

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.

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

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ 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:

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.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:

Name of Lead Agency:

Name of Responsible Officer in Lead Agency:

Title of Responsible Officer:

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person:

Address:

Telephone Number:

E-mail:

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>

Impact on Land (Full EAF Part 2 Item No. 1)

- **The proposed action may involve the excavation and removal of 1,000 tons of natural material:** *Moderate to large impact may occur.*

Construction of the six proposed projects may require significant cut or fill and opportunities to balance cut and fill on-site may be limited. More specifically, the likelihood for significant cut and fill activities is greatest in Project Numbers 1, 3, 4 and 5.

Project Number 1 involves the development of a new local street, more than two miles in length, along the existing Ontario Central Railroad right-of-way (ROW). Although the profile of the affected ROW is fairly uniform at present, there are segments where it is elevated relative to the surrounding terrain and there may be areas where the present developed width will be insufficient to accommodate the proposed local street. That being so, the need for significant cut and/or fill to modify the ROW profile or widen the ROW may be encountered. Furthermore, as much of the railroad ROW adjoins extensive wetlands as well as privately-owned properties, opportunities to deposit excess soil on-site will likely be limited, thereby generating the need to remove some or all of any excess to a different location. Such removal would likely entail a significant number of truck trips on Route 96 and other local roads between various locations along the existing ROW and locations where excess soil would be deposited. Although the resulting impact would be temporary, the potential for the number of truck trips to be large means that the disruption and resulting impact to motorists, bicyclists, pedestrians and properties along the transport routes could be great. It is therefore important that opportunities to avoid, reduce or mitigate such impacts be considered.

Project Number 3 involves development of a connection between Route 251 and Lane Road. Although the anticipated alignment is only 1,000 feet or so in length, the change in elevation along that anticipated alignment is significant. Specifically, the elevation of Lane Road at the anticipated point of departure is approximately 40 feet higher than the elevation of the Route 251/Route 96 intersection where the proposed connection would terminate. Although the average grade of the connection would be only 4 percent (40 feet over 1,000 feet) the final profile will also be determined by existing topography. Accordingly, whether the required cuts and fills would balance remains uncertain. Furthermore, as most of the land over which the connection would pass is privately held, acquisition will be necessary and whether sufficient on-site locations to either borrow or deposit soil would be available remains uncertain. For those reasons, the potential need for transport of significant quantities of soil to or from the construction site remains. Given the location, much of this transport would likely involve transport (and turning movements) on Route 96 and/or Route 251. Although the resulting impact would be temporary, the potential for the number of truck trips to be large means that the disruption and resulting impact to motorists, bicyclists, pedestrians and properties along the transport routes could be great. Opportunities to avoid, reduce or mitigate such impacts should therefore be considered.

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Project Number 4 involves development of a connection between Omnitech Place and Willowbrook Road. Although the anticipated alignment is only 1,000 feet or so in length, the change in elevation along that anticipated alignment is approximately 20 feet. Although the average grade of the connection would be only 2 percent (20 feet over 1,000 feet) the final profile will also be determined by existing topography. That being so, whether the required cuts and fills would balance remains uncertain. Furthermore, as most of the land over which the connection would pass is privately held, acquisition will be necessary and whether sufficient on-site locations to either borrow or deposit soil would be available remains uncertain. For those reasons, the potential need for transport of significant quantities of soil to or from the construction site remains. Given the location, much of this transport could involve transport (and turning movements) on Route 96. Although the resulting impact would be temporary, the potential for the number of truck trips to be large means that the disruption and resulting impact to motorists, bicyclists, pedestrians and properties along the transport routes could be great. Opportunities to avoid, reduce or mitigate such impacts should therefore be considered.

Project Number 5 involves development of a connection between Plastermill Road/Collett Road and Delray Drive. The anticipated alignment is only 250 feet or so in length and the change in elevation along that anticipated alignment is approximately 10 feet. Although the average grade of the connection would therefore be only 4 percent (10 feet over 250 feet) the final profile will also be determined by the elevations of the existing roads as well as the need to cross the existing railroad ROW at-grade within the new road segment. As with the other connections referenced above, much of the land over which the connection would pass is privately held, acquisition will be necessary, and whether sufficient on-site locations to either borrow or deposit soil would be available remains uncertain. For those reasons, the potential need for transport of significant quantities of soil to or from the construction site remains. Although the resulting impact would be temporary, the potential for the number of truck trips to be large means that the disruption and resulting impact to motorists, bicyclists, pedestrians and properties along the transport routes could be great. It is therefore important that opportunities to avoid, reduce or mitigate such impacts be considered.

- **The proposed action may involve construction that continues for more than one year or in multiple phases:** *Moderate to large impact may occur.*

The proposed Action includes six road construction projects with a combined length of almost 4 miles and a combined area of disturbance estimated at nearly 30 acres. On their own, either of the two most extensive projects (Project Number 1, a new local street along the Ontario Central Railroad, and Project Number 2, the conversion of a mile-long segment of Route 96 from 3-lanes to 5-lanes) would likely require more than one year and/or multiple phases to complete. Furthermore, the fact that each of the six separate projects included in the proposed Action is associated with different approval and permit requirements, features a different array of potential funding sources, and poses unique logistical considerations, not to mention the potential for unacceptable cumulative construction impacts should some of the construction

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periods coincide, make it a certainty that the six will be undertaken separately in an as-yet-to-be-determined sequence. That being so, construction on one or another of the projects will likely continue for years and the proposed Action, as a whole, will likely involve a minimum of six phases and possibly more. Thus, and although the resulting impacts would eventually cease, the potential for temporary disruption and interference with motorists, bicyclists, pedestrians and properties near the various construction sites will be great. It is therefore important that opportunities to avoid, reduce or mitigate such impacts be considered.

Impacts on Surface Water (Full EAF Part 2 Item No. 3)

- **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: *Moderate to large impact may occur.***

Project Number 1 involves the development of a new local street, more than two miles in length, along the existing Ontario Central Railroad ROW. Much of the segment of the railroad ROW that lies between Route 251, to the north, and School Street, to the south, is adjoined by a large wetland complex that includes both NYS DEC Freshwater wetlands as well as potential wetlands mapped on the federal National Wetland Inventory. The wetland complex is immediately adjacent to the railroad ROW, or nearly so, for a distance of more than 4,200 feet, from a point approximately 1,525' south of Route 251 to a point approximately 1,225 feet north of School Street.

As described above under the topic of "Impacts to Land", although the profile of the affected ROW is presently fairly uniform, there are segments where it is elevated relative to the surrounding terrain and there may be areas where the present developed width will be insufficient to accommodate the proposed local street. That being so, the need for significant cut and/or fill to either modify the ROW profile or widen the ROW may be encountered. The available ROW is limited and whether any required widening of the developed portion of the ROW or modifications to the ROW profile can be accomplished without impact to the adjacent wetlands (including excavation or placement of fill) remains uncertain. It is therefore important that opportunities to avoid, reduce or mitigate any such wetland impacts be considered.

Several of the proposed projects also include potential impacts to streams. Several intermittent streams are present within the wetland complex described above that adjoins the segment of the railroad ROW that would be utilized by the new local street along the Ontario Central Railroad (Project Number 1). The railroad ROW also crosses another intermittent stream north of the wetlands at a point approximately 1,000 feet south of Route 251. The perennial stream known as Great Brook courses south of the somewhat parallel to the railroad ROW beginning at a point just west of Maple Avenue and an intermittent stream tributary to Great Brook crosses the railroad ROW just east of Maple Avenue. The railroad ROW then crosses Great Brook to the east at the same location as does Route 96. As Project Number 1 would likely require some reconstruction or expansion of developed portions of the railroad ROW, there is potential for

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stream impacts within the adjacent wetland as well as at each of those existing stream crossings.

With respect to the other projects, Route 96 crosses another intermittent stream at a point just north of the intersection with Route 251. Project Number 2, the conversion of a mile-long segment of Route 96 from 3-lanes to 5-lanes, could impact this stream crossing. Another intermittent stream is located south of and immediately adjacent to Willowbrook Road east of Rowley Road. This stream is crossed by Rowley Road immediately south of the Willowbrook Road/Rowley Road intersection. Although it is somewhat unlikely, there remains some risk that Project 4, the development of an Omnitech Place/Willowbrook Road connection, could impact this stream. Finally, both Lane Road and Victor-Egypt Road cross an intermittent stream very near and immediately south of the existing Lane Road/Victor Egypt Road/Lynaugh Road intersection. Project Number 6, which would construct a Lane Road/Victor Egypt Road/Lynaugh Road roundabout in this location, would likely impact this stream crossing. It will be important to explore opportunities to avoid, reduce or mitigate potential impacts to all of the aforementioned streams potentially impacted by Project Numbers 1, 2, 4 and 6.

Impact on Transportation (Full EAF Part 2 Item No. 13)

- **The proposed action may alter the present pattern of movement of people or goods: Moderate to large impact may occur):** *Moderate to large impact may occur.*

The underlying purpose of the proposed Action is to reduce traffic congestion by improving roadway capacity as well as by altering the present pattern of vehicular movement of both people and goods. Although all of the projects have some potential to alter such patterns, Project Numbers 1 (a new local street along the Ontario Central Railroad), 3 (development of a Route 251/Lane Road connection), 4 (development of an Omnitech Place/Willowbrook Road connection), and 5 (development of a Plastermill Road/Collett Road/Delray Drive connection) have the most potential in this regard. As the anticipated impacts will be primarily positive, it is hoped that they will be as significant and large as possible. It will be important, nonetheless, to consider whether there may be any negative aspects to the anticipated pattern changes and, if so, whether they might be avoided, reduced or otherwise mitigated.

Project Number 1 (a new local street along the Ontario Central Railroad) would also require abandonment of the railroad's use of a segment of the existing ROW from a western terminus near Route 251 to an eastern terminus near either Lynaugh Road or Plastermill Road. As this segment is currently in use, the abandonment would obviously lead to some alteration in the movement of goods. Although this impact may not rise to the level of moderate to large on a regional basis, the local impact to certain operations could be significant. Consideration of opportunities to avoid, reduce or otherwise mitigate any such impacts will be important.

- **Construction of proposed improvements may lead to temporary traffic detours and/or traffic delays:** *Moderate to large impact may occur.*

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As described above under the topic “Impact to Land”, the proposed Action includes six road construction projects with a combined length of almost 4 miles and a combined area of disturbance estimated at nearly 30 acres. As each of the six features different approval and permit requirements, different arrays of potential funding sources, and unique logistical considerations, not to mention the potential for unacceptable cumulative construction impacts were the construction periods of each to coincide, it is a virtual certainty that the six will be undertaken separately. As was stated above, construction on one or another of the projects will therefore likely continue for years and the proposed Action, as a whole, will likely involve a minimum of six phases and possibly more. Thus, and although the resulting impacts would eventually cease, the potential for temporary, but ongoing, disruption and interference with motorists, bicyclists, pedestrians as well as ongoing traffic delays and detours will be great. It is therefore important that opportunities to avoid, reduce or mitigate any such impacts be considered.

Impact on Noise, Odor and Light (Full EAF Part 2 Item No. 15)

- **Construction may lead to temporary increases in noise, odors, dust and outdoor lighting:** *No, or small impact may occur.*

The extensive and protracted nature of construction activities involved in the proposed Action have been described above under the topic “Impact to Land” and in the immediately preceding bullet under the topic “Impact on Transportation”. This construction activity will result in typical, and temporary, impacts involving noise, odors (from construction equipment), and dust. There is also some potential for nighttime construction in order to reduce morning and afternoon traffic impacts that would require temporary nighttime illumination of construction sites. Although these temporary impacts may be considered “typical” they may persist at one location or another for some time nonetheless and it will be important to consider how they might be managed to avoid, reduce or mitigate some of the anticipated impacts.

- **The proposed projects may also include installation of new road lighting:** *No, or small impact may occur.*

The proposed Action includes several instances of new roadway development where none presently exist. These include Project Numbers 1 (a new local street along the Ontario Central Railroad), 3 (development of a Route 251/Lane Road connection), 4 (development of an Omnitech Place/Willowbrook Road connection), and 5 (development of a Plastermill Road/Collett Road/Delray Drive connection). Although the design of these projects is only conceptual at this point, it is likely that some or all of these will include the installation of street lights where none now exist. It will be important to consider how such lighting might impact neighboring properties as well as the community as a whole and how any negative impacts might be avoided, reduced or mitigated.

Consistency with Community Plans (Full EAF Part 2 Item No. 17)

- **The proposed action’s land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s):** *Moderate to large impact may occur.*
- **The proposed action is inconsistent with local land use plans or zoning regulations:** *Moderate to large impact may occur.*
- **The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action):** *Moderate to large impact may occur.*

The proposed Action includes multiple projects that would construct or extend roadways where none now exist. Among these, the project with the most potential to support land use components different from current patterns, to be inconsistent with present zoning regulations, or to induce secondary development impacts is Project Number 1 (a new local street along the Ontario Central Railroad).

The railroad ROW that Project Number 1 would utilize presently traverses a number of land use districts and also serves, in a number of instances, as the boundary between somewhat different districts. Beginning at Route 251 and proceeding to Plastermill Road, the ROW presently traverses or adjoins, in sequence, the following land use or zoning districts: Town Light Industrial; Town Commercial-Light Industrial; Town Multiple Dwelling; Town Light Industrial; Village Industrial; Village Business; Village Multiple Resident; Village Business; Village R-1 One Family Residential; Town Multiple Dwelling; and, Town Residential-2.

As the railroad ROW is presently untraveled by those in the community, the designation of different zoning districts on one side of the ROW versus the other raises little concern and the designation of the ROW as a district boundary may be characterized, if not highly appropriate, as somewhat convenient at least. This will likely change when the untraveled railroad ROW transitions to a new public street. Dissimilar zoning designations on one side of the street versus the other would then be at odds with what will likely become a much more uniform pattern of uses on both sides. And the multiple, dissimilar use intensities and districts encountered along the thoroughfare (industrial, commercial, business, multiple residential, and single family residential) may also become problematic.

Given its role as an alternative to travel on Route 96 and as a commuter route, construction of the new road will likely generate significant interest in commercial or business development along the new frontage despite the present industrial and residential designations. Considering how the negative aspects of the potential induction of secondary development, indirect support for land use components different from current patterns, and potential inconsistency with present zoning regulations might all be avoided, reduced or mitigated will be important to consider. These considerations may include development and adoption of more appropriate patterns of land use zoning designations reflecting the significant demands and changes likely to accompany construction of this new street.

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Project Numbers 3 (development of a Route 251/Lane Road connection), 4 (development of an Omnitech Place/Willowbrook Road connection), and 5 (development of a Plastermill Road/Collett Road/Delray Drive connection) will also extend existing roadways into locations where none presently exist. With respect to the Route 251/Lane Road connection, although Lane Road is generally designated for residential uses in this vicinity, it presently transitions to both Commercial-Light Industrial and Commercial designations as it approaches Route 96. Accordingly, and although some adjustment to the Residential/Commercial-Light Industrial boundary presently located north of Lane Road could be indicated, there is little contrast and the potential for significant adverse impacts is low. Regarding the Omnitech Place/Willowbrook Road connection, the area is presently a mix of Commercial, Commercial-Light Industrial, and Light Industrial. That being so, and although some zoning changes could be beneficial, the contrasts are minimal and the potential for significant adverse impacts is also low. Finally, the Plastermill Road/Collett Road/Delray Drive connection would be constructed within an area now designated for a variety of residential uses where there is little contrast and the potential for significant adverse impacts is similarly low. There is, therefore, little need to consider how any Community Plan Consistency impacts resulting from Project Numbers 3, 4 or 5 might be avoided, reduced or mitigated.