **Exhibit B** (the "**Exclusive Easement Area**"), attached hereto and made a part hereof.

Grantee shall have the right, directly or indirectly by way of agents, employees, contractors and subcontractors, to lay, construct, reconstruct, deconstruct, maintain, operate, repair, replace, relocate, add to, increase, enlarge, protect, remove, restore, modify, and substitute, within the portion of the Exclusive Easement Area as Grantee deems reasonably necessary, a Cable Monitoring and Telecommunications Hut (the "**CMT Hut**") for purposes of access to and the regulation, control, transportation, and distribution of energy through those certain power transmission cables and other related infrastructure located or to be located within that certain permanent easement area pursuant to that certain Declaration and Deed of Easement executed by and between the parties, located adjacent to the Exclusive Easement Area, all in furtherance of the Champlain Hudson Power Express project (the "**Project**").

Grantee shall also have the right now and from time to time to maintain, trim, cut, and remove, by such means as Grantee may select, any trees and brush or similar obstructions that are located within the Exclusive Easement Area that, in Grantee's sole judgment, would interfere with Grantee's use of the Exclusive Easement Area, including the location, relocation, construction, operation, safety, security, repair, replacement, expansion, upgrading or maintenance of the CMT Hut or Access Road. Grantee shall also have the right to temporarily use such other areas of the Property located near the Exclusive Easement Area for workspace as may be reasonably necessary from time to time.

Grantee shall be entitled to use the Exclusive Easement Area in perpetuity exclusively for itself and its successors and assigns, and to hold in perpetuity all immunities, privileges and appurtenances related in any manner to the rights granted hereunder, including, but not limited to, the right to fence all or a portion of the Exclusive Easement Area so as to exclude other persons and animals therefrom.

After any exercise of the rights and privileges granted hereunder, Grantee shall, to the extent reasonably practical, restore and leave the Property in as good a condition as found, and Grantee shall make reasonable compensation to Grantor for any damage to the Property (except for trimming, cutting, treating, and removing trees and brush or other similar obstructions and except for the permanent CMT Hut and Access Road, all as permitted hereunder) caused by the exercise of the rights and privileges granted by this instrument that cannot be reasonably restored.

The rights granted by this instrument may be exercised by Grantee, its employees, agents, contractors, subcontractors, successors, and assigns.

Grantor acknowledges and agrees that it is relinquishing its rights, and the rights of others, to occupy, build, traverse, develop, and utilize the Exclusive Easement Area.

Grantor shall not transfer, pledge, convey, or create a security interest or lien upon the Property or the Exclusive Easement Area that in any way or manner is superior to or jeopardizes Grantee's rights, title, or interest under this instrument.

Grantor shall cooperate with Grantee in executing any further commercially reasonable documents that will reasonably facilitate Grantee's ability to exercise its rights hereunder, including all licenses and permits required for Grantee's use of the Exclusive Easement Area.

If any term or provision of this instrument is found to be invalid, illegal, or unenforceable by a court of competent jurisdiction, such invalidity, illegality, or unenforceability shall not affect or render ineffective or unenforceable any other term or provision of this instrument.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the Grantor has executed this instrument as of the Effective Date.

GRANTOR:

Walter C. Katz III

Walter C. Katz III

Margaret T. Katz

Margaret T. Katz

State of New York)
County of Saratoga) ss.:

On the 9th day of January in the year 2025 before me, the undersigned, a Notary Public in and for said State, personally appeared **Walter C. Katz III**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies) and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Jodi T Hollowood

Notary Public
JODI T. HOLLOWOOD
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. #01HO6341808
Qualified in Saratoga County
Commission Expires May 9, 2028

State of New York)
County of Saratoga) ss.:

On the 9th day of January in the year 2025 before me, the undersigned, a Notary Public in and for said State, personally appeared **Margaret T. Katz**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies) and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Jodi T Hollowood

Notary Public
JODI T. HOLLOWOOD
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. #01HO6341808
Qualified in Saratoga County
Commission Expires May 9, 2028

EXHIBIT A

All that tract or parcel of land, situate, lying and being in the Town of Ballston, County of Saratoga and State of New York, being more particularly described in Warranty Deed dated March 28, 2001 and recorded on April 24, 2001 in the Saratoga County Clerk's Office in Liber 1578 at Page 240; and

less and except all that tract or parcel of land, situate, lying and being in the Town of Ballston, County of Saratoga and State of New York, being more particularly described in Warranty Deed dated October 31, 2001 and recorded April 24, 2002 in the Saratoga County Clerk's Office in Liber 1610 of Deeds at Page 453; and

less and except all that tract or parcel of land, situate, lying and being in the Town of Ballston, County of Saratoga and State of New York, being more particularly described in Warranty Deed dated July 29, 2002 and recorded in the Saratoga County Clerk's Office on August 15, 2002 in Liber 1621 of Deeds at Page 227; and

less and except all that tract or parcel of land, situate, lying and being in the Town of Ballston, County of Saratoga and State of New York, being more particularly described in Warranty Deed dated February 13, 2003 and recorded in the Saratoga County Clerk's Office on February 18, 2003 in Liber 1637 of Deeds at Page 540; and

less and except all that tract or parcel of land, situate, lying and being in the Town of Ballston, County of Saratoga and State of New York, being more particularly described in Warranty Deed dated November 27, 2002 and recorded in the Saratoga County Clerk's Office on March 27, 2003 in Liber 1641 of Deeds at Page 279; and

less and except all that tract or parcel of land, situate, lying and being in the Town of Ballston, County of Saratoga and State of New York, being more particularly described in the Corrective Warranty Deed dated August 5, 2003 and recorded in the Saratoga County Clerk's Office on October 21, 2003 in Liber 1660 of Deeds at Page 723; and

less and except all that tract or parcel of land, situate, lying and being in the Town of Ballston, County of Saratoga and State of New York, being more particularly described in the Corrective Warranty Deed dated August 5, 2003 and recorded in the Saratoga County Clerk's Office on December 23, 2003 in Liber 1667 of Deeds at Page 689; and

less and except all that tract or parcel of land, situate, lying and being in the Town of Ballston, County of Saratoga and State of New York, being more particularly described in the Warranty Deed dated December 23, 2003 and recorded in the Saratoga County Clerk's Office on December 29, 2003 in Liber 1668 of Deeds at Page 116; and

less and except all that tract or parcel of land, situate, lying and being in the Town of Ballston, County of Saratoga and State of New York, being more particularly described in Warranty Deed dated February 26, 2004 and recorded in the Saratoga County Clerk's Office on March 2, 2004 in Liber 1675 of Deeds at Page 16; and

less and except all that tract or parcel of land, situate, lying and being in the Town of Ballston, County of Saratoga and State of New York, being more particularly described in Warranty Deed dated April 12, 2004 and recorded in the Saratoga County Clerk's Office on April 13, 2004 in Liber 1679 of Deeds at Page 11; and

less and except all that tract or parcel of land, situate, lying and being in the Town of Ballston, County of Saratoga and State of New York, being more particularly described in Warranty Deed dated January 14, 2004 and recorded in the Saratoga County Clerk's Office on May 4, 2004 in Liber 1681 of Deeds at Page 278; and

less and except that tract or parcel of land, situate, lying and being in the Town of Ballston, County of Saratoga and State of New York, being more particularly described in Warranty Deed dated July 18, 2008 and recorded in the Saratoga County Clerk's Office on July 23, 2008 as Instrument No. 2008025694; and

less and except all that tract or parcel of land, situate, lying and being in the Town of Ballston, County of Saratoga and State of New York, being more particularly described Warranty Deed dated December 7, 2009 and recorded in the Saratoga County Clerk's Office on December 8, 2009 as Instrument No. 2009043456; and

less and except all that tract or parcel of land, situate, lying and being in the Town of Ballston, County of Saratoga and State of New York, being more particularly described in Warranty Deed dated February 22, 2010 and recorded in the Saratoga County Clerk's Office on February 24, 2010 as Instrument No. 2010006379; and

less and except all that tract or parcel of land, situate, lying and being in the Town of Ballston, County of Saratoga and State of New York, being more particularly described in Corrective Warranty Deed dated February 26, 2010 and recorded in the Saratoga County Clerk's Office on March 10, 2010 as Instrument No. 2010007870; and

less and except all that tract or parcel of land, situate, lying and being in the Town of Ballston, County of Saratoga and State of New York, being more particularly described in Warranty Deed dated August 11, 2011 and recorded in the Saratoga County Clerk's Office on September 9, 2011 as Instrument No. 2011029939; and

less and except all that tract or parcel of land, situate, lying and being in the Town of Ballston, County of Saratoga and State of New York, being more particularly described in Corrective Warranty Deed dated December 8, 2011 and recorded in the Saratoga County Clerk's Office on December 16, 2011 as Instrument No. 2011043001; and

less and except all that tract or parcel of land, situate, lying and being in the Town of Ballston, County of Saratoga and State of New York, being more particularly described in Corrective Quit Claim Deed dated October 22, 2013 and recorded in the Saratoga County Clerk's Office on November 27, 2013 as Instrument No. 2013047443.

EXHIBIT B

[Sketch of the Exclusive Easement Area]

XREFS: NONE

PROJECT NUMBER: 10.1457

CAD DWG. FILE NAME: TM-239.00-1-80.3-.dwg

MAP NOTES:

1. Boundary information shown hereon was compiled from an actual field survey conducted on June 10, 2024.
2. North orientation and bearings are referenced to Grid North and are based on the New York State Plane Coordinate System, East Zone, NAD 83/2011 epoch 2010.00 as obtained from GPS observation using the Saratoga CORS.

DEED REFERENCE:

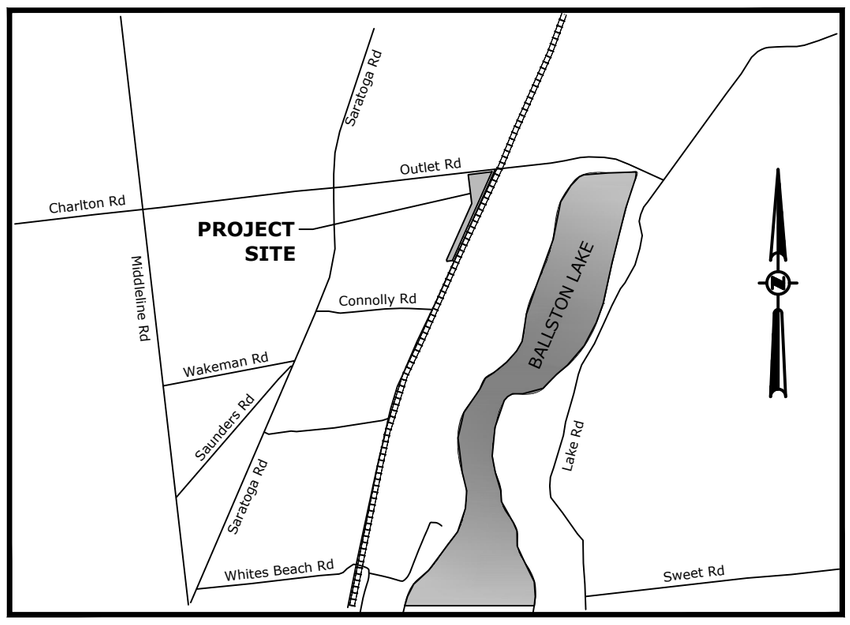
1. Deed dated March 28, 2001 made between the heirs at law, next of kin and distributees of John Pennock to Walter C. Katz, III and Margaret T. Katz recorded in the Saratoga County Clerk's Office on April 24, 2001 in Book 1587 of Deeds at Page 240.

MAP REFERENCES:

1. "Ballston Shores Phase II Prepared for Walter Katz, III" prepared by Northeast Land Survey & Land Development Consultants, P.C. dated February 13, 2002 revised May 13, 2003 filed in the Saratoga County Clerk's Office on November 5, 2003 as map number B-485.
2. "Subdivision Lands of Katz, Outlet Road, Town of Ballston, Saratoga County, New York" prepared by Gilbert VanGuilder Land Surveyor, PLLC dated March 7, 2023 revised May 16, 2023 filed in Saratoga County Clerk's Office on October 2, 2023 as map number M2023193.

LEGEND:

- Parcel Boundary
- Subject Parcel Boundary
- Proposed Permanent Easement
- Proposed Easement on Subject Parcel
- Proposed Temporary Easement
- CHPE Alignment
- CIRF — Capped Iron Rod Found
- Sign
- UP — Utility Pole



SITE LOCATION MAP
NO SCALE

Lands Now or Formerly of
LEO NUGENT AND CAROLINA NUGENT
Instrument No. 2023010126
Tax Map ID No. 229.00-1-10.321

OUTLET ROAD

N83°02'26"E
111.44'

N07°36'14"W
92.36'

N65°47'54"W
51.34'

N24°01'56"E
175.94'

N24°10'41"E
344.16'

N36°57'45"E
45.03'

N25°19'28"E
63.01'

S62°49'01"E
12.11'

N25°32'06"E
18.93'

N64°50'15"W
12.41'

N25°09'08"E
10.91'

N12°42'01"E
45.57'

240.51'

500.00' TO CIRF'

26.57'

24.00'

432.32'

CRUSHED STONE

BOUNDARY LINE

BLACKTOP BIKE PATH

RAILROAD BOUNDARY

RAILROAD BOUNDARY

OHW

GATE POST

GATE POST

GATE POST

GATE POST

UP LI8 NG63

UP NYT 12

NM14 13

UP LI8 NG64

UP LI8 NG65

UP LI8 NG66

S11°52'44"W
77.17'

S17°59'24"W
C=44.29'
L=44.37'
R=208.00'

S02°09'03"W
5.09'

S24°06'03"W
526.82'

PROPOSED PERMANENT EASEMENT
AREA=25,058± SQ.FT.
OR 0.58± ACRE

PROPOSED TEMPORARY EASEMENT
AREA=42,340± SQ.FT.
OR 0.97± ACRE

PROPOSED TEMPORARY EASEMENT
AREA=1,149± SQ.FT.
OR 0.03± ACRE

Lands Now or Formerly of
WALTER C. KATZ, III AND MARGARET T. KATZ
Book 1578 Page 240
(Lot 3 Filed Map M2023193)
Tax Map ID No. 239.00-1-80.3

Lands Now or Formerly of
WALTER C. KATZ, III AND MARGARET T. KATZ
Book 1578 Page 240
(Lot 2 Filed Map M2023193)
Tax Map ID No. 239.00-1-80.2

Lands Now or Formerly of
DELAWARE AND HUDSON RAILROAD
Tax Map ID No. 239.00-1-16

Lands Now or Formerly of
NIAGARA MOHAWK POWER CORPORATION
Formerly
NEW YORK POWER AND LIGHT CORPORATION
Book 421 Page 230
Tax Map ID No. 239.00-1-15

MATCH LINE SEE SHEET 2

BAR SCALE
50 0 25 50 100
1 inch = 50 ft.

RAYMOND T. LIUZZO
P.L.S. NO. 50366

DRAFT

DATE		REVISIONS RECORD/DESCRIPTION	DRAFTER	CHECK	APPR.
	1				
	2				
	3				
	4				
	5				
	6				
	7				
	8				
	9				

ONLY COPIES OF THIS MAP SIGNED IN RED INK AND EMBOSSED WITH THE SEAL OF AN OFFICER OF C.T. MALE ASSOCIATES OR A DESIGNATED REPRESENTATIVE SHALL BE CONSIDERED TO BE A VALID TRUE COPY.

APPROVED: RTL
DRAFTED : DBT
CHECKED : DGD
PROJ. NO : 10.1457
SCALE : 1" = 50'
DATE : JUNE 10, 2024

CHAMPLAIN HUDSON POWER EXPRESS EASEMENTS
PORTION OF LANDS NOW OR FORMERLY OF
WALTER C. KATZ, III AND MARGARET T. KATZ
TAX MAP ID. NO. 239.00-1-80.3

TOWN OF BALLSTON — SARATOGA COUNTY, NEW YORK

C.T. MALE ASSOCIATES
Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C.
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JOHNSTOWN, NY • RED HOOK, NY • SYRACUSE, NY
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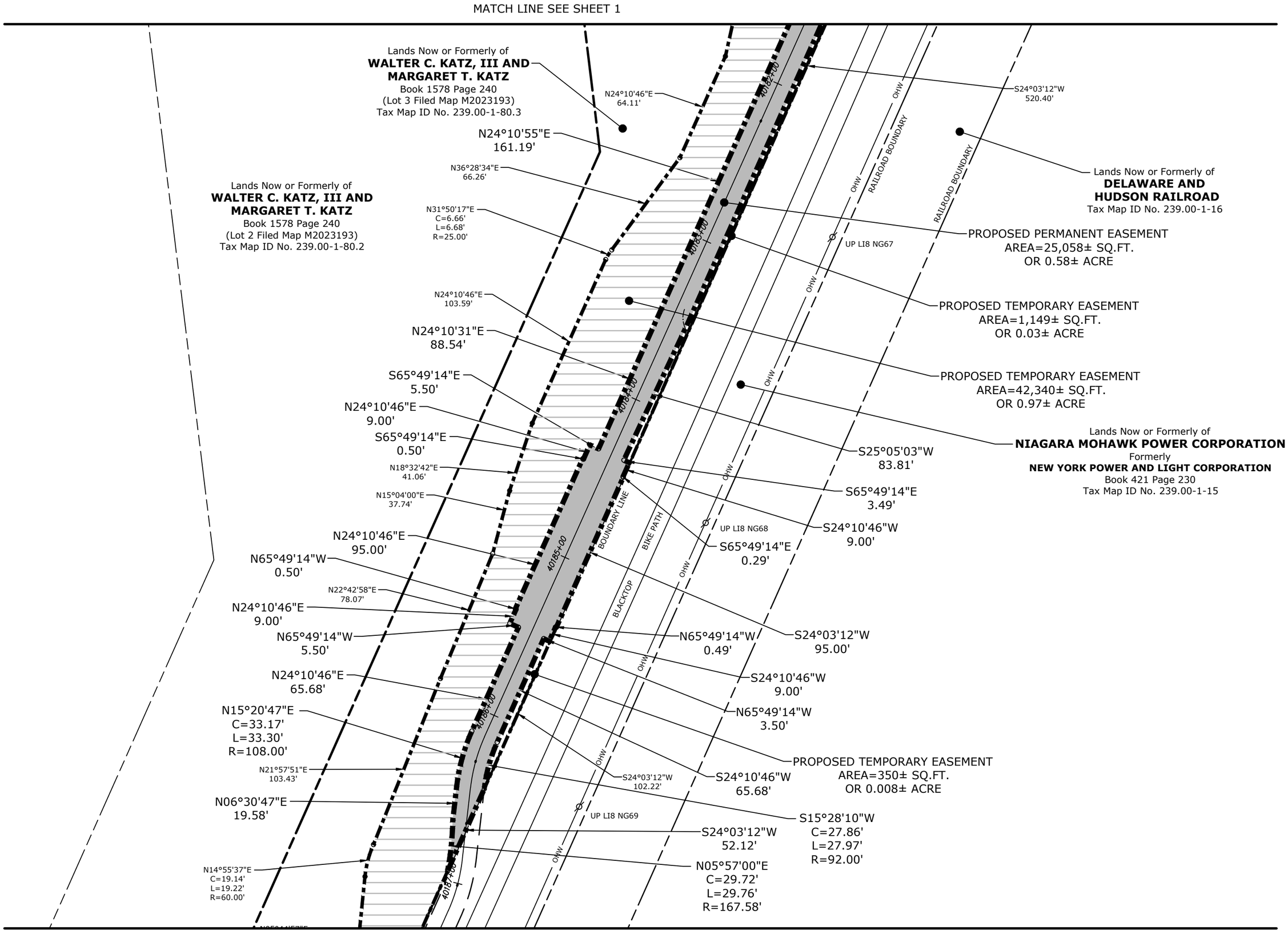
SHEET 1 OF 3
DWG. NO: 24-367

CAD DWG. FILE NAME: K:\Projects\10457\Survey\Condemn Surveys\Package 4\Saratoga County\TM-239.00-1-80.3-.dwg

XREFS: NONE

PROJECT NUMBER: 10.1457

CAD DWG. FILE NAME: TM-239.00-1-80.3-.dwg



RAYMOND T. LIUZZO
P.L.S. NO. 50366

BAR SCALE
50 0 25 50 100
1 inch = 50 ft.

DRAFT

DATE		REVISIONS RECORD/DESCRIPTION	DRAFTER	CHECK	APPR.
	1				
	2				
	3				
	4				
	5				
	6				
	7				
	8				
	9				

APPROVED: RTL
DRAFTED : DBT
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PROJ. NO : 10.1457
SCALE : 1" = 50'
DATE : JUNE 10, 2024

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PORTION OF LANDS NOW OR FORMERLY OF

WALTER C. KATZ, III AND MARGARET T. KATZ

TAX MAP ID. NO. 239.00-1-80.3

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SHEET 2 OF 3

DWG. NO: 24-367

CAD DWG. FILE NAME: K:\Projects\101457\Survey\Condemn Surveys\Package 4\Saratoga County\TM-239.00-1-80.3-.dwg

XREFS: NONE

PROJECT NUMBER: 10.1457

CAD DWG. FILE NAME: TM-239.00-1-80.3-.dwg

MATCH LINE SEE SHEET 2

N05°44'57"E
62.21'

N14°53'44"E
2.86'

N24°02'30"E
198.72'

N35°21'47"E
2.77'

N44°04'28"E
40.01'

N34°03'29"E
C=21.57'
L=21.68'
R=62.00'

N24°02'30"E
95.51'

N14°01'31"E
3.83'

N04°00'33"E
43.54'

N14°01'31"E
C=13.91'
L=13.99'
R=40.00'

N24°02'30"E
46.46'

S83°03'40"W
25.92'

S24°03'12"W
531.34'

40188+00

40189+00

40190+00

40191+00

40192+00

40193+00

BOUNDARY LINE

BLACKTOP BIKE PATH

RAILROAD BOUNDARY

RAILROAD BOUNDARY

OHW

UP LI8 NG70

UP LI8 NG71

UP LI8 NG72

UP LI8 NG73

Lands Now or Formerly of
WALTER C. KATZ, III AND MARGARET T. KATZ
Book 1578 Page 240
(Lot 2 Filed Map M2023193)
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Lands Now or Formerly of
WALTER C. KATZ, III AND MARGARET T. KATZ
Book 1578 Page 240
(Lot 3 Filed Map M2023193)
Tax Map ID No. 239.00-1-80.3

Lands Now or Formerly of
DELAWARE AND HUDSON RAILROAD
Tax Map ID No. 239.00-1-16

PROPOSED TEMPORARY EASEMENT
AREA=42,340± SQ.FT.
OR 0.97± ACRE

Lands Now or Formerly of
NIAGARA MOHAWK POWER CORPORATION
Formerly
NEW YORK POWER AND LIGHT CORPORATION
Book 421 Page 230
Tax Map ID No. 239.00-1-15

Lands Now or Formerly of
PAUL J. MAZZOTTE AND TARA T. MAZZOTTE
Book 1692 Page 728
(Lot 4 Filed Map B-485)
Tax Map ID No. 239.00-1-79

Lands Now or Formerly of
STEPHEN R. LLOYD AND JANINE L. LLOYD
Book 1305 Page 500
Tax Map ID No. 239.00-1-38

RAYMOND T. LIUZZO
P.L.S. NO. 50366

BAR SCALE
50 0 25 50 100
1 inch = 50 ft.

DRAFT

DATE		REVISIONS RECORD/DESCRIPTION	DRAFTER	CHECK	APPR.
	1				
	2				
	3				
	4				
	5				
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SHEET 3 OF 3
DWG. NO: 24-367