

TOWN OF SCHOHARIE
300 Main Street, Suite 8, PO Box 544
Schoharie, New York 12157

SEQR Negative Declaration Resolution ~~#~~30
March 11, 2020

WHEREAS, the Town Board of the Town of Schoharie is undertaking a project called the Schoharie Business Park Sewer District Formation (hereinafter referred to as 'the Project') that will transfer ownership and operation and maintenance responsibilities of the existing sewer system from the current owner to the Town of Schoharie Sewer District No. 2; and

WHEREAS the Town Board of the Town of Schoharie has prepared a Short Environmental Assessment Form (SEAF) for the Project; and

WHEREAS, the probable environmental impacts of the Schoharie Business Park Sewer District Formation have been carefully considered by the Town Board;

NOW, THEREFORE BE IT RESOLVED, the Town Board of the Town of Schoharie, for purposes of compliance with SEQR, 6 NYCRR Part 617, adopts the findings and conclusions relating to the probable environmental impacts contained in the attached Short Environmental Assessment Form and files the Negative Declaration in accordance with the applicable provisions of the law; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to take such further steps as might be necessary to the discharge of the Town Board's responsibility for this action relative to SEQR.

By (unanimous/majority) vote of the Town Board of the Town of Schoharie at its meeting of March 11, 2020.


Alan Tavenner, Supervisor


Pamela Foland, Town Clerk

3/11/2020
Date

3/11/2020
Date

OFFICIAL

Short Environmental Assessment Form

Part 1 - Project Information


Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information							
Name of Action or Project: Formation of Town of Schoharie Sewer District No. 2							
Project Location (describe, and attach a location map): Schoharie Business Park and Adjacent Lands							
Brief Description of Proposed Action: The Schoharie Business Park Sewer System was established in 2002 as a Transportation Corporation, but that corporation was dissolved in 2017 when the ownership of the Business Park changed. As the new Business Park Owner was unable/unwilling to establish a Transportation Corporation, the Town will be creating a Sewer District to take ownership of sewer system assets and take responsibility for operation and maintenance. The sewer system includes a 14,800 gpd surface-discharge sand filter treatment system, a small diameter gravity effluent collection system, and six (6) existing customers. Seven (7) other properties within the Business Park are intended to be connected. As the wastewater treatment system has excess capacity and was designed for expansion, the Town has decided to create an expanded Sewer District that includes all 13 Business Park properties plus four (4) properties that are adjacent to the Business Park and share road frontage with Rte. 30A.							
Name of Applicant or Sponsor: Town of Schoharie		Telephone: (518) 295-6570 E-Mail: alan.tavener@co.schoharie.ny.us					
Address: 300 Main Street, P.O. Box 544							
City/PO: Schoharie		State: NY	Zip Code: 12157				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: NYSDEC SPDES Permit			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3. a. Total acreage of the site of the proposed action?		212.5 acres					
b. Total acreage to be physically disturbed?		0 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2.85 acres					
4. Check all land uses that occur on, are adjoining or near the proposed action:							
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)							
<input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Vacant Property							
<input type="checkbox"/> Parkland							

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:			
N/A	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. 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?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			
Schoharie Creek			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Northern Long-eared Bat, Ba... (See attached EAF Mapper Summary Report)	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: <hr/> <hr/>		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Alan Tavenner, Supervisor</u> Date: <u>3/11/20</u> Signature: <u></u> Title: <u>Town Supervisor</u>		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Northern Long-eared Bat, Bald Eagle
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	No

Project: Date:

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

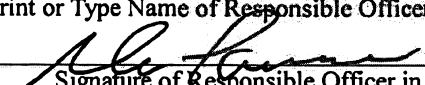
Project: _____

Date: _____

Short Environmental Assessment Form **Part 3 Determination of Significance**

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

See the attached Negative Declaration / Notice of Determination of Non-Significance.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Town of Schoharie _____ Name of Lead Agency	3/11/20 _____ Date
Alan Tavenner _____ Print or Type Name of Responsible Officer in Lead Agency	_____ Title of Responsible Officer
 _____ Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (if different from Responsible Officer)

STATE ENVIRONMENTAL QUALITY REVIEW

NEGATIVE DECLARATION

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

This notice is issued pursuant to NYCRR Part 617, implementing Article 8 (State Environmental Quality Review Act) of the Environmental Conservation law. The Town Board for the Town of Schoharie has determined that the proposed action described below will not have a significant affect on the environment, and a draft environmental impact statement will not be prepared.

Name of Action: Schoharie Business Park, Town of Schoharie – Formation of Sewer District No. 2

SEQRA Status: This is an Unlisted action

Conditioned Negative Declaration: No.

Description of Action:

The Schoharie Business Park Sewer System was established in 2002 as a Transportation Corporation, but that corporation was dissolved in 2017 when the ownership of the Business Park changed. As the new Business Park Owner was unable/unwilling to establish a Transportation Corporation, the Town will be creating a Sewer District to take ownership of sewer system assets and take responsibility for operation and maintenance. The sewer system includes a 14,800 gpd surface-discharge sand filter treatment system, a small diameter gravity effluent collection system, and six (6) existing customers. Seven (7) other properties within the Business Park are intended to be connected. As the wastewater treatment system has excess capacity and was designed for expansion, the Town has decided to create an expanded Sewer District that includes all 13 Business Park properties plus four (4) properties that are adjacent to the Business Park and share road frontage with Rte. 30A.

Reasons Supporting this Determination:

1. There are no significant anticipated adverse impacts on adopted land use plan or zoning regulations.
2. There are no significant anticipated adverse impacts on land. There will be no impacts initially. If future connections are made, the impacts will be evaluated by the Town Planning Board, as applicable. There are no unique or unusual landforms that will be impacted by the project. The Town will acquire 2.85 acres of land for the wastewater treatment site. Additionally, easements will be obtained for future sewer main extensions.
3. There are no significant anticipated adverse impacts on the existing community. Primarily, the project involves transferring ownership of the existing sewer system.
4. There are no CEAs in the project area.

5. There are no significant anticipated adverse impacts on existing level of traffic or existing infrastructure.
6. There are no significant anticipated adverse impacts on use of energy.
7. There are no significant anticipated adverse impacts on water supplies or wastewater treatment utilities. All impacts will be improvements to existing wastewater system operation. Any connections will be evaluated against system capacity.
8. There are no significant anticipated adverse impacts on historic, archaeological, architectural or aesthetic resources. As necessary, the Town Planning Board will require SHPO clearance prior to approval of future projects requiring sewer connections.
9. There are no significant anticipated adverse impacts on natural resources. Potential impacts during construction of connections will be reviewed by the Planning Board.
10. There are no significant anticipated adverse impacts on erosion, flooding or drainage. Appropriate stormwater erosion and sediment controls will be established for any approved connections.
11. There are no anticipated adverse impacts on environmental resources or human health. Any impacts would be improvements.