



November 10, 2025

INSTRUCTIONS TO ALL PERMITTEES

Enclosed is your permit under New York State's Environmental Conservation Law. Please take some time to review it and note:

1. The permit is valid for only that activity specifically represented in your permit application and authorized in writing in the permit itself. Any deviation from the activity authorized in the permit or described in your application may require additional approval(s) or corrective action;
2. Review the General and Special Conditions carefully. If you are unsure of your obligations under the permit, please bring your questions to our attention;
3. Please check the effective and expiration dates and any requirements for renewal or modification of your permit;
4. If, for any reason, you believe you will be unable to comply or remain in compliance with the terms of your permit, please contact us;
5. Please keep the permit in a safe place for reference and a copy at the work site;
6. The identification numbers help us communicate with you. Please reference them in any subsequent communications.

The issuance of this permit does not preclude the need to obtain permits or approvals from other local, state or federal agencies. The onus is on the applicant to obtain all necessary approvals.

The Uniform Procedures Act regulations provide that an applicant may request an adjudicatory hearing if a permit is denied or contains conditions which are unacceptable to them (6 NYCRR Part 621.10(a)). Any such request must be made in writing within 30 calendar days of the date of this letter and must be addressed to: Regional Permit Administrator, Division of Environmental Permits, NYS Department of Environmental Conservation, 1130 North Westcott Rd. Schenectady, NY 12306.

Please contact me at lana.phillips@dec.ny.gov with any questions.

Sincerely,

Lena Phillips
Environmental Analyst Trainee II

ecc: Ron Kichurchak, R4 Habitat
Nicole Campbell, R4 Wildlife
Christopher J. Knox, P.E.
Village of Schoharie Planning Board
File (DEC #4-4342-00110/00001)



PERMIT
Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
MAINBRIDGE 2 LLC
143 Lancaster St
ALBANY, NY 12210

Facility:
Mainbridge Commons Mixed-Use Development
218 Main St
Schoharie, NY 12157

Facility Location: in SCHOHARIE in SCHOHARIE COUNTY

Facility Principal Reference Point: NYTM-E: 556.109 NYTM-N: 4723.261
Latitude: 42°39'35.2" Longitude: 74°18'55.4"

Authorized Activity: This permit authorizes the disturbance of 0.14 acres to the adjacent area of a Class 2 NYSDEC Regulated Freshwater Wetland to facilitate the construction of a subsurface gravel wetland for stormwater management associated with the construction of a new commercial healthcare building, four (4) multi-unit residential buildings and associated appurtenances in accordance with approved project plans. No disturbance to the wetland proper is authorized.

Permit Authorizations

Freshwater Wetlands - Under Article 24

Permit ID 4-4342-00110/00001

New Permit

Effective Date: 11/10/2025

Expiration Date: 11/09/2026

NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: KATE MALCOLM, Regional Permit Administrator
Address: NYSDEC Region 4 Headquarters
1130 N Westcott Rd
Schenectady, NY 12306

Authorized Signature: K. Malcolm Date: 11 / 10 / 2025

Distribution List

Ronald Kichurchak
Nicole L Campbell
Christopher J. Knox, P.E.
Village of Schoharie Planning Board



Permit Components

NATURAL RESOURCE PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Permit Attachments

Project Location Map
Site Plan

NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following Permits: FRESHWATER WETLANDS

- 1. Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by Crawford & Associates Engineering, P.C..
- 2. Notice of Intent to Commence Work** Permittee shall notify the Regional Permit Administrator 3 to 5 days prior to work commencement that work will begin on the approved project. Notification shall be made to the Regional Permit Administrator by regular mail or email to r4dep@dec.ny.gov, must reference DEC ID number, and include permittee name and project start date.
- 3. Conditions Prevail Over Plans** If any condition of this permit conflicts with the approved plans, the permit condition shall prevail over the plans.
- 4. Failure to Meet Permit Conditions** Failure of the permittee to meet all the conditions of this permit is a violation of this permit and grounds for an order to immediately cease the permitted activity at the project site.
- 5. Prior Approval of Changes** If the Permittee desires to make any changes in construction techniques, species to be planted, the site plan, any mitigation plan, scheduling or staging of construction, or any other aspect of this project, the Permittee shall submit a written request to the Regional Permit Administrator to make such proposed changes and shall not make such changes unless authorized in writing by the Department.



6. Work Within Area Depicted on Plans All construction activity, including operation of machinery, excavation, filling, grading, clearing of vegetation, disposal of waste, street paving and stockpiling of material must take place within the project site as depicted on the project plans referenced by this permit. Construction activity is prohibited within areas to be left in a natural condition or areas not designated by the subject permit.

7. Human or Archaeological Remains If any human remains or archaeological remains are encountered during excavation, the permittee must immediately cease, or cause to cease, all work in the area of remains and notify the Regional Permit Administrator at the appropriate DEC Regional Office. Work shall not resume until written permission to do so has been received from the DEC.

8. Minimize Adverse Impacts to Wetlands, Wildlife, Water All work must be performed in a manner which minimizes adverse impacts to wetlands, wildlife, water quality and natural resources.

9. Limit Clearing of Natural Vegetation Clearing of natural vegetation shall be limited to material that poses a hazard or a hindrance to the construction activity.

10. Tree Removal Restrictions Tree removal is prohibited between April 1st and October 31st to protect endangered and/or threatened bat species, unless otherwise authorized by the Regional Permit Administrator.

11. Equipment Operation Equipment operation in open water is prohibited.

12. Water Diversion Around Work Site The stream flow shall be diverted to isolate the work area by use of a) sandbags, b) cofferdam, c) berm, d) temporary diversion channel, e) temporary diversion pipe, f) pump around, and/or g) pond outlet structure. Impeding fish and aquatic organism passage while diverting water around work site must be avoided whenever possible.

13. Use of Natural Methods Natural methods and/or bioengineered techniques of shoreline and stream bank stabilization (e.g., native plantings, live stakes, root wads, brush bundles, coir logs) shall be used for stabilization projects with aquatic habitat restoration and/or improvement objectives, unless otherwise approved by DEC staff.

14. Storage of Construction Equipment, Materials Storage of construction equipment, unused materials and/or excavated soil shall be confined to an approved upland area at least 100 feet landward of any waterbody or wetland during construction. Upon project completion, any demolition debris, excess construction, and/or excess excavated materials shall be immediately and completely disposed of at an approved upland site more than 100 feet from any waterbody or wetland, and outside any 100-year floodplain. These materials shall be suitably stabilized so they do not inadvertently enter any waterbody, 100-year floodplain, wetland, or 100-foot wetland adjacent area.

15. Precautions Against Contamination of Waters All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.



16. Control of Concrete, Leachate, and Washings No wet or fresh concrete, concrete leachate, or washings from Redi-Mix trucks, mixers or other devices shall be allowed to enter any wetlands or waterbodies during construction.

17. Erosion & Sediment Controls Filter fabric barriers, silt fencing, or other methods to control erosion shall be properly installed according to the current NYS Standards and Specifications for Erosion and Sediment Control (i.e., on the downslope edge of any disturbed areas). These erosion/sediment controls must be put in place before any disturbance of the ground occurs, must be maintained "in place" in good working order throughout project construction, and are to be removed once all disturbed land is suitably stabilized.

Use of erosion control products with plastic netting for temporary erosion and sediment control is prohibited to minimize plastic and microplastic pollution and limit wildlife entanglements. Prohibited materials include polypropylene, nylon, polyethylene, polyester or other synthetic fibers.

18. No Discharge of Sediment There shall be no discharge of sediment or turbid waters to the wetland.

19. No Discernable Change in Turbidity The water below a stream work site shall remain as clear as the flowing water above the stream work site. In non-flowing waterbodies, there shall be no discernable change in water clarity (turbidity) proximate to the work area as a result of the project.

20. Invasive Species Control To prevent the unintentional introduction or spread of invasive species, as defined by the Prohibited and Regulated Invasive Species regulations (6 NYCRR 575), all construction equipment shall be thoroughly cleaned of mud, seeds, vegetation, roots, rhizomes, and other debris before entering any approved construction areas within the State-regulated freshwater wetland, its 100-foot adjacent area, or within 50 feet of a protected stream's bed or banks. Seed mixes chosen for stabilization of disturbed soil shall not include any invasive and/or non-native plant species.

If invasive plant species are already found established on the site, equipment shall be thoroughly cleaned before exiting the construction site. All invasive species plant parts and propagules that are removed from equipment must be destroyed or contained using a DEC-approved method to prevent spreading to other locations. All material with invasive plant species must be contained using a DEC-approved method or trucked to a landfill. The list of NYS Prohibited and Regulated Invasive Plants can be found at: https://dec.ny.gov/docs/lands_forests_pdf/isprohibitedplants2.pdf.

21. Native Plantings Only All riparian plantings shall be native to the project location; therefore, no invasive or non-native plantings shall be incorporated into the project.

22. Stabilize Excavated Soil Any excavated soil that is temporarily stored shall be placed outside the wetland and adjacent area, and at least 50 feet from any protected stream bed/banks. The excavated soil shall be suitably retained and covered so that there is no turbid runoff discharged either directly or indirectly into any waterbody or wetland.



23. Stabilize Disturbed Areas All areas of soil disturbance resulting from this project shall be shaped and/or graded, seeded with an appropriate seed mix, and covered with straw or other weed-free mulch within one (1) week of final grading or prior to permit expiration if project is incomplete, whichever comes first. The mulching material shall be maintained until vegetative cover is established. The approved methodologies are as follows:

- a) Stabilization of the entire disturbed area with appropriate vegetation (grasses, etc.).
- b) Stabilized as per specifications identified on approved plans.
- c) Temporarily stabilized with straw mulch or jute matting or other similar natural fiber matting within one (1) week of final grading. Temporary stabilization shall be maintained until stable vegetative cover is established.

24. Temporary Mulch and Seed If seeding is impracticable due to the time of year, straw or other pre-approved weed-free mulch shall be applied and final seeding shall be performed at the earliest opportunity when weather conditions favor germination and growth but not more than six months after project completion.

25. Submittal of Post-Construction Photographs The Permittee shall notify DEC of project work completion prior to the expiration of this permit or within 30 days of authorized work completion, whichever is earlier. Notification must be submitted to the Regional Permit Administrator by email (r4dep@dec.ny.gov) or regular mail must reference the DEC ID number, provide the project work completion date, and include color photographs showing the completed work taken from at least two different angles.

26. State May Require Site Restoration If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may lawfully require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.

27. State May Order Removal or Alteration of Work If future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.



28. State Not Liable for Damage The State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71- 0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC Region 4 Headquarters
1130 N Westcott Rd
Schenectady, NY12306

4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Freshwater Wetlands.

5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;



- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. Permit Transfer Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

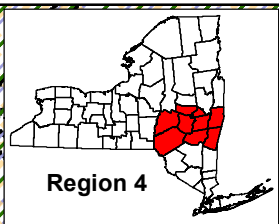
The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

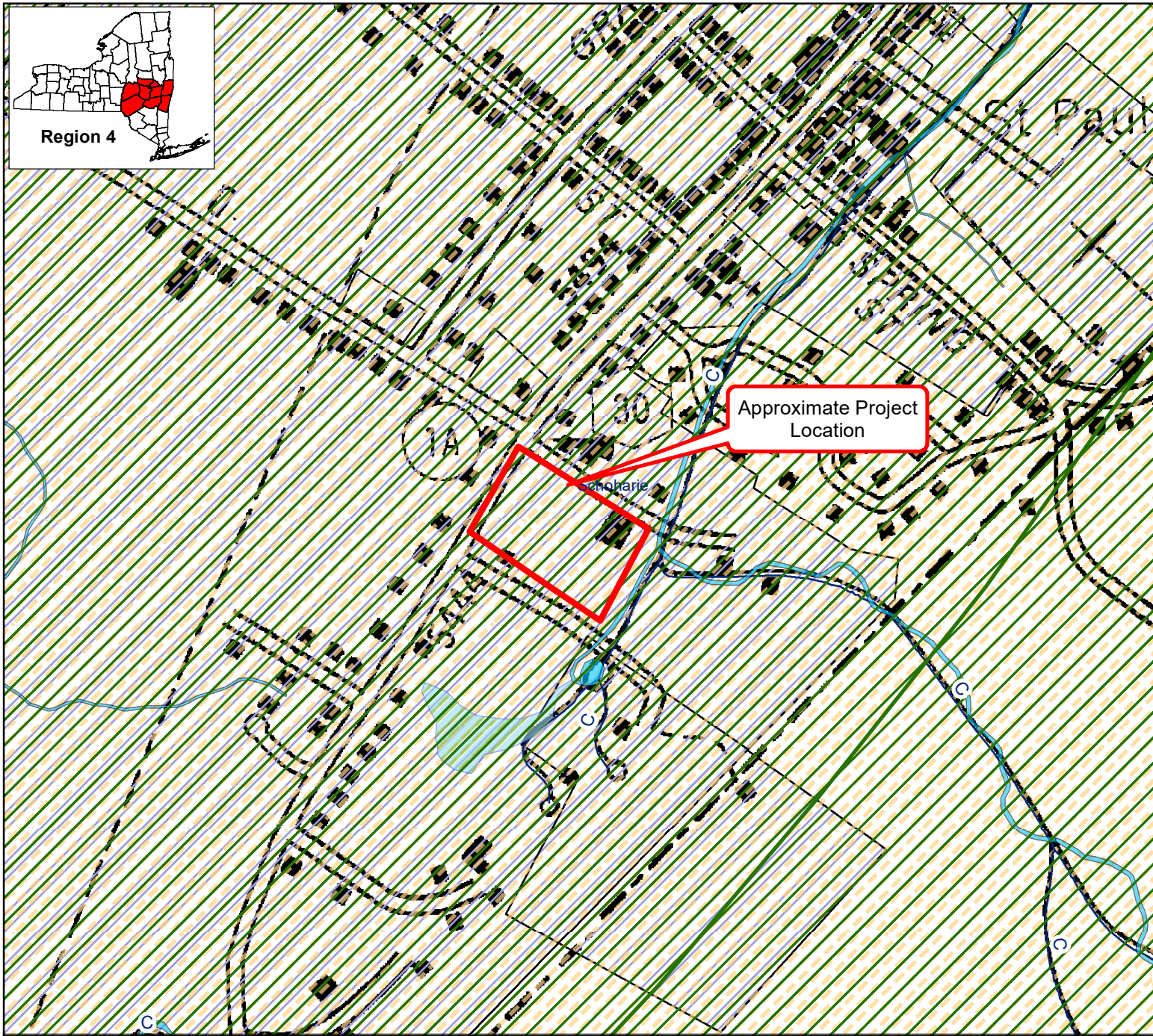
The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.



Region 4



PROJECT LOCATION & NYS RESOURCES MAP

**Elbialy Property
Mixed Use Commercial
Development
218 Main St.
Village of Schoharie
Schoharie County**

Date: 12/26/2024

0 240 480 720 960 Feet

1 inch = 500 feet

Legend

- Tax Parcels - Schoharie County selection
- Mammals
- Birds
- Reptiles and Amphibians
- Insects and Snails
- Fish
- Freshwater Mussels
- BBA_Grassland_Birds_ET
- BBA_Marsh_Birds_ET

Regulated Freshwater Wetlands

- Class 1 Wetland
- Class 2 Wetland
- Class 3 Wetland
- Class 4 Wetland

Freshwater Wetland Adjacent Area

- Freshwater Wetland Adjacent Area
- Emergent, Forested/Shrub
- Riverine, Lake, Pond
- Other

Water Quality Classifications

- Unprotected
- Protected

Archeological Sites of Sensitivity

- Archeological Sites of Sensitivity

National/State Historic Register Site

- National/State Historic Register Site

Disclaimer: This map was prepared by the NYSDEC Division of Environmental Permits using the most current data available. It is deemed accurate but is not guaranteed. NYSDEC is not responsible for any inaccuracies in the data and does not necessarily endorse any interpretations or products derived from the data.



**Department of
Environmental
Conservation**



SCALE: 1"=30'

Not for Construction

Not for Construction

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Landscape Designer

Project #: 2401.0
Project: Mainbridge Commons Development
Address: 218 Main St., Village of Schoharie,
Date: 04.02.25

Title:
**SITE PLAN
PROPOSED TEMPORARY ESC
PLAN**

