

Memorandum

TO: Robert S. Derico, R.A., Director, Office of Environmental Affairs

FROM: Emma C. Lanahan, Environmental Affairs Specialist, Office of Environmental Affairs 

DATE: November 10, 2025

RE: *State Environmental Quality Review (SEQR) Determination for NYSARC, Inc.'s 2025 New Money and Refinancing Project (Other Independent Institutions Program)*

Description of Proposed Action and Proposed Project. NYSARC, Inc. ("NYSARC") has requested financing from the Dormitory Authority of the State of New York ("DASNY") for its *2025 New Money and Refinancing Project* (the "Proposed Project"). For the purposes of the *New York State Environmental Quality Review Act* ("SEQRA"), the Proposed Action would involve DASNY's authorization of the issuance of DASNY obligations, on behalf of NYSARC, for the Proposed Project, as described below. Accordingly, the Proposed Project is subject to environmental review pursuant to SEQRA.

Based on a review of the attached *Transaction Report – Single Approval* dated November 4, 2025, it has been determined that the Proposed Action would involve DASNY's authorization of the issuance of an amount not to exceed \$17,500,000 in one or more series of fixed- and/or variable-rate, tax-exempt and/or taxable Series 2025 Bonds (the "Bonds"), to be sold at one or more times through a negotiated offering and/or a private placement on behalf of NYSARC, pursuant to DASNY's Other Independent Institutions Program.

The proceeds of the tax-exempt bond issuance would be used to finance or refinance capital projects on behalf of various NYSARC Chapters¹, and it is currently anticipated that bond proceeds would be used for approximately 22 projects, including residential, day habilitation, administrative, and clinic space. The Proposed Project components are as follows:

New Money/Refinancing Components:

Construction of Main Building – Mixed-Used Development at 170 Slade Drive, Alden, NY 14004: The bond proceeds would be used for the construction of an approximately 11,000-gross-square-foot ("gsf") new building. The new building would be part of a larger mixed-use development project to create an agricultural and residential community on approximately 169 acres, consisting of a warehouse, contractors' shop, self-storage, office space, retail space, a farmers' market, parking area. In addition, the development of approximately 30

¹ The 9 member chapters of NYSARC participating in this bond issuance are: Columbia (3 Projects), Delarc (2 Projects), Erie (2 Projects), Mid-Hudson (3 Projects), Monroe (1 Project), Montgomery (5 Projects), Mozaic (1 Project), Westchester (3 Projects), and Warren, Washington & Albany Counties ARC (WWAARC- 2 Projects).

market-rate and 56 senior apartments, an administration building and recreational fields would also be constructed.

Renovations at 43 Prospect Street, Stamford, NY 12167: The bond proceeds would be used for design services, renovations and upgrades at the Delaware Chapters' Stamford House. The design services would include a home energy audit, a whole house electrical inspection and architectural services. The renovations and upgrades would include replacement of the windows, exterior doors, roof, insulation, rear deck, front porch, stairs, and generator. The installation of a National Fire Protection Association ("NFPA") 13D-compliant sprinkler system, a new electric heat pump, as well as the remodeling of the existing bathrooms, kitchen and basement recreation room would also be completed. The exterior of the building would be pressure washed and painted.

Renovations at 61513 State Highway 10, Hobart, NY 13788: The bond proceeds would be used for design services, renovations and upgrades to a building operated by the Delaware Chapter. The design services would include a home energy audit, an electrical inspection and architectural services. The renovations and upgrades would include the replacement of the windows, exterior doors, generator and the reconstruction of the side porch, repairs to the concrete steps, porch and foundation, the installation of a NFPA 13D-compliant sprinkler system, a new electrical heat pump for the heating, ventilating and air conditioning ("HVAC") system, electrical upgrades, and renovations to the existing bathrooms, kitchen and basement.

Acquisition of Property at 2060 Brighton-Henrietta Townline Road, Rochester, NY 14623: The bond proceeds would be used to refund the Monroe Chapter for their purchase of an approximately 48,806-gsf, two-story, commercial office building located on approximately 4 acres of land at 2060 Brighton-Henrietta Townline Road in Rochester, New York. The Chapter has been leasing the property since January 2011 for use as its administrative offices and to house their Article 16 clinic operations. The Monroe Chapter closed on this property on September 18, 2025.

Renovations at 30 Wilson Road, Williamsville, NY 14221: The bond proceeds would be used for the design and construction of accessible restrooms at one of the Monroe Chapters' Day Habilitation programs.

About the Institution. NYSARC, Inc., d/b/a The Arc New York, is a New York not-for-profit corporation, which was first incorporated in 1949 and is a leading advocate for the rights of intellectually and developmentally disabled persons in New York State. NYSARC seeks to improve the lives of people with disabilities both through influencing public policy and opinion and by offering a full range of programs operated by its chapter's daily operations.

NYSARC's direct services to its clients are delivered through approximately 35 local operating chapters, each of which is chartered by NYSARC for a specific geographic jurisdiction. Local chapters are not separately incorporated and function as divisions of NYSARC. The local chapter's operations are authorized by NYSARC's board of governors. Each local chapter's offices are responsible for the local chapter's daily operations.

NYSARC's central office staff provides technical assistance in areas that include the interpretation of laws and regulations, training programs, advocacy, and on occasion, direct management of chapters as deemed necessary by NYSARC's Executive Committee or at the request of a chapter's board of directors. Even though NYSARC's individual chapters operate independently of each other, overall financial and corporate management decisions are governed by NYSARC's central office. The central office of NYSARC provides fiscal monitoring

for the finances of each chapter. The chapters are monitored monthly, and detailed procedures are implemented if problems arise.

NYSARC provides a variety of programs and services that the State is mandated to provide under court rulings to meet the individual needs of the persons served. NYSARC's clients come from both State institutions and community settings. The local chapters serve over 600,000 people and families across every county of the State.

SEQR Determination. DASNY completed this environmental review in accordance with *SEQRA*, codified at Article 8 of the New York *Environmental Conservation Law* ("ECL"), and its implementing regulations, promulgated at Part 617 of Title 6 of the *New York Codes, Rules and Regulations* ("N.Y.C.R.R."), which collectively contain the requirements for the *State Environmental Quality Review* ("SEQR") process.

Previously, the Village of Alden Board of Trustees ("The Board"), as Lead Agency, determined that the Mixed-Use Development, located at 170 Slade Drive, Alden, NY 14004, which includes the construction of the approximately 11,000-gsf main building that would be funded with the bond proceeds, is an Unlisted action under *SEQR* and conducted a coordinated *SEQR* review of the project. A representative of Wetzl Development LLC completed a *Full Environmental Assessment Form* ("FEAF") – *Part 1* for the project dated August 22, 2022, and issued a *SEQR Negative Declaration Notice of Determination of Nonsignificance* ("Negative Declaration") on November 23, 2022, as documented in the *FEAF – Parts 2 and 3*, attached. A Resolution issuing a *Negative Declaration* for the project was adopted by the Village of Alden Board of Trustees on November 22, 2022 (attached).

While DASNY was not an involved agency during the Village of Alden Board of Trustees' *SEQR* process, DASNY is considered an involved agency after the fact, due to its funding approval, and is therefore bound by the determination of the lead agency². Based on the above, and the additional information set forth, DASNY, as an involved agency for the purpose of its funding action, independently analyzed the relevant areas of environmental concern and concurs with the Lead Agency's (Village of Alden Board of Trustees') *Negative Declaration* that the Mixed-Use Development Project would not have a significant adverse impact on the environment.

It has been determined that the remaining components of the Proposed Project would involve the following Type II actions:

- "maintenance or repair involving no substantial changes in an existing structure or facility", which is a Type II action as specifically designated by 6 N.Y.C.R.R. § 617.5(c)(1);
- "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in Part 617.4", which is a Type II action as specifically designated by 6 N.Y.C.R.R. § 617.5(c)(2);
- "conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action", which is a Type II action as specifically designated by 6 N.Y.C.R.R. § 617.5(c)(27);

² 6 N.Y.C.R.R. § 617.6(b)(3)(iii). The determination of significance issued by the lead agency following coordinated review is binding on all other involved agencies.

- “investments by or on behalf of agencies or pension or retirement systems, or refinancing existing debt”, which is a Type II action as specifically designated by 6 N.Y.C.R.R. § 617.5(c)(29); and
- “purchase or sale of furnishings, equipment, or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials”, which is a Type II action as specifically designated by 6 N.Y.C.R.R. § 617.5(c)(31).

Type II “actions have been determined not to have significant impact on the environment or are otherwise precluded from environmental review under Environmental Conservation Law, article 8.”³ Therefore, no further SEQR determination or procedure is required for any component of the proposed project identified as Type II.

SHPA Determination. The Proposed Projects were also reviewed in conformance with the *New York State Historic Preservation Act of 1980* (“SHPA”), especially the implementing regulations of Section 14.09 of the *Parks, Recreation, and Historic Preservation Law* (“PRHPL”), as well as with the requirements of the Memorandum of Understanding (“MOU”), dated March 18, 1998, between DASNY and the New York State Office of Parks, Recreation, and Historic Preservation (“OPRHP”). In compliance with Article III, Section 3.0 of the MOU, OPRHP would be notified of the Proposed Projects being funded with bond proceeds.

According to the New York State Cultural Resource Information System (“CRIS”), the project site located at 61513 State Highway 10 in Hobart, New York is eligible for listing in the State and National Registers of Historic Places (“S/NR”) and is also adjacent to the S/NR-eligible Hobart Historic District. The project site is also within an area of archaeological sensitivity. This project was submitted to OPRHP on November 5, 2025, and the consultation is ongoing.

According to CRIS, the Mixed-Use Development (Wetzel Development Project) project site is not adjacent to any properties that are eligible for listing in the State and National Registers of Historic Places (“S/NR”), nor is it in an area of archaeological sensitivity. However, OPRHP reviewed the project (OPRHP Project №. 22PR02714), and in its letter dated May 18, 2022, OPRHP rendered an opinion that “...no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Place will be impacted by this project.” Likewise, it is the opinion of DASNY that the Proposed Project would have no adverse impact on historical or cultural resources in or eligible for inclusion in the S/NR.

Attachments:

cc: Dena Amodio, Esq.
Stephen Kosier
Sara E. Stein, A.I.C.P.
SEQR File
OPRHP

³ 6 N.Y.C.R.R. § 617.5(a).



Transaction Report – Single Approval

NYSARC, Inc.

November 4, 2025

PROGRAM:

Other Independent Institutions

PURPOSE:

New Money

Refinancing

NOT TO EXCEED AMOUNT:

\$17,500,000

NOT TO EXCEED TERM:

25 Years

INTEREST RATE TYPE:

Fixed and/or Variable

BOND TAX STATUS:

Tax-Exempt and/or Taxable

SALE TYPE:

Negotiated Offering and/or

Private Placement

EXPECTED RATINGS:

Aa2/NR/NR

SECURITY:

Pledge of Public Funds

Standby Intercept

Mortgages

Debt Service Reserve Fund

Proposed New Issue Overview

The Board is being asked to adopt documents for one or more series of fixed and/or variable rate, tax-exempt and/or taxable bonds, in an amount not to exceed \$17,500,000, with maturities not to exceed 25 years, for NYSARC, Inc. ("NYSARC"), to be sold at one or more times through a negotiated offering and/or a private placement.

Financing Team:

- Senior Manager – Raymond James & Associates
- Co-Bond Counsel – Barclay Damon, LLP and Marous Law Group, P.C.
- Underwriter's Counsel – McCarter & English, LLP

Purpose:

- Financing/Refinancing various capital projects (\$14.9 million).

Security:

- Pledge and assignment of public funds allocable to participating NYSARC Chapters.
- The statutory authority to intercept public funds in the event NYSARC defaults in the payment of debt service under the Loan Agreement or fails to replenish the Debt Service Reserve Fund after a withdrawal.
- Mortgages on certain real property.
- Debt Service Reserve Fund.

Description of the Bonds:

- The Bonds are a special obligation of DASNY.
- The Loan Agreement is a general obligation of NYSARC.
- The Bonds are payable from payments made under the Loan Agreement and the applicable funds and accounts established under the resolution.

Financing Details:

- **New Money/Refinancing:** Bond proceeds will be used to finance or refinance capital projects on behalf of various NYSARC Chapters. It is currently anticipated that bond proceeds will be used on approximately 22 projects, including residential, day habilitation, administrative, and clinic space, on behalf of approximately nine participating Chapters.
- **Sources and Uses:** The Project is expected to require a project fund deposit of approximately \$14.8 million. The debt service reserve fund deposit is expected to be approximately \$614,000. Total financing costs, including the underwriter's discount, are estimated at approximately \$641,000. Below is an estimated Sources and Uses of funds for the financing. To provide flexibility, a not to exceed amount of \$17.5 million is being requested.



<i>Sources of Funds:</i>	<i>Series 2025</i>
Bond Proceeds	
Par Proceeds	\$ 14,810,000
Original Issue Premium	1,361,744
<i>Total Sources</i>	\$ 16,171,744
<i>Uses of Funds:</i>	
Project Fund Deposit	\$ 14,916,290
DSRF	614,331
Costs of Issuance	503,261
Underwriter's Discount	137,862
<i>Total Uses</i>	\$ 16,171,744

Approvals

PACB Approval (anticipated) – Nov. 19, 2025 TEFRA Hearing (anticipated) – TBD SEQR Filing (anticipated) – Nov. 10, 2025

The Institution

NYSARC, Inc., d/b/a The Arc New York, is a New York not-for-profit corporation, which was first incorporated in 1949 and is a leading advocate for the rights of intellectually and developmentally disabled persons in New York State. NYSARC seeks to improve the lives of people with disabilities both by influencing public policy and opinion and by offering a full range of programs operated by its chapters.

NYSARC's direct services to its clients are delivered through approximately 35 local operating chapters, each of which is chartered by NYSARC for a specific geographic jurisdiction. Local chapters are not separately incorporated and function as divisions of NYSARC. The local chapter's operations are authorized by NYSARC's board of governors. Each local chapter's officers are responsible for the local chapter's daily operations.

NYSARC's central office staff provides technical assistance in areas that include the interpretation of laws and regulations, training programs, advocacy, and, on occasion, direct management of chapters as deemed necessary by NYSARC's Executive Committee or at the request of a chapter's board of directors. Even though NYSARC's individual chapters operate independently of each other, overall financial and corporate management decisions are governed by NYSARC's central office. The central office of NYSARC provides fiscal monitoring for the finances of each chapter. The chapters are monitored monthly, and detailed procedures are implemented if problems arise.

NYSARC provides a variety of programs and services that the State is mandated to provide under court rulings to meet the individual needs of the persons served. NYSARC's clients come from both State institutions and community settings. The local chapters serve over 60,000 people and families across every county of the State.

Funding and Oversight:

The chapters receive their revenues primarily by providing services through licensed programs certified by the New York State Office for People with Developmental Disabilities ("OPWDD"), the State Education Department ("SED"), the Department of Health ("DOH"), and the Office of Mental Health ("OMH"). NYSARC receives substantially all of its revenues for services provided from third-party reimbursement agencies, primarily OPWDD and Medicaid.

Approximately 20 of the 22 projects anticipated to be financed or refinanced with bond proceeds are supported by OPWDD with a Prior Property Approval ("PPA"). OPWDD PPA projects are supported through contract and reimbursement arrangements with OPWDD. Before initiating the development of a project to serve developmentally disabled individuals, a non-profit provider is required to obtain a PPA from OPWDD. The PPA identifies funding sources for capital costs and the level and method of reimbursement to the provider. Medicaid reimbursement represents a substantial source of OPWDD revenue for service providers. The State commits to support the development and operation of the project if it is completed in conformance with the PPA, subject to annual appropriation of sufficient moneys by the State Legislature. More specifically, the PPA evidences OPWDD's commitment to pay funds directly to the provider sufficient to pay depreciation and interest payments associated with the financing of the facility. As further evidence of the State's involvement with these facilities, it should be noted that before initiating the development of a project to serve individuals

with developmental disabilities, a not-for-profit provider is required by regulation to complete a Certificate of Need ("CON") process. The CON is reviewed by the OPWDD Developmental Disabilities Services Office for compliance with local government and general State plans for needed development as to the type of individuals to be served and the program to be provided.

The State of New York has had a long commitment to ensuring that people with developmental disabilities experience health and growth while living and participating in the communities of their choice. In the 2025-26 New York State budget, the appropriations for OPWDD total \$10.1 billion, including \$7.5 billion for aid to localities to pay non-profit agencies, including NYSARC, for their services.

Security Provisions:

The Bonds are expected to be issued as unenhanced obligations. The Bonds will be secured by a pledge and assignment of public funds allocable to participating NYSARC Chapters, and a debt service reserve fund will be established from bond proceeds. Pursuant to law, DASNY has the right to intercept public funds otherwise payable to NYSARC to meet its debt service obligations. DASNY has the statutory authority to intercept public funds in the event NYSARC defaults on its payment of debt service under the Loan Agreement or fails to replenish the Debt Service Reserve Fund after a withdrawal.

NYSARC's obligations to DASNY under the Loan Agreement will also be secured by mortgages on certain properties. If a withdrawal is made from the debt service reserve fund established for the Bonds and is not reimbursed within 30 days, DASNY is obligated to assign the mortgages to the Trustee. If the balance of the debt service reserve fund is restored to its requirement, any mortgage that has not been foreclosed is required to be reassigned to DASNY upon request. Unless the mortgages are assigned by DASNY to the Trustee, none of the mortgages will be pledged as security to the bondholders of the Bonds.

Program Financing History:

DASNY has issued approximately \$366.6 million in bonds on behalf of NYSARC, through 21 bond series. As of September 30, 2025, approximately \$46.3 million across 5 bond series remained outstanding.

Summary

- The Board is being asked to adopt the necessary documents for the NYSARC financing. Barclay Damon, LLP and Marous Law Group, P.C., co-bond counsel, will provide the Board with an overview of certain bond document provisions at the November 12, 2025, Board meeting.

This report was prepared solely to assist DASNY in its review and approval of the proposed financing described therein and must not be relied upon by any person for any other purpose. DASNY does not warrant the accuracy of the statements contained in any offering document or any other materials relating to or provided by the Institutions in connection with the sale or offering of the Bonds, nor does it directly or indirectly guarantee, endorse or warrant (1) the creditworthiness or credit standing of the Institutions, (2) the sufficiency of the security for the Bonds or (3) the value or investment quality of the Bonds.

The Bonds are special limited obligations of DASNY that are secured only by the amounts required to be paid by the Institution pursuant to the Loan Agreements, certain funds established under the Resolution and other property, if any, pledged by the Institution as security for the Bonds.

NYSARC Project List 2025

Project #	Chapter	Project Address	Description (IRA, Admin, Day Hab, etc.)	Project Description	SEQR Classification
1	Columbia	350 Fairview Ave, Hudson, NY 12534	Day Hab	Refinancing	Type II
2	Columbia	8 Jenkins Parkway, Hudson, NY 12534	IRA	Refinancing	Type II
3	Columbia	410 Middle Road, Hudson, NY 12534	IRA	Refinancing	Type II
4	Delarc	43 Prospect Street, Stamford, NY 12167	IRA- change of auspice, renovations	Renovations	Type II
5	Delarc	61513 State Highway 10, Hobart, NY 13788	IRA- change of auspice, renovations	Renovations	Type II
6	Erie	170 Slade Drive, Alden, NY 14004	Various non-certified programs	New Construction	Unlisted
7	Erie	30 Wilson Road, Williamsville, NY 14221	Day Hab	Design & Renovation	Type II
8	Mid-Hudson	139 Cornell Street, Kingston, NY 12401	Day Hab/Clinic	Refinancing	Type II
9	Mid-Hudson	359 West Main Street, Units #1-#8, Catskill, NY 12414	IRA	Refinancing	Type II
10	Mid-Hudson	107 Fordham Road, Valatie, NY 12184	IRA	Refinancing	Type II
11	Monroe	2060 Brighton-Henrietta Townline Road, Rochester, NY 14623	Admin Building/Article 16 Clinic	Refunding	Type II
12	Montgomery	3888 NY-30A, Fultonville, NY 12072	IRA	Refinancing	Type II
13	Montgomery	169 Carlisle Road, Canajoharie, NY 13317	IRA	Refinancing	Type II
14	Montgomery	125 Darlene Drive, Fort Johnson, NY 12070	IRA	Refinancing	Type II
15	Montgomery	136 Trailer Street, Palatine Bridge, NY 13428	IRA	Refinancing	Type II
16	Montgomery	8-10 Roosevelt Road, Amsterdam, NY 12010	IRA	Refinancing	Type II
17	Mozaic	180 North Street, Auburn, NY 13021	Day Hab	Refinancing	Type II
18	Westchester	24 Scott Place, Hartsdale, NY, 10530	IRA	Refinancing	Type II
19	Westchester	70 Highridge Road, New Rochelle, NY 10801	IRA	Refinancing	Type II
20	Westchester	300 High Point Drive, Unit #713 Hartsdale, NY 10530	IRA	Refinancing	Type II
21	WWAARC	19 Eldrige Road, Queensbury, NY 12804	IRA	Refinancing	Type II
22	WWAARC	3421 East Lydius Street, Guilderland, NY 12303	IRA	Refinancing	Type II
	9 chapters				

Approved BOARD MINUTES November 22, 2022

The Village Board meeting was called to order at 7:30 pm by Mayor Prucnal, who led the pledge to the flag.

PRESENT: Mayor Prucnal, Trustees: Pruitt, Becker and Casell. Clerk Galbraith, CEO Czechowski, Attorney Trapp, Shawn Eastland, Patrick Cavanaugh, Chris Wood, Glenn Wetzl, Peter Sorgi, Kevin Penberthy and Douglas Digesarc.

Absent –Superintendent Pruitt and Trustee Refermat

MOTION by Trustee Pruitt seconded by Trustee Casell, to approve the minutes dated November 8, 2022. On the question – 4 ayes, Carried.

MOTION by Trustee Casell seconded by Trustee Pruitt, to approve for payment bills on abstract dated November 22, 2022.

Payroll \$ 50,507.53

Abstract \$ 214,638.37

ON the question – no comment, 4 ayes, Carried.

MOTION by Trustee Pruitt seconded by Trustee Casell, to approve the following monthly reports: Planning and Zoning Board minutes, Fuel, Ems/Fire, ECWA and Town of Alden Agenda. On the question – no comment, 4 ayes, Carried.

COMMUNICATIONS

NYS – snow and ice control and NYCOM bootcamp. Town of Alden Agendas, Alden Hook & Ladder request, information on Sidewalk Maintenance from Village of Akron. Erie County – Association of EC Governments ad ECWA Tariff.

MOTION by Trustee Becker and seconded by Trustee Casell, to file as received all. correspondence. On the question –no comment, 4 ayes, Carried.

Resolutions/Appointments/Requests/Motions for November 22, 2022

MOTION by Trustee Becker and seconded by Trustee Pruitt, to approve the Engineering Stormwater plans for Zoladz, as presented in September 2020.

Roll call vote: Trustee Becker-nay

Trustee Pruitt-nay

Trustee Refermat -absent

Trustee Casell-nay

Mayor Prucnal-nay On the question – no comment, 4 nays, denied.

MOTION by Trustee Pruitt and seconded by Trustee Becker, to accept the resignation of Mark Casell, as Office of Emergency Management Disaster Coordinator effective immediately. On the question –no comment, 3 ayes, Casell abstain. Carried.

MOTION by Trustee Becker and seconded by Trustee Casell, to appoint Dave Metz to the position of Office of Emergency Management Disaster Coordinator, effective immediately. On the question –no comment, 4 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Pruitt, to create the position of Office of Emergency Management Assistant Disaster Coordinator. On the question –no comment, 3 ayes, Casell abstain. Carried.

MOTION by Trustee Becker and seconded by Trustee Pruitt, to appoint Mark Casell to the position of Office of Emergency Management Assistant Disaster Coordinator, effective immediately. On the question –no comment, 3 ayes, Casell abstain. Carried.

MOTION by Trustee Pruitt and seconded by Trustee Casell, to approve NYRWA 's request to reserve the Village Hall Community Room, for April 4, 2023, from 7am-3:30pm, to host a Training session for Water Operators in the surrounding counties. On the question was previously approved for March 30 at our Oct. 25 meeting but added April 4. 4 ayes, Carried.

MOTION by Trustee Casell and seconded by Trustee Becker, to change the status from Active Restricted to Active Fire/EMS for Michael Browarek as voted on by the Alden Hook and Ladder Fire Company membership. ON the question – no comment, 4 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Casell, to exit the regular meeting and enter into the Public Hearing, SEQR for Wetzl Development project 7:45 pm.

Public Hearing 7:45 pm, Wetzl Development

Kevin and Douglas, spoke on behalf of Arc of Erie County. Arc is committed to supporting individuals in achieving their desired quality of life. They work with children and adults with disabilities to address an individual's needs to encourage independence. Peter Sorgi, Esq. to speak on behalf of the Wetzl Development. Of the 169 acres, only 45 will be developed. There is no historic or archeological impact. NYSDOT no impact. Would like to be part of the community, farming produce to sell at farmer's market, 12,000 sq. ft. enclosed field house for teams to use on weekends, meeting areas, public road, campus atmosphere and more. Sorgi- 14 variances have been approved by the ZBA, SWIPP (storm water improvement protection plan), proposed 2nd entrance proposed off Broadway.

MOTION by Trustee Becker and seconded by Trustee Pruitt, to close the first Public Hearing 8:04.

MOTION by Trustee Becker and seconded by Trustee Pruitt, enter into the second Public Hearing, Local Laws #6-#10, 2022, 8:04 pm

Public Hearing 8:04 pm, Local Laws #6-#10, 2022

CEO Czechowski explained the changes in the Code

Local Law #6 – Chapter 78-These changes are designed by NYS Dept. of State

Local Law #7 – Chapter 165- sewer this is to create an I & I fund program and allows access to the DPW for sewers. Already have a code to allow for access for water.

Local Law #8 – Chapter 200- added the Parking restriction on south side of Park St., from Crittenden Rd to the Town Park.

Local Law #9 – Chapter 204, addresses Well Head Protection radius, following Erie County guidelines.

Local Law #10 – Chapter 205, 3 revisions – allowing 1 meter to a building as opposed to individual meters, hot box 150' from ROW and private hydrate maintenance.

MOTION by Trustee Becker and seconded by Trustee Casell, exit the second Public Hearing for Local Laws #6-#10, 2022, and return to the regular meeting. 8:08 pm

The following resolution was offered by Trustee Becker who moved its adoption, seconded by Trustee Pruitt

To wit:

WHEREAS, Glenn/Wetzel/Wetzel Development is requesting approvals for site plan, subdivision, and a special permit for a mixed-use development; and

WHEREAS, the site plan, subdivision, and a special permit for a mixed-use development approval are classified as Unlisted actions and are subject to review within the requirements of the New York State Environmental Quality Review Act (SEQR); and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Glenn Wetzel/Wetzel Development has prepared a full environmental assessment form, with exhibits, which is now on file with the Village of Alden, and may be reviewed at the Village offices, 13336 Broadway, Alden, New York 14004; and

WHEREAS, all plans and documents were forwarded to the Village of Alden Planning Board; Village of Alden Zoning Board of Appeals; Village of Alden Department of Public Works; Village of Alden Building Department; Erie County Department of Health; Erie County Department of Sewerage Management; Erie County Department of Environment and Planning; New York State Department of Environmental Conservation; New York State Office of Parks, Recreation and Historic Preservation; New York State Department of Transportation; Village of Alden Fire Department; Town of Alden; and the United States Army Corps of Engineers for a review of same and comments, and WHEREAS, pursuant to the Law and after a coordinated review with the Village of Alden Board of Trustees assumes lead agency status.

NOW, THEREFORE, BE IT:

RESOLVED, that the Village of Alden Board of Trustees hereby assumes the role of lead agency for the purpose of determining what significance this project has on the environment, and be it further

RESOLVED, that the Village of Alden Board of Trustees, as Lead Agency, upon taking an independent hard look and reasoned evaluation of the above-referenced information, comments and written documentation, hereby determines that the proposed Unlisted actions, as described in the attached SEQR Negative Declaration, Notice of Determination of Non-Significance, which attached notice is hereby made part of this resolution, will not have a significant effect on the environment and that an environmental impact statement is not required to be prepared with respect to said proposed action.

**SEQR Negative Declaration
Reasons Supporting Determination
For: Glenn Wetzel/Wetzel Development, Slade Drive**

The Village of Alden acted as lead agency for the project.

The proposed mixed-use development located at Slade Drive reflects the use of land within the Village of Alden as recommended by the Village of Alden's Comprehensive Master Plan. The western and southern property lines of the project are the western and southern property lines of the Village of Alden where they about the Town of Alden. The properties immediately north are in a C-1 Commercial Zoning District. The property immediately east contains a portion of C-1 Commercial, R-C Residential-Commercial, and R-1 Residential Zoning Districts.

After taking a hard look at the proposed project, the Village of Alden Board of Trustees decided that a potential moderate to large impact could occur related to changes in use and intensity of use of the property. This is because the action will result in an increase in density of use of the subject property because it is currently vacant.

After analysis, the Village of Alden Board of Trustees decided that those impacts have been adequately mitigated by the specific elements provided in the proposed plan, including a new extension of Slade Drive heading eastward towards Exchange Street, which will relieve density impacts not just from the proposed development but also the existing density of developed parcels. Furthermore, the project layout and proposed Slade Drive extension fulfills a key element that has been specifically identified by the Village of Alden Comprehensive Plan as essential in the southwest quadrant of the Village. Overall, the project design and layout are consistent with the setback and density requirements of the Code of the Village of Alden for the proposed use; is in an area zoned for the proposed use; is generally consistent with the Comprehensive Plan; and there are properties immediately adjacent and across from the subject property with identical uses as are proposed in this development.

Therefore, the Village of Alden Board of Trustees has determined that there is likely to be no adverse environmental impacts relating to this project.

Considering there are no indicators of significant effect on the environment and these changes are consistent with the Village of Alden's Comprehensive Master Plan, a negative declaration is declared.

Roll call vote: Trustee Becker-aye

Trustee Pruitt-aye

Trustee Reformat absent

Trustee Casell-aye

Mayor Prucnal-aye ON the question – no comment, 4 ayes, Carried.

The following resolution was offered by Trustee Becker, who moved its adoption, seconded by Trustee Casell

To wit:

WHEREAS, the Village of Alden is proposing adoption of Local Law #6-2022; and WHEREAS, the local law adoption is classified as an Unlisted action and is subject to review within the requirements of the New York State Environmental Quality Review Act (SEQR); and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, the Village of Alden has prepared a short environmental assessment form, which is now on file with the Village of Alden, and may be reviewed at the Village offices, 13336 Broadway, Alden, New York 14004; and

WHEREAS, pursuant to the Law, the Village of Alden assumes lead agency status.

NOW, THEREFORE, BE IT:

RESOLVED, that the Village of Alden hereby assumes the role of lead agency for the purpose of determining what significance this project has on the environment, and be it further

RESOLVED, that the Village of Alden, as Lead Agency, hereby determines that the proposed Unlisted action, as described in the attached SEQR Negative Declaration, Notice of Determination of Non-Significance, which attached notice is hereby made part of this resolution, will not have a significant effect on the environment and that an environmental impact statement is not required to be prepared with respect to said proposed action.

**SEQR Negative Declaration
Reasons Supporting Determination
For: Adoption of Local Law #6-2022**

The proposed changes to Chapter 78 of the Code of the Village of Alden reflect the regulations as mandated by the New York State Department of State for a local municipality to enforce the provisions of the New York State Fire Prevention & Building Codes.

Upon the adoption of this local law, it is determined that there will not be any adverse changes in the quality of air, ground water, vegetation, or animal life and there is no hazard to human health.

Considering there are no indicators of significant effect on the environment, a negative declaration is declared.

Roll call vote: Trustee Becker-aye

Trustee Pruitt-aye

Trustee Reformat absent

Trustee Casell-aye

Mayor Prucnal-aye ON the question – no comment, 4 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Pruitt, to adopt Local Law #7-2022, regulating Village access to property and creating an I & I program.

Roll call vote: Trustee Becker-aye

Trustee Pruitt-aye

Trustee Reformat absent

Trustee Casell-aye

Mayor Prucnal-aye ON the question – no comment, 4 ayes, Carried.

The following resolution was offered by Trustee Casell who moved its adoption, seconded by Trustee Becker

To wit:

WHEREAS, the Village of Alden is proposing adoption of Local Law #8-2022; and
WHEREAS, the local law adoption is classified as an Unlisted action and is subject to review within the requirements of the New York State Environmental Quality Review Act (SEQR); and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, the Village of Alden has prepared a short environmental assessment form, which is now on file with the Village of Alden, and may be reviewed at the Village offices, 13336 Broadway, Alden, New York 14004; and

WHEREAS, pursuant to the Law, the Village of Alden assumes lead agency status.

NOW, THEREFORE, BE IT

RESOLVED, that the Village of Alden hereby assumes the role of lead agency for the purpose of determining what significance this project has on the environment, and be it further

RESOLVED, that the Village of Alden, as Lead Agency, hereby determines that the proposed Unlisted action, as described in the attached SEQR Negative Declaration, Notice of Determination of Non-Significance, which attached notice is hereby made part of this resolution, will not have a significant effect on the environment and that an environmental impact statement is not required to be prepared with respect to said proposed action.

**SEQR Negative Declaration
Reasons Supporting Determination
For: Adoption of Local Law #8-2022**

The proposed changes to Chapter 200 of the Code of the Village of Alden reflect modification of the requirements for parking, standing, and stopping of motor vehicle on the south side of Park Street between Crittenden Road and the Alden Town Park.

Upon the adoption of this local law, it is determined that there will not be any adverse changes in the quality of air, ground water, vegetation, or animal life and there is no hazard to human health.

Considering there are no indicators of significant effect on the environment, a negative declaration is declared.

Roll call vote: Trustee Becker-aye

Trustee Pruitt-aye

Trustee Refermat absent

Trustee Casell-aye

Mayor Prucnal-aye ON the question – no comment, 4 ayes, Carried.

MOTION by Trustee Casell and seconded by Trustee Becker, to adopt Local Law #8-2022, regulating parking on Park Street.

Roll call vote: Trustee Becker-aye

Trustee Pruitt-aye

Trustee Refermat absent

Trustee Casell-aye

Mayor Prucnal-aye ON the question – no comment, 4 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Pruitt, to adopt Local Law #9-2022, regulating wellhead protection distances.

Roll call vote: Trustee Becker-aye

Trustee Pruitt-aye

Trustee Refermat absent

Trustee Casell-aye

Mayor Prucnal-aye ON the question – no comment, 4 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Casell, to adopt Local Law #10-2022, regulating property structure meters, meter location, and private hydrant maintenance.

Roll call vote: Trustee Becker-aye
Trustee Pruitt-aye
Trustee Reformat absent
Trustee Casell-aye

Mayor Prucnal-aye ON the question – no comment, 4 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Casell, to adopt the proposed changes to A220, Fees.

Roll call vote: Trustee Becker-aye
Trustee Pruitt-aye
Trustee Reformat absent
Trustee Casell-aye

Mayor Prucnal-aye ON the question – no comment, 4 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Pruitt, to set a public hearing for Glenn Wetzl/Wetzl Development Site Plan Review and Special Use Permit to run concurrently on Tuesday, December 27, 2022, at 7:35PM.

Roll call vote: Trustee Becker-aye
Trustee Pruitt-aye
Trustee Reformat absent
Trustee Casell-aye

Mayor Prucnal-aye ON the question – no comment, 4 ayes, Carried.

MOTION by Trustee Becker and seconded by Trustee Pruitt, for the following
RESOLUTION TO HOLD PUBLIC HEARING

WHEREAS, the Village Board of the Village of Alden has received a written request from the Alden Hook & Ladder Fire Co. Inc., which seeks to amend its certificate of incorporation to permit it to operate as a charitable tax-exempt corporation under Section 501(c)(3) of the Internal Revenue Code; and

WHEREAS, Section 404(f) of the New York State Not-for-Profit Corporation Law requires the approval of the Alden Village Board upon public hearing of the Alden Hook & Ladder Fire Company's application; and

WHEREAS, based on such request, it may be in the public interest, and a public hearing on the matter should be held for such purposes, pursuant to Section 404(f) of the New York State Not-for-Profit Corporation Law.

NOW THEREFORE, it is hereby

RESOLVED, that the Village Board of the Village of Alden shall convene and conduct a public hearing on December 13, 2022 at 7:35 p.m. at the Alden Village Hall, 13336 Broadway, Alden, New York 14004 for the purpose of considering the amendment of the certificate of incorporation of the Alden Hook & Ladder Fire Co. Inc. to permit it to operate as a charitable tax-exempt corporation under

Section 501(c)(3) of the Internal Revenue Code, and that notice thereof shall be given by the Clerk as required by law.

Roll call vote: Trustee Becker-aye
Trustee Pruitt-aye
Trustee Refermat absent
Trustee Casell-aye
Mayor Prucnal-aye ON the question – no comment, 4 ayes, Carried.

BUSINESS FROM THE FLOOR

REPORTS FROM COMMITTEES/DEPARTMENT

Mayor Prucnal – would like to commend the DPW employees for the great job they did clearing the streets and sidewalks during the storm.

UNFINISHED AND TABLED BUSINESS:

ADJOURNMENT

Motion by Trustee Becker, seconded by Trustee Pruitt to adjourn the Regular meeting at 8:14 pm
On the question –no comment, 4 ayes, Carried.

I respectfully submit.

Sue Galbraith,
Village Clerk

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: Mixed Use Development -- Broadway, Village of Alden		
Project Location (describe, and attach a general location map): See attached Exhibit A		
Brief Description of Proposed Action (include purpose or need): Mixed Use Development on approximately 169 acres consisting the following proposed uses with related infrastructure: Subdivision Lot # Acres Proposed Use 1. 7.5± Warehouse / Contractors' Shop / Self Storage 2. 6.7± Office / Retail with Farmers Market in Paved Parking Area 3. 5.1± 30 Market Rate Apartments 4. 4.4± 56 Senior Apartments 5. 136.6± Foundation Agricultural / Residential Community: Administration Building and related accessory uses 6. 6.2± Foundation Agricultural / Residential Community: Recreational Fields		
Name of Applicant/Sponsor: Wetzel Development LLC		Telephone: 716.649.3499 E-Mail: glennwetzel@roadrunner.com
Address: 4701 Southwestern Boulevard, Building A		
City/PO: Hamburg	State: NY	Zip Code: 14075
Project Contact (if not same as sponsor; give name and title/role): Peter J. Sorgi, Esq. -- Project Attorney		Telephone: 716.908.3289 E-Mail: psorgi@hsmlegal.com
Address: 726 Main Street, Suite B		
City/PO: East Aurora	State: NY	Zip Code: 14052
Property Owner (if not same as sponsor): Glenn P. Wetzel and Cynthia A. Wetzel		Telephone: 716.649.3499 E-Mail: glennwetzel@roadrunner.com
Address: 7071 Liebler Road		
City/PO: Colden	State: NY	Zip Code: 14033

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	Village Board -- Site Plan	8/2022
b. City, Town or Village Planning Board or Commission ☒ Yes ☐ No	Planning Board -- Subdivision	9/2022
c. City, Town or Village Zoning Board of Appeals ☐ Yes ☐ No	ZBA -- Area Variances	10/2022
d. Other local agencies ☒ Yes ☐ No	Village Water and Sewer	9/2022
e. County agencies ☒ Yes ☐ No	Erie County Health Dept (water & sewer); Erie County Evtl & Planning (Ag District)	9/2022
f. Regional agencies ☐ Yes ☒ No		
g. State agencies ☒ Yes ☐ No	NYSDEC (SPDES permit, DSCA, wetlands); NYSOPRHP -- archeological; NYSDOT (work permit)	9/2022
h. Federal agencies ☒ Yes ☐ No	USACOE (wetlands)	9/2022
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

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):
 NYS Heritage Areas: West Erie Canal Corridor

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?
C-1 & R-O

- 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?
If Yes, ☐ Yes ☒ No

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? Alden Central Schools

- b. What police or other public protection forces serve the project site?
Erie County Sheriff, NYS Police

- c. Which fire protection and emergency medical services serve the project site?
Village of Alden Fire Dept

- d. What parks serve the project site?
Alden Town Park; Robert O. Smith Park

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)? residential/commercial/not-for-profit residential and agricultural and educational

- b. a. Total acreage of the site of the proposed action? 169.63 acres
b. Total acreage to be physically disturbed? 45 +/- acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 169.63 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?
If Yes, ☒ Yes ☐ No

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
commercial / residential / not-for-profit

- ii. Is a cluster/conservation layout proposed? ☐ Yes ☒ No
iii. Number of lots proposed? 7

- iv. Minimum and maximum proposed lot sizes? Minimum 3.1 acres Maximum 136.6 acres

- e. Will the proposed action be constructed in multiple phases? ☒ Yes ☐ No
i. If No, anticipated period of construction:

ii. If Yes: months

- Total number of phases anticipated 3
- Anticipated commencement date of phase 1 (including demolition) 10 month 2022 year
- Anticipated completion date of final phase 1 month 2025 year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

The proposed project will be constructed in several phases, initial phase will include the multi family residential and Warehouse / Contractors' Shop / Self Storage
Subsequent phases will include additional commercial building and not-for-profit agricultural / residential community.

f. Does the project include new residential uses?
If Yes, show numbers of units proposed. ☒ Yes ☐ No

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	86 +/-
At completion of all phases	_____	_____	_____	86 +/-

g. Does the proposed action include new non-residential construction (including expansions)? ☒ Yes ☐ No
If Yes,

i. Total number of structures 32 +/-

ii. Dimensions (in feet) of largest proposed structure: 40' height; 125' width; and 125' length

iii. Approximate extent of building space to be heated or cooled: 65,000 +/- 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: storm water management

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☒ Other specify: storm water runoff

iii. If other than water, identify the type of impounded/contained liquids and their source.
N/A

iv. Approximate size of the proposed impoundment. Volume: TBD million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: N/A height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):
project will not include a dam

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): Federal and NYS wetlands as delineated by Earth Dimensions -- see Wetlands and Waterbodies Report at Exhibit B and see United States Army Corps of Engineers Jurisdictional Determination at Exhibit C.

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:
Does not affect -- i.e., avoidance

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

If Yes, describe:

☐ Yes ☒ No

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

If Yes:

☐ Yes ☒ No

- 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:

mitigation will be in accordance the mitigation plan approved by the USACOE

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

If Yes:

☒ Yes ☐ No

i. Total anticipated water usage/demand per day:

45,000 gallons/day

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

If Yes:

☒ Yes ☐ No

- Name of district or service area: Village of alden

- 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?

If Yes:

☒ Yes ☐ No

- Describe extensions or capacity expansions proposed to serve this project:

Public water main extension will be required

- Source(s) of supply for the district: Village of Alden

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

If Yes:

☐ Yes ☒ No

- 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:

N/A

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

d. Will the proposed action generate liquid wastes?

If Yes:

☒ Yes ☐ No

i. Total anticipated liquid waste generation per day: 45,000 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):
sanitary sewage

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

If Yes:

☒ Yes ☐ No

- Name of wastewater treatment plant to be used: Village of Alden

- Name of district: Village of Alden

- 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?
- Will a line extension within an existing district be necessary to serve the project?

☒ Yes ☐ No
☒ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project:

Public sanitary sewer main extension is required

- iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?

If Yes:

☐ Yes ☒ No

- 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):

N/A

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

none

- 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 10 +/- acres (impervious surface)

_____ Square feet or 169.6 acres (parcel size)

- ii. Describe types of new point sources: roofs, parking lots, driveways

- 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)?

storm water will be directed to on-site storm water management areas

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

- Will stormwater runoff flow to adjacent properties?

- 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)

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

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

- 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): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

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? ☐ 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 ½ 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

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
typical energy usage for this type of project

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

NYSEG

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:

- Monday - Friday: _____ 7am-7pm
- Saturday: _____ 7am-7pm
- Sunday: _____ none
- Holidays: _____ none

ii. During Operations:

- Monday - Friday: _____ TBD
- Saturday: _____ TBD
- Sunday: _____ TBD
- Holidays: _____ TBD

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:
typical construction noise during hours listed in previous item _____

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☒ Yes ☐ No
Describe: existing vegetation will be removed within the project area

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:
Parking lot lighting will be part of the proposed project. These lights will be LED and dark sky compliant. The nearest proposed light will be approximately 200' from the nearest occupied structure.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☒ Yes ☐ No
Describe: existing vegetation will be removed within the project area

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: _____

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
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
If Yes:

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

- Construction: _____ 2 +/- tons per _____ week (unit of time)
- Operation: _____ 2 +/- tons per _____ month (unit of time)

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

- Construction: recycling will be at the discretion of the contractors
- Operation: recycling will follow local recycling programs

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

- Construction: approved NYSDEC C&D landfill
- Operation: approved NYSDEC landfill

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: _____

Setting is Village oriented to North but rural to south

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	10.0	+10.0
• Forested	96.27	57.69	-38.58
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	20.70	15.70	-5.0
• Agricultural (includes active orchards, field, greenhouse etc.)	0	30.00	+30.00
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	52.66	51.24	-1.42
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: landscaped areas	0	5.0	+5.0

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

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:
Imagination Station Child Care & Preschool

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?
• If yes, cite sources/documentation: _____ ☐ Yes ☐ No
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: _____

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? _____ > 5 feet

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:

Candice silt loam	23 %
phelps gravelly loam	21 %
Alton fine gravelly loam	20 %

d. What is the average depth to the water table on the project site? Average: _____ > 5 feet

e. Drainage status of project site soils: ☒ Well Drained: 20 % of site
☒ Moderately Well Drained: 21 % of site
☒ Poorly Drained: 59 % of site

f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: 100 % of site
☐ 10-15%: _____ % of site
☐ 15% or greater: _____ % 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 837-30	Classification C
• Lakes or Ponds:	Name	Classification
• Wetlands:	Name Federal Waters, NYS Wetland, Federal Waters, Fe...	Approximate Size NYS Wetland (in a...
• Wetland No. (if regulated by DEC)	CL-18	

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: Principal Aquifer

m. Identify the predominant wildlife species that occupy or use the project site:
 typical rural wildlife such as deer, rabbits _____
 squirrels, etc _____

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: _____
 Hunting will not be allowed following development

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: ERIE016 - See attached Map at Exhibit D
 Showing property next to but not in agricultural district

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: _____
See clearance letter from NYSOPRHP attached as Exhibit E

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 6 NYCRR 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 Wetzel Development LLC

Date 8.22.2022

Signature

PS

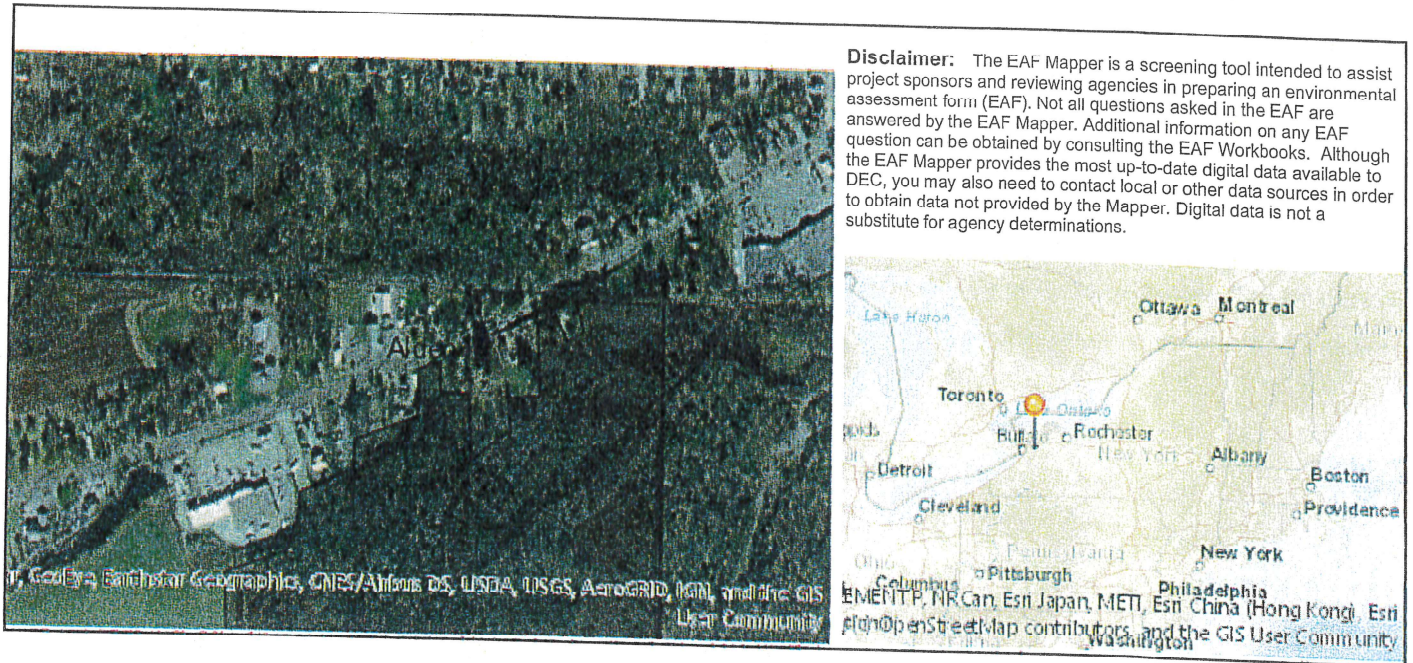
(Peter J. Sorgi, Esq.)

Title Project Attorney

PRINT FORM

EAF Mapper Summary Report

Monday, October 4, 2021 4:57 PM



B.1.i [Coastal or Waterfront Area]	No
B.1.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas: West Erie Canal Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	837-30
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters, NYS Wetland
E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres): 38.4
E.2.h.iv [Surface Water Features - DEC Wetlands Number]	CL-18

E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	ERIE016
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]
 Project :
 Date :

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency and the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “Yes” to a numbered question, please complete all the questions that follow in that section.
- If you answer “No” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>				☐ NO	☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☒	☐		
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☒	☐		
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☒	☐		
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☒	☐		
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☒		
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☐	☒		
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☒	☐		
h. Other impacts: _____ _____		☐	☐		

2. Impact on Geological Features The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) ☒ NO ☐ YES <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____		☐	☐

3. Impacts on Surface Water The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) ☒ NO ☐ YES <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

1. Other impacts: _____ _____		☐	☐
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____ _____		☐	☐

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2c	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____ _____		☐	☐
----------------------------------	--	--------------------------	--------------------------

6. Impacts on Air The proposed action may include a state regulated air emission source. ☒ NO ☐ YES (See Part 1. D.2.f, D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO ₂)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N ₂ O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF ₆)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	D2h	☐	☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____ _____		☐	☐

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☐ NO ☒ YES <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☒	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☒	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☒	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☒	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☒	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☒	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☒	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	☒	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☒	☐
j. Other impacts: _____		☒	☐

8. Impact on Agricultural Resources The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☒ NO ☐ YES <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i> ☒ NO ☐ YES			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☐ ☐	☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	☐ ☐	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____ _____		☐	☐

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i> ☒ NO ☐ YES			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical 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.	E3e	☐	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archacological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☐	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☐	☐

d. Other impacts: _____ _____		☐	☐
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☐	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☐	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☐	☐

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>				☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐		
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐		
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐		
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐		
e. Other impacts: _____ _____		☐	☐		

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>				☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐		
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐		
c. Other impacts: _____ _____		☐	☐		

13. Impact on Transportation The proposed action may result in a change to existing transportation systems. (See Part 1. D.2.j) <i>If "Yes", answer questions a - f. If "No", go to Section 14.</i>			
		☐ NO	☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☒	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☒	☐
c. The proposed action will degrade existing transit access.	D2j	☒	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☒	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☒	☐
f. Other impacts: _____ _____		☐	☐

14. Impact on Energy The proposed action may cause an increase in the use of any form of energy. (See Part 1. D.2.k) <i>If "Yes", answer questions a - e. If "No", go to Section 15.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The 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 commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____ _____			

15. Impact on Noise, Odor, and Light The proposed action may result in an increase in noise, odors, or outdoor lighting. (See Part 1. D.2.m., n., and o.) <i>If "Yes", answer questions a - f. If "No", go to Section 16.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☐	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☐	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☐
f. Other impacts: _____ _____		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

☒ NO

☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____ _____			

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____ _____		☐	☐

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____ _____		☐	☐

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

SEE ATTACHED AS APPLICABLE

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☐ Type 1 ☒ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1 ☒ Part 2 ☒ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

SEE ATTACHED AS APPLICABLE

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Village of Alden as lead agency that:

☐ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☒ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

SEE ATTACHED

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Glenn Wetzl/Wetzl Development, Slade Drive

Name of Lead Agency: Village of Alden

Name of Responsible Officer in Lead Agency: Joseph Czechowski

Title of Responsible Officer: SEQRA Intake Officer

Signature of Responsible Officer in Lead Agency:

Date:

11/23/22

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: Joseph Czechowski

Address: 13336 Broadwav

Telephone Number: 716-937-9216 extension 121

E-mail: ceojoe@rochester.rr.com

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>



Parks, Recreation, and Historic Preservation

KATHY HOCHUL
Governor

ERIK KULLESEID
Commissioner

May 18, 2022

Rami Herzellah
Carmina Wood Morris, DPC
487 Main Street
Suite 500
Buffalo, NY 14203

Re: DEC
Land Clearing & Grading Project
12901 Broadway St, Alden, Erie County, NY
22PR02714

Dear Rami Herzellah:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the opinion of OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

A handwritten signature in black ink, reading "R. Daniel Mackay".

R. Daniel Mackay

Deputy Commissioner for Historic Preservation
Division for Historic Preservation



SMART GROWTH IMPACT STATEMENT ASSESSMENT FORM

Date: November 10, 2025 **Project Number:** 388460
Project Applicant: NYSARC, Inc. – Erie County Chapter
Project Name: Construction of Main Building – Mixed Used Development
Program: Other Independent Institutions Program
Project Location: 170 Slade Drive, Alden, Erie County, New York
Completed by: Emma Lanahan, Environmental Affairs Specialist, Office of Environmental Affairs *E.C.L.*

This Smart Growth Impact Statement Assessment Form (“SGISAF”) is a tool to assist the applicant and the Dormitory Authority of the State of New York’s (“DASNY’s”) Smart Growth Advisory Committee in deliberations to determine whether a project is consistent with the New York State *Smart Growth Public Infrastructure Policy Act* (“SSGPIPA”), Article 6 of the New York State *Environmental Conservation Law* (“ECL”).¹ Not all questions/answers may be relevant or applicable to all projects.

Description of Proposed Action and Proposed Project:

The bond proceeds would be used for the construction of an approximately 11,000-gross-square-foot (“gsf”) new building. The new building would be part of a larger mixed-use development project to create an agricultural and residential community on approximately 169 acres, consisting of a warehouse, contractors’ shop, self-storage, office space, retail space, a farmers’ market, parking area. In addition, the development of approximately 30 market-rate and 56 senior apartments, an administration building and recreational fields would also be constructed.

Smart Growth Impact Assessment: Have any other entities issued a Smart Growth Impact Statement (“SGIS”) with regard to this project? (If so, attach same). ☐ Yes ☒ No

1. Does the project advance or otherwise involve the use of, maintain, or improve existing infrastructure?
Check one and describe: ☒ Yes ☐ No ☐ Not Relevant
2. Is the project located wholly or partially in a **municipal center**,² characterized by any of the following:
Check all that apply and explain briefly:
 - ☐ A city or a village
 - ☐ Within the boundaries of a generally-recognized college, university, hospital or nursing-home campus
 - ☐ Area of concentrated and mixed land use that serves as a center for various activities including, but not limited to: **see below**
 - ☐ Central business districts (i.e., commercial or geographic heart of a city, downtown or “city center”)
 - ☐ Main streets (i.e., primary retail street of a village, town, or small city)
 - ☐ Downtown areas (i.e., city's core, center or central business district)
 - ☐ Brownfield opportunity areas (<https://www.dos.ny.gov/opd/programs/brownFieldOpp/index.html>)
 - ☐ Downtown areas of Local Waterfront Revitalization Programs (“LWRPs”) (<https://www.dos.ny.gov/opd/programs/lwrp.html>)
 - ☐ Transit-oriented development areas (i.e., areas with access to public transit for residents)
 - ☐ Environmental justice areas (<https://www.dec.ny.gov/public/911.html>)
 - ☐ Hardship areas
3. Is the project located adjacent to municipal centers (please see characteristics in question 2, above) with clearly-defined borders, in an area designated for concentrated development in the future by a municipal or regional comprehensive plan that exhibits strong land use, transportation, infrastructure and economic connections to an existing municipal center? Check one and describe: ☐ Yes ☒ No ☐ Not Relevant

¹ <https://www.nysenate.gov/legislation/laws/ENV/A6>

² DASNY interprets the term “municipal centers” to include existing, developed institutional campuses such as universities, colleges and hospitals.

4. Is the project located in an area designated by a municipal or comprehensive plan, and appropriately zoned, as a future municipal center? Check one and describe: ☐ Yes ☒ No ☐ Not Relevant
5. Is the project located wholly or partially in a developed area or an area designated for concentrated infill development in accordance with a municipally-approved comprehensive land use plan, a local waterfront revitalization plan, brownfield opportunity area plan or other development plan? Check one and describe: ☒ Yes ☐ No ☐ Not Relevant
6. Does the project preserve and enhance the state's resources, including agricultural lands, forests, surface and groundwater, air quality, recreation and open space, scenic areas, and/or significant historic and archeological resources? Check one and describe: ☒ Yes ☐ No ☐ Not Relevant
7. Does the project foster mixed land uses and compact development, downtown revitalization, brownfield redevelopment, the enhancement of beauty in public spaces, the diversity and affordability of housing in proximity to places of employment, recreation and commercial development and/or the integration of all income and age groups? Check one and describe: ☒ Yes ☐ No ☐ Not Relevant
8. Does the project provide mobility through transportation choices, including improved public transportation and reduced automobile dependency? Check one and describe: ☐ Yes ☐ No ☒ Not Relevant
9. Does the project demonstrate coordination among state, regional, and local planning and governmental officials?³ Check one and describe: ☒ Yes ☐ No ☐ Not Relevant
10. Does the project involve community-based planning and collaboration?
Check one and describe: ☒ Yes ☐ No ☐ Not Relevant
11. Is the project consistent with local building and land use codes?
Check one and describe: ☒ Yes ☐ No ☐ Not Relevant
12. Does the project promote sustainability by strengthening existing and creating new communities which reduce greenhouse gas emissions and do not compromise the needs of future generations? Check one and describe: ☒ Yes ☐ No ☐ Not Relevant
13. During the development of the project, was there broad-based public involvement?⁴
Check one and describe: ☒ Yes ☐ No ☐ Not Relevant
14. Does the Recipient have an ongoing governance structure to sustain the implementation of community planning? Check one and describe: ☒ Yes ☐ No ☐ Not Relevant
15. Does the project mitigate future physical climate risk due to sea level rise, and/or storm surges and/or flooding, based on available data predicting the likelihood of future extreme weather events, including hazard risk analysis data if applicable? Check one and describe: ☒ Yes ☐ No ☐ Not Relevant

³ Demonstration may include *State Environmental Quality Review* ["SEQR"] coordination with involved and interested agencies, district formation, agreements between involved parties, letters of support, State Pollutant Discharge Elimination System ["SPDES"] permit issuance/revision notices, etc.

⁴ Documentation may include *SEQR* coordination with involved and interested agencies, SPDES permit issuance/revision notice, approval of Bond Resolution, formation of district, evidence of public hearings, *Environmental Notice Bulletin* ["ENB"] or other published notices, letters of support, etc.

DASNY has reviewed the available information regarding this project and finds:

- ☒ The project was developed in general consistency with the relevant Smart Growth Criteria.
☐ The project was not developed in general consistency with the relevant Smart Growth Criteria.
☐ It was impracticable to develop this project in a manner consistent with the relevant Smart Growth Criteria
for the following reasons: _____
-

ATTESTATION

I, President of DASNY/designee of the President of DASNY, hereby attest that the Proposed Project, to the extent practicable, meets the relevant criteria set forth above and that to the extent that it is not practical to meet any relevant criterion, for the reasons given above.



November 10, 2025

Signature/Date

Robert S. Derico, R.A., Director, Office of Environmental Affairs

Print Name and Title