

Village of Millbrook
Village Planning Board
November 6, 2008 Workshop
Bennett Redevelopment Project

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Call to Order

Workshop began at 7:45 p.m.

In Attendance

Linda Roberts, Chairman, Joe Still, Joe Forte, Charles Colomello, Art Brod from Planners East, Dave Clouser from Clouser and Associates, and Rebecca Blahut, representing Rich Olson from McCabe and Mack

Linda Roberts

After calling the meeting to order noted that this was a workshop for the Planning Board and it's consultants to review the record and concerns/issues as they apply to SEQRA and not for public comment or participation. Linda then stated that the order of business is the assembly of documents described in the proposed action EAF.

Art Brod

Art gave a synopsis of the workshop's agenda stating that there was an EAF Part I submitted some time ago by the applicant and now it is the responsibility of the Planning Board, under the lead agency designation, to evaluate the environmental impact of the proposed action for the Bennett Redevelopment by the developer Blumenthal-Brickman. This is development of 91 residential units with infrastructure improvements and park improvements and the Board must consider the matter of occupancy of the units and the impacts on the community. Back in the summer of 2006 the applicant stated his case and has submitted 3 or 4 generations of his original submission over the past 2 years, subsequently submitting the latest on October 1, 2008. This latest submission is the project before the Board under the Village Zoning Laws as they apply in the 2005 Zoning Law Amendment for the BCD.

There is also a question of the public input that has been provided over the 3 or 4 public hearings held by the Planning Board within this time frame, the last being closed on October 29, 2008. The Board has received full written transcripts of that public hearing and it is therefore verbatim of all comments received. The public also had until 4 p.m. this date, November 6, 2008, to hand in further comments or submissions however, since the public hearing there has been no further public or agency input on the project.

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Title and Easements

On the issues of title and easements that were raised at the public hearing, Rebecca, representing Village Attorney, Rich Olson, states that all of the title work submitted by the applicant has been reviewed and the applicant does have a clear title. Therefore, based on the title the applicant has provided there is nothing that prevents the Planning Board from going forward with the application. If something does come up however during private litigation, the Planning Board would have to amend their findings. However, at this time property easements are not an issue for the Planning Board to consider.

Dave Clouser spoke on the issues of easements in regards to water and sewer impacts and stated that he has spoken with Chazen about the issues raised at the public hearing. Based on well head protection a 100ft ownership is mandatory, 200ft is a matter of control. As long as the owner has made a good faith effort to go to the neighboring property owner to obtain an easement, the Department of Health will waive the 200ft radius. It is not unusual for the 200ft radius to be incomplete in a project such as this. The owner currently has the mandatory 100ft radius around the wells and some wells do have the 200ft, others do not. The Department of Health will make the determination not the Planning Board.

Traffic Analysis

The matter of traffic analysis was referred to Bob Chamberlain who submitted a follow up to his independent study that was done for the Board a couple of years ago. He touched on two key points that were brought up specifically by Morris Associates during the October 29, 2008 public hearing in the report submitted by Oakleigh Thorne. The first in regards to trip generation and the second on the traffic distribution study. The trip generation rate for a detached single family dwelling is 1 vehicle trip per unit, the applicant is using a .4 vehicle trip per unit methodology which is generally used for attached units who usually have less car ownership, different habits, etc. Bob Chamberlain feels that the .4 vehicle trip per unit is more accurate for this type of development. However, he did look at the impact of a 1 vehicle trip per unit study and didn't find anything that would increase congestion based on the size of this project. He also stated that because of the project's size and level of service on the roadways currently, that the generation rate could even increase.

Touching on the traffic distribution, Bob felt the model was accurate based on present data.

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Art Brod also stated that he felt the appropriate standards had been applied and the appropriate methodology had been followed for the applicant's traffic study. Dave Clouser agreed, pointing out that a two lane road with a speed limit of 45 mph can take a huge capacity and is more than adequate for a project of this size. However, Dave did note that Bob Chamberlain did agree that ALL sidewalks must be changed to 5ft sidewalks not 4ft, on site. However, that is a site plan detail and does not need to be discussed now.

Archeological Study

Art Brod discussed whether or not an Archeological Study needed to be done on site. He stated that he knows that a verbal agreement between the developer and Parks and Recreation made and that an Archeological Investigation did not need to be done based on extensive, prior site disturbance. However, a verbal agreement is usually not accepted and Parks and recreation has to generate a report or there needs to be meeting notes reflecting this agreement. He has look through the developer's submissions and hasn't found any supporting documents to the agreement.

Asking the applicant where this communication may be documented, Joe Eriole, the developer's attorney says that there may be meeting notes that reflect the verbal agreement but that there is no letter.

Art says that, on behalf of the Board, he may look for written communication from Parks and Recreation, not doubting that the verbal communication has occurred but added that it needs to be supported.

Water

There are 2 different aspects of the water issue. One being the well head protection which was already covered and the second being the fire protection standard. Dave Clouser spoke on Chazen's finding in regards to the fire flow. He noted that according to Chazen's report the storage being provided does not meet the fire standards. The current 500 gallons per minute fire flow is not adequate and the applicant will have to provide the calculated fire flow and if more storage is required than the tank location must be identified, even if the storage is going to be below ground. Once a more accurate fire demand is determined the desk top calculation of the distribution system requirements for providing the fire flow should be adequate.

Dave summed up that statement stating that more storage is going to be necessary and must be identified, however this is a site plan and building code issue. Art Brod stated that the only way this would become a SEQRA issue is if the tank were not going to be subterranean. If it is, than there is no issue.

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The developer, Mr. Blumenthal spoke stating that the tank will be located in the foundation of the annex building and will not be visible. Currently they are showing a 60,000 gallon tank in the site plans but there is plenty of room in the foundation for a larger tank. Dave calculated quickly the size necessary for adequate storage and came up with a 30' diameter by 40' long sized tank with a storage capacity of over 200,000 gallons. Art did agree that there is more than enough room in the foundation for a tank of this size.

Site Layout

Dave Clouser spoke on the site plan and said that there are several site plan details that need to be addressed. After doing a thorough review of the plan he came up with a draft of some concerns. One issue is that the CDD description of the type of neighborhood being developed says that on street parking "might" be provided, however in the narrative of the project it states that on street parking "will" be provided on one side of the street. The projected 24ft wide streets being proposed are not wide enough to allow for parking on one side plus two way traffic. If this is to be the case the streets should be 27 ft wide. The bare minimum for on street parking is 7ft from the curb for vehicles to park, plus 10ft for each lane of traffic. However, there is adequate parking provided according to the code by the units and 33 spaces provided down around the amenities. If the Planning Board feels that on street parking is not necessary to keep within the aspects of a traditional neighborhood based on Village Code than a 24ft wide street is actually a bit too wide.

The developer than responded stating that the residents will be parked in their garages therefore allowing open driveway space for visitor parking. He also, is not expecting regular two way traffic since the units are being built on cul-de-sacs. The 24ft street width actually came from the Fire Departments request. He stated that the Fire Department is asking for 24ft for adequate access for their vehicles to pass in the event of an emergency.

Art pointed out that from a stand point of the Zoning Law, during one of the public hearings, Rural by Design had been brought up. He said that Rural by Design would actually call for street widths that are smaller than the minimum that are authorized by the Village regardless or not if there is parking involved. Dave Clouser agreed saying that Rural by Design would call for 18ft wide streets and that would certainly not allow for any on street parking. Dave Clouser also pointed out that the code allows the Planning Board flexibility for this type of design in the CDD as long as the passing of emergency vehicles is not impaired.

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Planning Board member, Joe Still asked for clarification of the zoning requirements and stated that if the Fire Department requires 24ft than he wants to make sure that at the very least their cars can get by.

At this time Art Brod asked Dave if there were any site plan issues that were SEQRA issues since site plan issues will be dealt with at a later time.

Demolition

Linda Roberts brought up demolition and how it has remained a big concern amongst the public. Art stated that demolition must be in compliance with standards and the board will have to enforce a time schedule of demolition. The time schedule really involves 2 aspects of the plan. One being the time frame from start to finish and the other ensuring that demolition is the 1st activity occurring with no other construction being started until demo is completed. The Health Department and DEC will have to regulate the safety standards and noise generation. The Department of Labor will oversee the asbestos and lead paint removal. The DOL will also require a lot of documentation as to how demolition is done and will require that all people involved in demolition be licensed and have a plan on exactly how they're going to demo the site. The DOL will also do spot inspections but it will be up to the Code Enforcement Officer to monitor demolition on site and the time frame in which it is being completed based on the demolition permit.

As per Mr. Blumenthal demolition is projected to take 4-6 months. No other phase of construction will begin during demolition with the exception of some grading and infrastructure improvements/site staging.

Dave Clouser spoke on the issue of the use of a rock crusher which came up during the last public hearing. He stated that placement and time of use can be such that it has a minimal noise impact and overall it will a short term impact. The use of a rock crusher during demolition in order to reuse materials on site is looked at as a benefit and outweighs the temporary impact.

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Land Use

Art then asked Rebecca to clarify on the land use and any issue of conformance. She stated that there is a short answer and a long answer. The short answer being that there is conformance with CDD/PUD standards based on the Village Code. The longer answer is that the way the code is written is that the PUD be divided with residential and commercial development or other land uses or a combination there of. The way it is written, it may include commercial development but doesn't have to include any.

Linda Roberts made reference to the County Planning's comments which states the traditional neighborhood development proposed is far more appropriate at this unique gateway than commercial for several reasons.

Fiscal Impacts

Art reviewed in detail the comments made at the public hearings concerning fiscal impacts, especially those made in the Morris Associates report, noting that he considered them to be the most important. With the exception of the fact that the multipliers that were used for this project are in fact the correct multipliers. Census multipliers with the respect to total population generation and school children generation should be used. There is a basic agreement amongst all of the statements that 30 school children generated by this project is the appropriate number to be considered.

There is a refuting of data that is very different in comments that were made about a year or so ago in the Sheldon Report. There were comments made by those who presented the current analysis. that the demographic underpinning of Sheldon's comments are not credible and therefore resulted in the fiscal analysis done by Sheldon to be of little value. There is a lot of further evaluation about the specific dollars that are involved in terms of impact on the school district, whether it's positive or negative, etc. Art does agree with a good deal of the revised methodology submitted especially on the matter of recalculation of State Aide. In the most recent applicant's submission the recalculations did not occur and there are discrepancies in the documents submitted between Village and Town tax rates.

However, the bottom line is that there is going to be an undetermined amount of people and school children here after build out that the municipality is going to have to provide services for and that the school will have to open it's doors for. There are costs involved with that and revenues that are associated with property taxes and it can be argued about whether those are plus or minuses. Whether they are plus or minuses, it doesn't change the determination made by the Planning Board. It is a matter of disclosure that's all in terms of the demographics of this project.

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The analysis in certain situations is certainly not as severe as the comments received will indicate but the picture, from a fiscal standpoint is not as rosy as the applicant portrayed.

As to whether or not there is a market for these units, 2 years ago there was support for the units to sell at these prices and one can only hope that within the next year there will be a market again at these pricing levels. Art did state that the mortgage tax submitted by the applicant is overstated by a factor of 10 however, that doesn't change anything the board has to make a determination on.

Determining Significance Art passed around 617.7 Determining Significance directly from the SEQRA Instruction and read aloud how the Planning Board, being Lead Agency, will make its determination as it applies to SEQRA.
This directive is attached to these minutes and on the record.

EAF Part II Rebecca Blahut, Art Brod and Dave Clouser went through Part 2 of the EAF with the Planning Board. Art being one of people who wrote SEQRA in 1972.
The EAF Part II is attached to these minutes and on the record.

Continuation The Planning Board and its consultants decided to reconvene on Monday, November 10, 2008 at 6:30 p.m. to continue on with this workshop.

Motion to Adjourn Motion was made to adjourn by Charlie Colomello and seconded by Joe Still. The meeting adjourned at 10:26 p.m.

§617.7 Determining significance

(a) The lead agency must determine the significance of any Type I or Unlisted action in writing in accordance with this section.

(1) To require an EIS for a proposed action, the lead agency must determine that the action may include the potential for at least one significant adverse environmental impact.

(2) To determine that an EIS will not be required for an action, the lead agency must determine either that there will be no adverse environmental impacts or that the identified adverse environmental impacts will not be significant.

(b) For all Type I and Unlisted actions the lead agency making a determination of significance must:

(1) consider the action as defined in subdivisions 617.2(b) and 617.3(g) of this Part;

(2) review the EAF, the criteria contained in subdivision (c) of this section and any other supporting information to identify the relevant areas of environmental concern;

(3) thoroughly analyze the identified relevant areas of environmental concern to determine if the action may have a significant adverse impact on the environment; and

(4) set forth its determination of significance in a written form containing a reasoned elaboration and providing reference to any supporting documentation.

(c) Criteria for determining significance.

(1) To determine whether a proposed Type I or Unlisted action may have a significant adverse impact on the environment, the impacts that may be reasonably expected to result from the proposed action must be compared against the criteria in this subdivision. The following list is illustrative, not exhaustive. These criteria are considered indicators of significant adverse impacts on the environment:

(i) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;

- (ii) the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;
 - (iii) the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to subdivision 617.14(g) of this Part;
 - (iv) the creation of a material conflict with a community's current plans or goals as officially approved or adopted;
 - (v) the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character;
 - (vi) a major change in the use of either the quantity or type of energy;
 - (vii) the creation of a hazard to human health;
 - (viii) a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;
 - (ix) the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;
 - (x) the creation of a material demand for other actions that would result in one of the above consequences;
 - (xi) changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or
 - (xii) two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision.
- (2) For the purpose of determining whether an action may cause one of the consequences listed in paragraph (1) of this subdivision, the lead agency must

consider reasonably related long-term, short-term, direct, indirect and cumulative impacts, including other simultaneous or subsequent actions which are:

- (i) included in any long-range plan of which the action under consideration is a part;
- (ii) likely to be undertaken as a result thereof; or
- (iii) dependent thereon.

(3) The significance of a likely consequence (i.e., whether it is material, substantial, large or important) should be assessed in connection with:

- (i) its setting (e.g., urban or rural);
- (ii) its probability of occurrence;
- (iii) its duration;
- (iv) its irreversibility;
- (v) its geographic scope;
- (vi) its magnitude; and
- (vii) the number of people affected.

Environmental Assessment Form

Part 2 – Project Impacts and Their Magnitude

PART 2 - PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

- ! In completing the form the reviewer should be guided by the question: Have my responses and determinations been reasonable? The reviewer is not expected to be an expert environmental analyst.
- ! The Examples provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- ! The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- ! The number of examples per question does not indicate the importance of each question.
- ! In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

- a. Answer each of the 20 questions in PART 2. Answer Yes if there will be any impact.
- b. Maybe answers should be considered as Yes answers.
- c. If answering Yes to a question then check the appropriate box(column 1 or 2)to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- d. Identifying that an Impact will be potentially large (column 2) does not mean that it is also necessarily significant. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- e. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- f. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the Yes box in column 3. A No response indicates that such a reduction is not possible. This must be explained in Part 3.

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
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Impact on Land

1. Will the Proposed Action result in a physical change to the project site?

NO ☐ YES ☒

Examples that would apply to column 2

- | | | | | |
|--|--------------------------|-------------------------------------|------------------------------|--|
| • Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction on land where the depth to the water table is less than 3 feet. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction of paved parking area for 1,000 or more vehicles. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction that will continue for more than 1 year or involve more than one phase or stage. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| • Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Construction or expansion of a sanitary landfill.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Construction in a designated floodway.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.)

☒ NO ☐ YES

- Specific land forms: ☐ ☐ ☐ Yes ☐ No

Impact on Water

3. Will Proposed Action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)

☒ NO ☐ YES

Examples that would apply to column 2

- | | | | |
|--|--------------------------|--------------------------|--|
| • Developable area of site contains a protected water body. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Dredging more than 100 cubic yards of material from channel of a protected stream. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Extension of utility distribution facilities through a protected water body. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction in a designated freshwater or tidal wetland. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

4. Will Proposed Action affect any non-protected existing or new body of water?

☐ NO ☒ YES

Examples that would apply to column 2

- | | | | |
|--|--------------------------|--------------------------|--|
| • A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction of a body of water that exceeds 10 acres of surface area. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

ACOE wetlands and non-protected (NYSDEC) streams

1
Small to
Moderate
Impact

2
Potential
Large
Impact

3
Can Impact Be
Mitigated by
Project Change

5. Will Proposed Action affect surface or groundwater quality or quantity?

☐ NO ☒ YES

Examples that would apply to column 2

- | | | | |
|--|--------------------------|-------------------------------------|---|
| • Proposed Action will require a discharge permit. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| • Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| • Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction or operation causing any contamination of a water supply system. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will adversely affect groundwater. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action would use water in excess of 20,000 gallons per day. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| • Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will allow residential uses in areas without water and/or sewer services. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Wet weather flows increased due to I&I

1
Small to
Moderate
Impact

2
Potential
Large
Impact

3
Can Impact Be
Mitigated by
Project Change

6. Will Proposed Action alter drainage flow or patterns, or surface water runoff?

☐ NO ☒ YES

Examples that would apply to column 2

• Proposed Action would change flood water flows

☐
☐

☐ Yes

☐ No

• Proposed Action may cause substantial erosion.

☐
☒

☒ Yes

☐ No

• Proposed Action is incompatible with existing drainage patterns.

☐
☐

☐ Yes

☐ No

• Proposed Action will allow development in a designated floodway.

☐
☐

☐ Yes

☐ No

• Other impacts:

☒
☐

☐ Yes

☐ No

• Increase in stormwater runoff due to increase in impervious surface area

IMPACT ON AIR

7. Will Proposed Action affect air quality?

☐ NO ☒ YES

Examples that would apply to column 2

• Proposed Action will induce 1,000 or more vehicle trips in any given hour.

☐
☐

☐ Yes

☐ No

• Proposed Action will result in the incineration of more than 1 ton of refuse per hour.

☐
☐

☐ Yes

☐ No

• Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour.

☐
☐

☐ Yes

☐ No

• Proposed Action will allow an increase in the amount of land committed to industrial use.

☐
☐

☐ Yes

☐ No

• Proposed Action will allow an increase in the density of industrial development within existing industrial areas.

☐
☐

☐ Yes

☐ No

• Other impacts:

☐
☒

☒ Yes

☐ No

Demolition and construction activities, including rock crushing operation

IMPACT ON PLANTS AND ANIMALS

8. Will Proposed Action affect any threatened or endangered species?

☐ NO ☒ YES

Examples that would apply to column 2

• Reduction of one or more species listed on the New York or Federal list, using the site, over or near the site, or found on the site.

☐
☐

☐ Yes

☐ No

- | | 1
Small to
Moderate
Impact | 2
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Large
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Can Impact Be
Mitigated by
Project Change |
|---|-------------------------------------|-------------------------------------|--|
| • Removal of any portion of a critical or significant wildlife habitat. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Application of pesticide or herbicide more than twice a year, other than for agricultural purposes. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Trees providing potential summer roosting location for Indiana bat

9. Will Proposed Action substantially affect non-threatened or non-endangered species?

☐ NO ☒ YES

Examples that would apply to column 2

- | | | | |
|--|--------------------------|-------------------------------------|--|
| • Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Displacement of wildlife

IMPACT ON AGRICULTURAL LAND RESOURCES

10. Will Proposed Action affect agricultural land resources?

☒ NO ☐ YES

Examples that would apply to column 2

- | | | | |
|--|--------------------------|--------------------------|--|
| • The Proposed Action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction activity would excavate or compact the soil profile of agricultural land. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • The Proposed Action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

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Small to
Moderate
Impact | 2
Potential
Large
Impact | 3
Can Impact Be
Mitigated by
Project Change |
|---|-------------------------------------|-----------------------------------|--|
| • The Proposed Action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

IMPACT ON AESTHETIC RESOURCES

11. Will Proposed Action affect aesthetic resources? (If necessary, use the Visual EAF Addendum in Section 617.20, Appendix B.)

☐ NO ☒ YES

Examples that would apply to column 2

- | | | | |
|---|--------------------------|-------------------------------------|--|
| • Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Project components that will result in the elimination or significant screening of scenic views known to be important to the area. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Views from public locations, including park and adjacent roadways, as identified with assistance provided by use of Visual Addendum

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. Will Proposed Action impact any site or structure of historic, prehistoric or paleontological importance?

☐ NO ☒ YES

Examples that would apply to column 2

- | | | | |
|---|--------------------------|-------------------------------------|--|
| • Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Any impact to an archaeological site or fossil bed located within the project site. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

- Other impacts:

1
Small to
Moderate
Impact

☐

2
Potential
Large
Impact

☐

3
Can Impact Be
Mitigated by
Project Change

☐ Yes ☐ No

IMPACT ON OPEN SPACE AND RECREATION

13. Will proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?

☐ NO ☒ YES

Examples that would apply to column 2

- The permanent foreclosure of a future recreational opportunity.

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☐
☐ Yes ☐ No

- A major reduction of an open space important to the community.

☐
☐
☐ Yes ☐ No

- Other impacts:

☐
☒
☐ Yes ☐ No

Creation of publicly-accessible park opportunity

IMPACT ON CRITICAL ENVIRONMENTAL AREAS

14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6NYCRR 617.14(g)?

☒ NO ☐ YES

List the environmental characteristics that caused the designation of the CEA.

Examples that would apply to column 2

- Proposed Action to locate within the CEA?

☐
☐
☐ Yes ☐ No

- Proposed Action will result in a reduction in the quantity of the resource?

☐
☐
☐ Yes ☐ No

- Proposed Action will result in a reduction in the quality of the resource?

☐
☐
☐ Yes ☐ No

- Proposed Action will impact the use, function or enjoyment of the resource?

☐
☐
☐ Yes ☐ No

- Other impacts:

☐
☐
☐ Yes ☐ No

1
Small to
Moderate
Impact

2
Potential
Large
Impact

3
Can Impact Be
Mitigated by
Project Change

IMPACT ON TRANSPORTATION

15. Will there be an effect to existing transportation systems?

☐ NO ☒ YES

Examples that would apply to column 2

- Alteration of present patterns of movement of people and/or goods.
- Proposed Action will result in major traffic problems.
- Other impacts:

☐
☐

☐ Yes ☐ No

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☐

☐ Yes ☐ No

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☒

☐ Yes ☐ No

Demolition and construction traffic; increase in residentially-generated vehicular and pedestrian traffic

IMPACT ON ENERGY

16. Will Proposed Action affect the community's sources of fuel or energy supply?

☒ NO ☐ YES

Examples that would apply to column 2

- Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality.
- Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.
- Other impacts:

☐
☐

☐ Yes ☐ No

☐
☐

☐ Yes ☐ No

☐
☐

☐ Yes ☐ No

NOISE AND ODOR IMPACT

17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action?

☐ NO ☒ YES

Examples that would apply to column 2

- Blasting within 1,500 feet of a hospital, school or other sensitive facility.
- Odors will occur routinely (more than one hour per day).
- Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.
- Proposed Action will remove natural barriers that would act as a noise screen.
- Other impacts:

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☐

☐ Yes ☐ No

☐
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☐ Yes ☐ No

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☐

☐ Yes ☐ No

☐
☐

☐ Yes ☐ No

☐
☐

☐ Yes ☐ No

Demolition and construction activities, including rock crushing operation

1
Small to
Moderate
Impact

2
Potential
Large
Impact

3
Can Impact Be
Mitigated by
Project Change

IMPACT ON PUBLIC HEALTH

18. Will Proposed Action affect public health and safety?

☐ NO ☒ YES

- | | | | |
|--|--------------------------|--------------------------|--|
| • Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Storage facilities for one million or more gallons of liquefied natural gas or other flammable liquids. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Demolition activities, including building deconstruction and tank removal operations

IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

19. Will Proposed Action affect the character of the existing community?

☐ NO ☒ YES

Examples that would apply to column 2

- | | | | |
|---|--------------------------|-------------------------------------|--|
| • The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will conflict with officially adopted plans or goals. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will cause a change in the density of land use. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Development will create a demand for additional community services (e.g. schools, police and fire, etc.) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

- | | 1
Small to
Moderate
Impact | 2
Potential
Large
Impact | 3
Can Impact Be
Mitigated by
Project Change |
|--|-------------------------------------|-------------------------------------|--|
| • Proposed Action will set an important precedent for future projects. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will create or eliminate employment. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

20. Is there, or is there likely to be, public controversy related to potential adverse environment impacts?

☐ NO ☒ YES

If Any Action in Part 2 is Identified as a Potential Large Impact or If you Cannot Determine the Magnitude of Impact, Proceed to Part 3

Part 3 - EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions (If you need more space, attach additional sheets)

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is important.

To answer the question of importance, consider:

- ! The probability of the impact occurring
- ! The duration of the impact
- ! Its irreversibility, including permanently lost resources of value
- ! Whether the impact can or will be controlled
- ! The regional consequence of the impact
- ! Its potential divergence from local needs and goals
- ! Whether known objections to the project relate to this impact.

See annexed EAF Part 3 (15 pages)