

**VILLAGE OF TRUMANSBURG
SEQRA PART 3 ANALYSIS
46 SOUTH STREET**

The Village of Trumansburg Planning Board has undertaken a multi-month exhaustive analysis of SEQRA Parts 1 and 2, and fully examined probable and potential environmental impacts arising from or in relation to the above project as the designated lead agency for a coordinated environmental review. In undertaking this analysis, the Planning Board was cognizant that, although this is a small-to-moderate project in terms of its size under SEQRA and in this County generally, and although it is principally a housing project, its location within an existing neighborhood merited a close look under SEQRA and the Village's mini-SEQR ("VEQR"), both of which resulted in the proper classification of this Action as Type I Action. For the record, it is noted that SEQRA and VEQR proceed simultaneously and envision and require a unified review under SEQRA process and standards.

Thus, a Full Environmental Assessment Form ("FEAF") Part 1 was prepared, referred for analysis to and refined and revised by the Village Engineer, and numerous data updates and disclosure were required. During these times the project itself morphed and became smaller and less dense, with more open space. As a final or near-to-final project plan solidified in late summer, 2018, the Planning board started to focus on the SEQRA Part 1, which was in August deemed substantially complete. The Part 1 was then reviewed over several public meetings and subjected to substantial public comment. A final review of Part 1 was completed and a final, updated Part 1 was created and informed the commencement of the SEQRA Part 2 analysis.

In September and October, at public meetings on the record, the Planning Board undertook Part 2 reviews. A draft Part 2 was created, reviewed, updated, re-reviewed, and then subjected to a point-by-point SEQRA impact analysis per the standards of the indicated subdivisions of the 17 focus-points of the FEAF Part 2. Thus, some of the Potential Project Impacts numerically listed in Part 2 were initially checked "yes," but on review of each of the criteria and considering other impacts, the final review resulted in changing the primary impact analysis answer to "no" (as more fully detailed below). A final Part 2 was prepared in October and the analysis undertaken under Part 3 to determine whether any project impacts were, or were likely to become, moderate or large impacts.

In undertaking such review and performing its function in conducting a coordinated environmental review in accordance with Article 8 of the New York State Environmental Conservation Law – the State Environmental Quality Review Act ("SEQRA") – the Planning Board duly considered and pursued its thorough review of the completed Full Environmental Assessment Form ("FEAF") Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, and thoroughly analyzed the potential relevant areas of environmental concern of the project to determine if the proposed action may have a moderate or large or significant adverse impact on the environment, including the criteria identified in 6 NYCRR § 617.7(c). The Planning Board also duly reviewed and completed the FEAF, Part 2 on the record, and each of the identified impacts were analyzed and duly considered by the Planning Board, as Lead Agency, in relation to the question of whether such impacts were so probable of occurring or so significant as to require a positive declaration of environmental impacts, and after weighing the potential impacts arising from or in connection with this site plan approval, and after also considering: (i) the probability of each potential impact occurring, including weighing the speculative nature of some potential future contingencies and the non-

speculative nature of others; (ii) the duration of each potential impact; (iii) the irreversibility of each potential impact, including a consideration of permanently lost resources of value; (iv) whether each potential impact can or will be controlled or mitigated by permitting, reviews, or other regulatory processes; (v) the regional consequence of the potential impacts; (vi) the potential for each impact to be or become inconsistent with the Village's master or Comprehensive Plan and local needs and goals; and (vii) whether any known objections to the Project relate to any of the identified potential impacts; the Planning Board found that these factors did not cause any potential negative environmental or related social or resource impact to be or be likely to become a moderate or large negative impact.

In reaching this conclusion under SEQRA, the Planning Board duly considered the following issues and analyses, among others:

1. The Planning Board identified that there were land impacts that required more detailed analyses, and such were duly undertaken. While the depth to the water table in some areas is less than 3', most of these areas are in wetland areas which remain largely undisturbed. Moreover, the project does not envision any basements or substantial underground disturbances. To the extent any future private home may seek to install a basement, such owner will be required to demonstrate that such basement or proposal will not impair groundwater or the proper functioning of stormwater facilities on the site. If such impacts arise they will be required to be resolved by permit conditions or on-site stormwater improvements, absent which an updated SEQRA review may be required as to the same. As well, the Planning Board plans to consider or impose conditions on certain subterranean structures in wetland areas, and this condition shall be listed as a site approval condition (should site plan review and subdivision approvals be ultimately granted for this project), such that this potential impact is not deemed moderate or large, and is also found to be duly mitigated.

After considering another listed issue under land impacts, it was affirmatively determined that there would not be any excavation or removal from the site of over 1,000 tons of soils, etc.

All other land impact analyses under Part 2 were not indicated, except for project phasing. Here, the project will be built over time with most of the groundwork, roads, and main facilities and improvements being undertaken in the initial 12-18 months of the project, with work proceeding intermittently due to the changing seasons and winter site closures. These are normal and typical impacts, temporary in nature, that can be mitigated by permit conditions, such as limiting construction hours. The remaining "phasing" is the build-out of individual homes and those are deemed no more problematic than any local home improvement, roofing, or other neighborhood construction project. In this respect, it was also noted that the site is proximate to a state highway, many roadways, as well as within 2,000 feet of a large school complex. Thus, given all these factors, it was not determined that phasing as an impact would individually or cumulatively produce any impacts that were permanent, lasting, or would arise to the level of being a moderate or large negative SEQRA impact.

2. Impacts on surface water were also specifically considered, particularly as there are wetlands in the area and the history of the general area shows some village-wide stormwater problems that arise with existing site, general roadway, and neighborhood conditions. Much of the area, including existing homes, was built-up without consideration of stormwater, stormwater and drainage management, or consideration of where impervious surface improvements would divert sheet and other stormwater flows. The result is soggy site conditions and a history of drainage problems in the area, with occasional flooding or pooling of waters on the land surface. The Planning Board is and remains cognizant that one landowner cannot be required, as a condition of approval, to solve a regional problem for the public

or neighborhood generally, but the Planning Board also is aware that site planning and stormwater requirements are designed to ensure that the existing problem is not exacerbated by proposed site improvements.

Thus, while the project will have minor impacts on wetlands, the impacts are below DEC and Army Corps of Engineers thresholds, and the Town's Engineer has closely reviewed this issue and project stormwater designs. Between numerous changes to stormwater plans and permit conditions to be imposed by DEC, as well as long-term stormwater management agreements to be imposed as a condition of project approvals (if approved), these impacts were found not to be moderate or large and duly mitigated. In fact, stormwater modeling and the size of treatment facilities and management capacities demonstrate that the projects management and treatment of on-site stormwaters will improve the existing problematic undeveloped site conditions. As the on-site treatment of stormwater and general site stormwater management plans were reviewed by the Village Engineer and meet EPA Phase 2 stormwater controls, such that turbidity, erosion, increased sedimentation, and like effects are duly mitigated, no moderate or large impacts were found, and these impacts were also deemed substantively mitigated.

There was also a concern with any modification of existing drainage systems or a change in floodwater flows as may contribute to excess flooding. As per the above, these impacts were examined—not only will stormwater controls mitigate and help prevent this impact—the stormwater management agreements and DEC permitting conditions will require mitigation should any stormwater facilities fail to protect from project-related increases of erosion, degradation of downstream water quality, or flooding. Again, therefore, this potential issue was deemed duly mitigated and a moderate or large impact.

In this respect, it was also noted that this site is not located in a floodplain, and flooding or soggy soil conditions are a product of topography and prior developmental patterns. It was thus found that the overall negative impacts of existing conditions will be improved by the site's required stormwater management systems, permits, and approvals.

3. Because the EAF Mapper initially showed the presence of a Calcareous Shoreline Outcrop associated with the shores of Taughannock Creek, this impact was checked for further analysis. Upon such analysis the indicated plant and animal impact(s) so identified in the EAF Mapper were determined not to be located upon this particular site. Further, while typical bird and animal and plant species enjoy meadows and marshy areas generally throughout the County, no indicated species, significant natural communities, or critical environmental areas are impacted by this project, such that no moderate or large impacts are deemed likely. Thus, while initially checked "yes" for further review, such review changed the answer to "no" on the FEAF Part 2.

Similar results occurred in relation to several other areas as a closer look changes the overall answer produced by initial review. Without being exhaustive, this occurred as well for the following Part 2 impact analysis issues:

- a. Aesthetic Resource Impacts—The area is close enough in proximity to the Cayuga Lake Scenic Byway as to require a closer look. Such look determined that the byway is miles away and not visible due to topography and vegetation, such that there is no moderate or large impact.
- b. Historic and Archeological Resource Impacts—The site is within the SHPO-drawn circle around an existing registered or recognized site. Here, the Hermon Camp House is proximate, but not affected by the site such that SHPO has already issued a no-impact letter for the project. An

examination of these issues resulted in the Planning Board concurring that the correct answer to FEAF Part 2, Item 10, should be “no” as no moderate or large impacts are determined to exist or be or become likely.

c. Transportation Impacts—Due to public input and concerns about traffic and roadway loading, including whether the existing transportation networks could bear the increased traffic, the Planning Board originally checked this impact box “yes.” However, upon analysis of the actual factors SEQRA demands be analyzed, the Planning Board determined that the developer’s traffic engineer’s conclusions were largely correct and no moderate or large traffic impacts are likely or expected.

One of the reasons supporting this determination and conclusion was the input of the Village DPW, the Village Engineer, and an independent traffic engineering study conducted for the Village by an independent traffic engineer, working with and for the Village and its consulting project engineer. Then, due to continuing objections and a competing analysis performed by a second traffic engineering firm, the Village then had all traffic and traffic engineering conclusions re-examined. The Planning Board has thus determined that the results from its traffic engineer are robust and reliable.

Thus, with multiple engineering and traffic studies confirming that no moderate or large traffic impacts will occur, the Planning Board determined that the correct answer to his impact item was “no.” The proof accepted as persuasive shows that the roadways serving the site, the adjacency of a major state highway, the project’s internal loop roadway design, and the overall traffic impacts (including given the number of units) are not only not a moderate or large impact, but: (i) the Planning Board weight in the input and independent analysis of its engineer, its DPW and Highway Superintendent, and the input of its own consulting traffic engineer; and, in any event (ii) the impacts are in no case more severe than what would occur if a maximum allowed-build-out under applicable zoning would here occur.

It is again noted in respect of this last point that, while the project has been under review for well over a year, it has already been reduced its density and number of units, many project features have been amended or updated (e.g., stormwater controls/designs, increasing open space), etc. Thus, prior project mitigation resulting from the site planning and subdivision review processes have already and further helped produce this result.

d. Energy Impacts—These were once toggled “yes,” but an examination of the site plans, project building and project energy designs/standards, and an examination of the energy impact levels SEQRA was primarily concerned with duly resulted in this answer changing to “no.”

e. Human Health Impacts—Also originally checked “yes” and also changed to “no,” as the schools are 1500’ feet away and the types of negative impacts SEQRA seeks to address are not here present (e.g., chemical usages, spill remediation sites, solid waste management, commercial leachates, etc.).

4. Impacts on noise, odor and light were examined in more detail, though as to noise it was noted that much of this review is redundant of the phasing analysis already conducted. As to noise, it was further noted that the most noticeable change from ambient conditions is expected to be noticeable during primary site construction, which is a temporary impact. It was also noted that Village noise

rules relate to 90dB ratings, and discussion was had as to distances and the fact that few activities would produce long-term, continuous excess noise exceeding such standard.

The project is not expected to produce any permanent or recurring odors as would create any moderate or large negative environmental impact. Again, most noticeable odors will be machinery emissions of a temporary and intermittent nature during construction.

As to lighting, the temporary nature of construction was again noted, as were existing project proposals and the future site planning conditions that require downward facing, shielded lighting generally meeting the Dark Sky requirements. Further, light mapping for the site was fully reviewed and changes made to mitigate and prevent fugitive light and glare. With existing ambient lighting levels, these reviews, changes, and conditions, it was determined that there are not any moderate to large negative environmental impacts arising from this project.

5. Consistency with community plans and character were each more closely examined as the projected population increase could trigger the 5% growth standard. However, an expert impact study was commissioned and the fiscal and use impacts on services, such as police, schools, fire, and other public infrastructure and service capacities of the Village, were not found to be negatively impacted. Local schools and governmental agencies all reported capacity to absorb any increase in service demands, and such study showed a net positive fiscal impact once all costs were measured. Hence, this impact was determined not to be a moderate or large negative environmental impact.

As to community character, it was determined that this project is not at maximum allowed density, covers allowed uses (though some may require special permitting and related approval conditions), was not in sharp contrast to surrounding uses or their scale, and is consistent with zoning and the Comprehensive Plan of the Village, including by providing for affordable housing, being in walking proximity to schools and the Main Street corridor, etc. The Village Zoning Officer also confirmed much of this information. Discussion was had about what is the relevant “surrounding area” – a single block, a neighborhood, and area, a zone? Overall, it was determined that this neighborhood and surrounding area encompassed the schools and the downtown areas, such that there is no sharp or significant contrast between the project and nearby areas and sites.

Therefore, as the entirety of FEAF Parts 1 and 2 have been reviewed and completed upon the record, and the answers to impact evaluations determined, with each response being determined to be “No, or small impact may occur,” it has been determined that a negative declaration shall be issued.

Accordingly, after in-depth review on the record and review and consultation with engineers, traffic engineers, and impact consultants, and upon a review and analysis of SEQRA Part 2 and the criteria for evaluation of actual, anticipated, or potential impacts under SEQRA, including but not limited to Article 8 of the Environmental Conservation Law of the State of New York and Regulations promulgated thereunder (“SEQRA”), including 6 NYCRR § 617.7(c), the Planning Board, as lead agency, has found and determined that the proposed action is not likely to have any moderate or large negative environmental impacts or consequences.

Based upon this determination and a thorough review of the FEAF and other documents prepared and submitted with respect to this proposed action and its environmental review, the Planning Board has and will issue a negative determination of environmental significance, and declares that an environmental impact statement is therefore not required. A responsible officer of the Planning Board will therefore complete and sign the determination of significance confirming the foregoing “Negative

Declaration.” The fully completed and signed FEAF is incorporated herein by reference, and these findings are duly therein incorporated in the FEAF as well.