

TOWN OF HOMER
TOWN HALL, 31 N. MAIN ST. HOMER, NY 13077

APPLICATION FOR VARIANCE

Applicant(s) Name(s) STUART YOUNG Phone # 607-423-2580

Address 2336 STATE RTE 13, CORTLAND, NY 13045

Property Owner(s) Name(s), Address & Phone # (if different from applicant): _____

SPRUCE EDEW REALTY LLC (SAME)

Deed reference, date property acquired/expected acquisition 2012

Property Location O'SHEA ROAD, HOMER, NY
(street/road & nearest intersecting street/road)

Tax Map # 67.00-10-01.003 Zoning District AGRICULTURE

Is property located in Aquifer Protection District NO, in a Flood Plain NO ?

Applicant(s) request(s) a (Use) (Area) Variance from application of Zoning Law Rules &

Regulations contained in Town of Homer Code, ARTICLE XIV, Section 409-1416 404.

Reasons for Request: BUILDING A MANURE STORAGE LESS THAN
6400 FEET FROM A LOT LINE. BOTH PROPERTIES OWNED
BY RELATED ENTITIES TO APPLICANT.

6-22 2026
Date of Application

Stuart Young
Signature(s) of Applicant(s)

ACTION TAKEN:

Variance Granted _____

Variance Denied _____

Date of Action _____ 20____

Zoning Board Chairman

Town of Homer
31 N Main Street
Homer, New York 13077
clerk@townofhomer.org

Site Plan Review Application

The following information is the **minimum** required for site plan review. Additional information may be required. The Town Clerk has a copy of the Town Zoning Law for your review. If you have questions, please contact the Code Enforcement Officer.

PURPOSE OF APPLICATION (please circle)

Erect a structure

Add to a structure

Change of use

Other: MANURE STORAGE

APPLICANT

Name: STUART YOUNG Phone: 607-423-2580
Address: 2336 RTE 13 CORTLAND, NY 13045

PROPERTY OWNER

Name: SPRUCE EDEN REALTY LLC Phone: 607-423-2580
Address: 2336 RTE 13, CORTLAND, NY 13045

PARCEL IN CONSIDERATION

Address: O'SHEA RD, HOMER, NY
Tax Map No: 67100-10-01,000 Zoning District: AGRICULTURE

PROPERTY IS IN A FLOOD PLAIN: (see Code Officer) yes no

PROFESSIONAL REVIEW: All invoices for professional services required by the Town of Homer for services rendered by a surveyor, professional engineer or attorney licensed in the State of New York will be paid by the applicant.

ATTACHMENTS REQUIRED: Environmental assessment form (may obtain from Town Clerk or NYSDEC web site)

SIGNATURE OF APPLICANT:

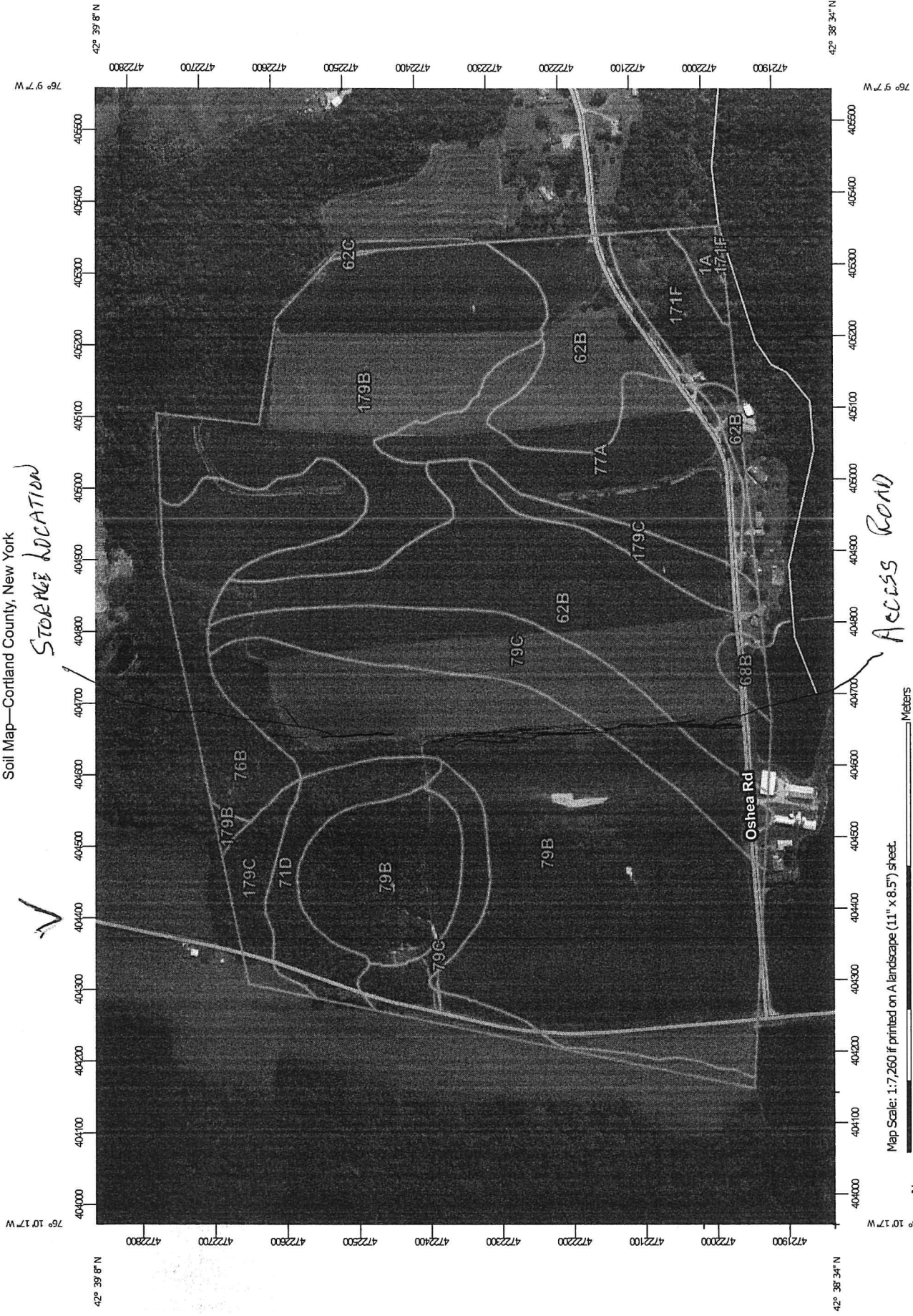
DATE:

Stuart Young
6/27/26

McDONALD RD

Soil Map—Cortland County, New York

✓ STORAGE LOCATION



Map Scale: 1:7,260 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84

USDA
Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

Local Law Filing

(Use this form to file a local law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

FILED
STATE RECORDS

Town of Homer

AUG 05 2015

Local Law No. 1 of the year 2015.

DEPARTMENT OF STATE

A local law requiring site plan approval prior to the construction of certain manure storage facilities.

Be it enacted by the Town Board of the

Town of Homer as follows:

Article XIV, Supplemental Regulations, of the Town of Homer Zoning Law is amended to add a new section entitled:

Section 1416 Manure Storage

- A. Any person, corporation or other entity which constructs, creates, or expands a liquid manure storage area to exceed 100,000 cubic feet of manure must obtain site plan approval from the Planning Board prior to the start of construction.
- B. The application for site plan approval shall include the following:
 1. A sketch of the parcel on a location map showing boundaries and dimensions of the parcel of land involved and identifying contiguous properties, locations of neighboring private wells, and easements, right-of-ways and/or roadways.
 2. A description of the farm operation and a narrative of the intended use and timing of use of the proposed structure. The narrative must include anticipated changes in the existing topography and natural features of the parcel to accommodate the changes. The narrative must also include the names and addresses of the owner, operator (if different than the owner), engineer or engineering firm, other professionals involved (such as surveyors) and agency stakeholders such as NRCS or SWCD.

3. A sketch plan. If determined to be necessary by the Planning Board, one paper copy and an electronic copy of stamped engineering drawings may be required, to include dimensions and elevations.
 4. Plans which show the existing features of the site including land and water areas and the approximate location of all existing structures on or immediately adjacent to the site as well as the circulation of traffic including the means of ingress and egress. The plans shall demonstrate that the setback requirements of Section 404 of this zoning law are met.
 5. The application form and application fee in an amount determined by town board resolution.
- C. The Planning Board may require any application for site plan approval to include copies of plans and correspondence which have been submitted to any other agency or agencies.
 - D. The Planning Board shall hold a public hearing on any application for site plan approval which is submitted pursuant to this section.
 - E. The Planning Board may require a monitoring well or wells for any manure storage which is located in Aquifer Protection District Areas I, II, or III.
 - F. The Planning Board may require a monitoring well or wells for any manure storage which is located within 1000 feet of a residence or water supply well.
 - G. The Planning Board may require screening and fencing in a manner that is consistent with USDA standards which are incorporated in an approved conservation plan.
 - H. This section shall not apply to storage of manure inside a barn.
 - I. This Local Law shall take effect immediately upon the filing with the New York State Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 20 15 of the (County)(City)(Town)(Village) of Homer was duly passed by the Town Board on July 8 20 15, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on _____ 20 ☐ ☐ , in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20 _____ (Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20 _____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20 _____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20 _____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

5. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

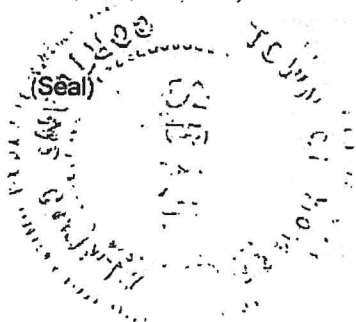
(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date:

July 29, 2015



East River Dairy LLC

4979 East River Crossing

Cortland, NY 13045

Town of Homer Planning Board:

East River Dairy LLC wishes to build a manure storage facility on land owned by Spruce Eden Realty LLC, solely owned by Stuart Young, with access driveway on land owned by East River Acres LLC, owned by Mason Angell, Dennis Underwood, Jr. and Zachary Young along O'Shea Road in the Town of Homer. East River Dairy LLC is an active dairy farm with about 1800 mature cows and 1400 heifers and calves. It produces feed for these animals on about 4000 acres of owned and rented land. About 600 of those acres will be accessed by the proposed manure storage and will allow for direct injection of nutrients into the soils, which increases crop yields and lowers environmental risks and lost nutrients. At present, manure is trucked to the fields from other storages in the spring, creating a rush to accomplish the task properly. The storage will have a rubber liner and leak detection system. It is designed by A. Wess Engineering, PLLC, 3206 South Hill Rd., McGraw, NY. It will be cost shared with NRCS and Cortland Co. SWCD.

A handwritten signature in cursive script that reads "Stuart Young". The signature is written in dark ink and is positioned above a faint, illegible stamp.

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

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

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

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

A. Project and Applicant/Sponsor Information.

Name of Action or Project: EAST RIVER DAIRY LLC MANURE STORAGE		
Project Location (describe, and attach a general location map): REAR OF FIELD FRONTING ON O'SHEA ROAD		
Brief Description of Proposed Action (include purpose or need): 6 MILLION GAL. MANURE STORAGE LAGOON, DESIGNED BY WEISS ENGINEERING AND FUNDED IN PART BY GRANTS FROM FEDERAL STATE GOVERNMENT AGENCIES TO ALLOW FOR MORE STORAGE CAPACITY AND DIRECT INJECTION OF NUTRIENTS INTO ABOUT 600 ACRES OF CROPLAND IN RISK OF IT. THIS MAKES FOR MORE COMPLETE USE OF NUTRIENTS, WITH LESS LOSS, HIGHER YIELDS AND LESS ENVIRONMENTAL RISK.		
Name of Applicant/Sponsor: EAST RIVER DAIRY LLC		Telephone: 607-423-2580
		E-Mail: eastriverdairy@outlook.com
Address: 4979 EAST RIVER CROSSING		
City/PO: CORTLAND	State: NY	Zip Code: 13045
Project Contact (if not same as sponsor; give name and title/role): STUART YOUNG		Telephone: SAME
		E-Mail: SAME
Address: 2336 STATE Rte 13		
City/PO: CORTLAND	State: NY	Zip Code: 13045
Property Owner (if not same as sponsor): SPRUE EDWIN REALTY LLC		Telephone: 607-423-2580
		E-Mail: seyoung4979@outlook.com
Address: 2336 STATE Rte 13		
City/PO: CORTLAND	State: NY	Zip Code: 13045

B. Government Approvals

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

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, ☐ Yes ☒ No or Village Board of Trustees		
b. City, Town or Village ☒ Yes ☐ No Planning Board or Commission	HOMER TOWN PLANNING BOARD	6/23/26
c. City, Town or ☒ Yes ☐ No Village Zoning Board of Appeals	HOMER ZONING BOARD OF APPEALS	6/23/26
d. Other local agencies ☐ Yes ☒ No		
e. County agencies ☐ Yes ☒ No		
f. Regional agencies ☐ Yes ☒ No		
g. State agencies ☐ Yes ☒ No		
h. Federal agencies ☐ Yes ☒ No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		☐ Yes ☒ No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		☐ Yes ☒ No
iii. Is the project site within a Coastal Erosion Hazard Area?		☐ Yes ☒ No

C. Planning and Zoning

C.1. Planning and zoning actions.

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

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

C.2. Adopted land use plans.

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

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

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

If Yes, identify the plan(s):

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

If Yes, identify the plan(s):

C.3. Zoning

- a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

AGRICULTURE

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

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

i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

- a. In what school district is the project site located? HOMER

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

CORTLAND CO. SHERIFF, NYS POLICE

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

HOMER FIRE DEPT.

- d. What parks serve the project site?

NONE

D. Project Details

D.1. Proposed and Potential Development

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

AGRICULTURAL - MANURE STORAGE

- b. a. Total acreage of the site of the proposed action? 125.8 acres

- b. Total acreage to be physically disturbed? ~105 acres

- c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 600 acres

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

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

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

If Yes,

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

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

- iii. Number of lots proposed? _____

- iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

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

- i. If No, anticipated period of construction: _____ months

- ii. If Yes:

- Total number of phases anticipated _____

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

- Anticipated completion date of final phase _____ month _____ year

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

f. Does the project include new residential uses? ☐ Yes ☒ No				
If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☒ No	
If Yes,	
i. Total number of structures _____	
ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length	
iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☒ Yes ☐ No	
If Yes,	
i. Purpose of the impoundment: <u>DAIRY MANURE STORAGE</u>	
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☒ Other specify: <u>RAIN + SEWAGE</u>	
iii. If other than water, identify the type of impounded/contained liquids and their source. <u>DAIRY MANURE</u>	
iv. Approximate size of the proposed impoundment. Volume: <u>6</u> million gallons; surface area: <u>8.3</u> acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length <u>SEE DESIGN</u>	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): <u>DUG IN EARTH, LINED WITH RUBBER LINER, CONCRETE APRONS + RAMPS</u>	

D.2. Project Operations

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

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☒ No	
If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____	

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

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

☐ Yes ☐ No

If Yes, describe:

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

☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

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

☐ Yes ☒ No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

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

☐ Yes ☐ No

If Yes:

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

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

☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

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

☐ Yes ☐ No

If Yes:

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

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

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

d. Will the proposed action generate liquid wastes? *NO GENERATION, ONLY STORAGE*

☐ Yes ☒ No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

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

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

☐ Yes ☐ No

If Yes:

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

- Do existing sewer lines serve the project site? ☐ Yes ☒ No
 - Will a line extension within an existing district be necessary to serve the project? ☐ Yes ☒ No
- If Yes:
- Describe extensions or capacity expansions proposed to serve this project: _____

- iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐ Yes ☒ No
- If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

- v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):
- _____

- vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____
- _____

- e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☒ Yes ☒ No

If Yes:

- i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or 83 acres (impervious surface)

_____ Square feet or 124 acres (parcel size)

- ii. Describe types of new point sources. _____

- iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?
- _____

- If to surface waters, identify receiving water bodies or wetlands: _____

- Will stormwater runoff flow to adjacent properties? ☐ Yes ☐ No

- iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐ Yes ☐ No

- f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☒ Yes ☐ No

If Yes, identify:

- i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

EXCAVATOR + BULLDOZER + TRUCKS

- ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

None

- iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

TRUCKS TO FILL

- g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐ Yes ☒ No

If Yes:

- i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐ Yes ☒ No

- ii. In addition to emissions as calculated in the application, the project will generate:

- _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
- _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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

If Yes:

i. Estimate methane generation in tons/year (metric): UNKNOWN, MOST STORAGE IN FALL + WINTER, WHEN CHY 15 LOW

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): NONE

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

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

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

If Yes:

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

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

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

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

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

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? ☐ Yes ☐ No

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

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

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

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

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

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

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

i. During Construction:	ii. During Operations:
• Monday - Friday: _____	• Monday - Friday: _____
• Saturday: _____	• Saturday: _____
• Sunday: _____	• Sunday: _____
• Holidays: _____	• Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☒ Yes ☐ No

If yes:

i. Provide details including sources, time of day and duration:
EXCAVATOR + BULLDOZER - DAYS ONLY

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☒ No
Describe: _____

n. Will the proposed action have outdoor lighting? ☐ Yes ☒ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No
Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☒ Yes ☐ No
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: MOST ODOR IS DURING MIXING + PLANTING - MOSTLY IN SPRING

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☒ No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☐ No N/A

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐ No N/A

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation: _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

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

If Yes:

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

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

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

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

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☒ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	0	0
• Forested	14.0	14.0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	0
• Agricultural (includes active orchards, field, greenhouse etc.)	111	108	-3
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.8	0.8	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____	0	0	0

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

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

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

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

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☒ Yes ☐ No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:
PROPERTY ADJOINS ACROSS O'SHEA RD FORMER TOWN DUMP SITE, CLOSED LONG AGO

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

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

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

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? VARIES _____ feet TEST HOLES DID NOT REACH BEDROCK

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

c. Predominant soil type(s) present on project site: MORGAN HAWK NEST 100 %

_____ %
_____ %

d. What is the average depth to the water table on the project site? Average: 400 feet

e. Drainage status of project site soils: ☐ Well Drained: 0 % of site
☒ Moderately Well Drained: 100 % of site
☐ Poorly Drained: 0 % of site

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

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

h. Surface water features.

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

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

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

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

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

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

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

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

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

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

m. Identify the predominant wildlife species that occupy or use the project site: _____ <u>RABBIT</u> <u>FOX</u> <u>GROUND HOG</u> <u>COYOTE</u> <u>WHITETAIL DEER</u> <u>MANY BIRD SPECIES</u> <u>FISHER</u>	
n. Does the project site contain a designated significant natural community? ☐ Yes ☒ No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: _____ • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☒ No If Yes: i. Species and listing (endangered or threatened): _____ _____	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☒ No If Yes: i. Species and listing: _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☒ Yes ☐ No If yes, give a brief description of how the proposed action may affect that use: <u>NO EFFECT</u> _____	
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☒ Yes ☐ No If Yes, provide county plus district name/number: <u>CORTLAND COUNTY DISTRICT 1</u>	
b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☒ No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☒ No If Yes: i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☒ No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☒ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☒ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☒ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☒ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☒ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

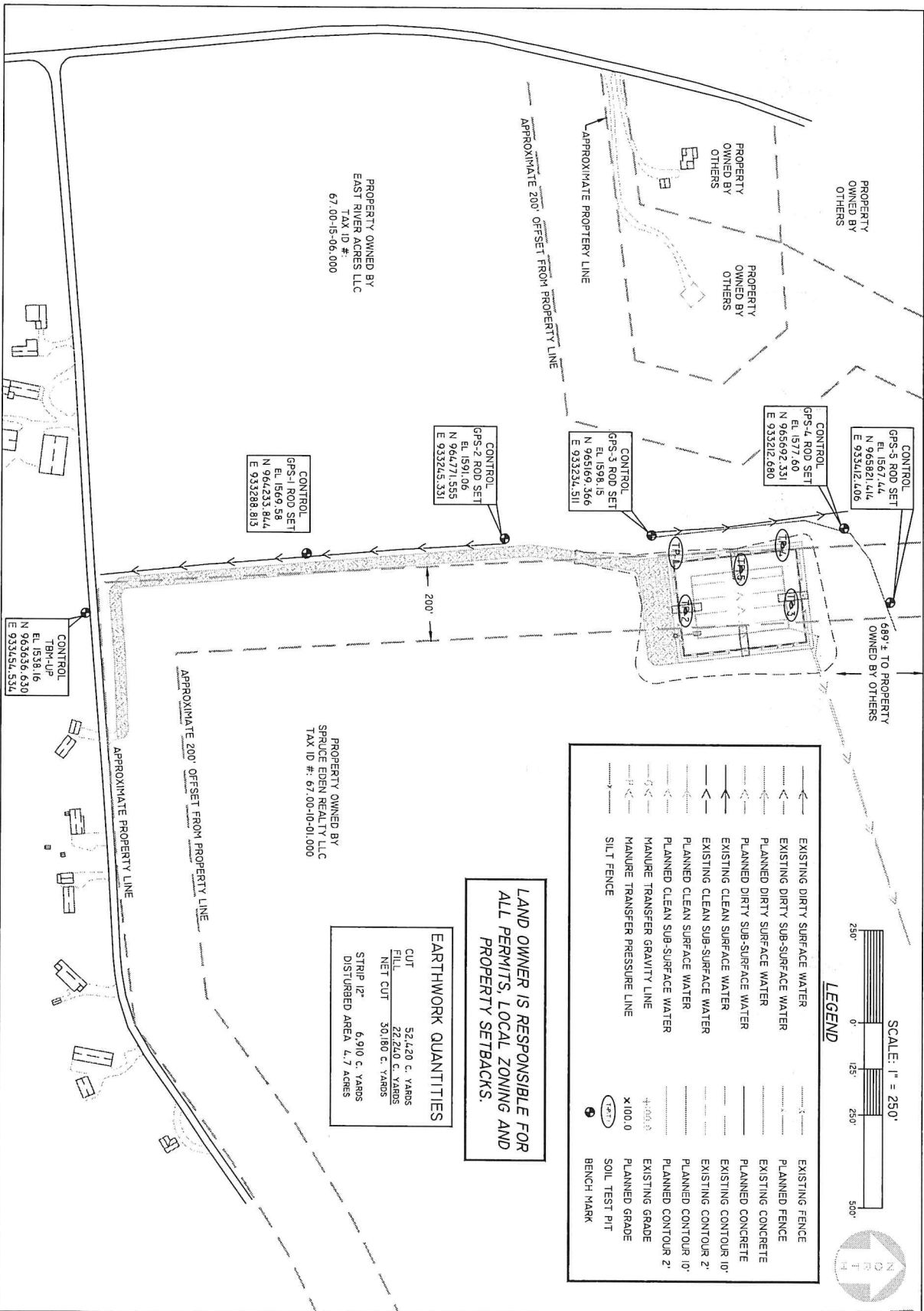
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name EAST RIVER DAIRY LLC Date 6-22-26

Signature Stuart Young Title 6-27-26



IT IS A VIOLATION OF THE LAW FOR ANY PERSON UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ARCHITECT / ENGINEER, TO ALTER THIS DRAWING IN ANY WAY. ALTERATIONS MUST HAVE THE SEAL AFFIXED ALONG WITH A DESCRIPTION OF THE ALTERATION, THE SIGNATURE AND DATE.

**A. WEISS
ENGINEERING, PLLC**

3206 SOUTH HILL ROAD
MCGRAW NY 13101-9406
PHONE (607) 749-0991

NOT FOR CONSTRUCTION

DRAFT

FOR REFERENCE ONLY

**Overall Plan
HDPE Lined Manure Storage
East River Dairy**

CHECKED BY: A. WEISS	DATE: 05/26	DRAWN BY: M. McCall	DATE: 05/26
DWG: 25-090 EMS	REVISION No:	SHEET 2 OF	

CHECKED BY: A. WEISS	DATE: 05/26	DRAWN BY: M. MCCALL	DATE: 05/26
DWG: 25-090 EMS	REVISION No:	SHEET 3 OF	

**TOWN OF HOMER
LEGAL NOTICE**

LEGAL NOTICE TOWN OF
HOMER ZONING BOARD
OF APPEALS NOTICE OF
PUBLIC HEARING.

NOTICE IS HEREBY GIV-
EN that a public hearing
before the Zoning Board
of Appeals of the Town
of Homer will be held
Wednesday, July 22, 2026,
at 6:00 PM, at the Homer
Town Hall, 31 North Main
Street, Homer, New York
13077, to consider the
following:

1. In the matter of the
application of Spruce Eden
Realty, LLC for property
located on O'Shea Road
in the Town of Homer, Tax
Map No. 67.00-10-01.000,
for an area variance.
The applicant is seeking
to construct a manure
storage facility less than
400 feet from the prop-
erty boundary line which
is prohibited by Section
404(e) of Town of Homer
Zoning Law.

The above application can
be viewed at the office of
the Town Clerk, 31 North
Main Street, Homer, New
York 13077. Call (607)
749-4581 or visit in person
during regular business
hours. The application is
also available on the town
website. Persons wishing
to appear at such hearing
may do so in person, by
Attorney, or by other repre-
sentative. Communications
in writing in relation thereto
may be filed ahead of time
with the Board or at the
public hearing.

Dan Gustafson, Chair
Town of Homer ZBA

**TOWN OF HOMER
LEGAL NOTICE**

LEGAL NOTICE TOWN
OF HOMER PLANNING
BOARD NOTICE OF PUB-
LIC HEARING.

NOTICE IS HEREBY
GIVEN that public hearings
before the Planning Board
of the Town of Homer will
be held Wednesday, July
22, 2026, at 7:00 PM, at
the Homer Town Hall, 31
North Main Street, Homer,
New York 13077, to con-
sider the following:

1. In the matter of the
application of the Dukelow
Family Trust for property
located on Grange Road
and Rice Road in the Town
of Homer, Tax Map Nos.
56.00-1-1.111 and 46.1-
1-29.1, for a subdivision
of land. The applicant is
proposing to subdivide
approximately 57.8 acres
from the parent parcels.

2. In the matter of the
application of Spruce Eden
Realty, LLC for property
located on O'Shea Road
in the Town of Homer, Tax
Map No. 67.00-10-01.000,
for a Site Plan review. The
applicant is seeking to
construct a manure stor-
age facility at the location
of an existing agricultural
operation. Site Plan Re-
view is required pursuant
to Section 1416 of the
Town of Homer Zoning.

The above applications
can be viewed at the office
of the Town Clerk, 31
North Main Street, Homer,
New York 13077. Call (607)
749-4581 or visit in person
during regular business
hours. The applications are
also available on the town
website. Persons wishing
to appear at such hearing
may do so in person, by
Attorney, or by other repre-
sentative. Communications
in writing in relation thereto
may be filed ahead of time
with the Board or at the
public hearing.

Michael McMahon, Chair
Town of Homer Planning
Board