

STATEMENT OF FINDINGS

DRAFT AND FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENTS BOGHT ROAD - COLUMBIA STREET AREA TOWN OF COLONIE, NEW YORK

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GENERAL

The Town of Colonie has prepared a Generic Environmental Impact Statement for the Boght Road - Columbia Street Study Area to address both the short and long term growth trends within this area of the Town. The study area encompasses $\pm 4,100$ acres and is located in the northeast portion of the Town generally bordered by the Town bike path to the north, Route I-87 to the west, Alternate Route 7 and Troy-Schenectady Road to the south, and the Delaware and Hudson Railroad and Town municipals boundary to the East. Land uses within the study area include a mixture of commercial, industrial, residential and agricultural land uses. Currently, there are approximately seven hundred sixty (760) residential units proposed within the study area boundaries.

After thorough review by the Planning Board as lead agency, the Draft Generic Environmental Impact Statement (DGEIS) was determined complete. The involved agencies and general public were encouraged to submit written comments during the comment period (February 7, 1989 through March 13, 1989) and verbal comments at the Public Hearing (March 2, 1989) on the DGEIS. All substantive comments received, both written and verbal, were addressed in the Final Generic Environmental Impact Statement (FGEIS).

The Town of Colonie Planning Board as lead agency pursuant to 6 NYCRR Part 617.9 of the State Environmental Quality Review Act (SEQRA), having prepared the Draft and Final GEIS's and accepted those documents as complete hereby finds this action is:

- a) Consistent with social, economic and other essential considerations from among the reasonable alternatives thereto, the action to be carried out is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; including the effects disclosed in the relevant GEIS;
- b) Consistent with social economic and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the GEIS process will be minimized or avoided by incorporating as conditions for any actions which are subject to SEQRA within the study area those mitigative measures which were identified as practicable; and
- c) The GEIS is comprehensive and contains the facts and conclusions relied upon to support the Planning Board's findings and indicates the social, economic and other factors and standards which formed the basis of its findings.

The DGEIS was prepared in response to development pressures currently being experienced in the Boght Road - Columbia Street Area as well as the recognized need by the Town to develop a comprehensive policy for future growth in this area of the Town. In addition, the DGEIS was developed to analyze future growth trends, associated impacts and appropriate mitigation for planning periods 1999 and 2009. It was determined by the Town that the aforementioned planning periods were reasonable time frames for addressing the short and long term development and associated impacts in this area of the Town of Colonie.

Pursuant to the statutory requirements of 6 NYCRR Part 617.15 SEQRA, Generic Environmental Impact Statements, the Boght Road - Columbia Street Area GEIS assesses both primary and secondary environmental impacts which were likely to result from projected growth within the study area.

A. DEMOGRAPHICS:

It is projected the population in the study area will increase by approximately 36 percent by the Year 2009. This will result in greater demands on utilities, municipal services, transportation systems and school systems. By implementing short and long term planning strategies as specified in Land Use and Zoning below, potential impacts associated with projected growth will tend to be reduced. In order to support this growth and demands on public infrastructure it is anticipated that new development will fund its fair share of capital improvements. This will tend to lessen the burden on town resources while helping to meet the needs of local residents in the study area.

B. LAND USE AND ZONING:

It is anticipated that projected growth trends in the study area will significantly change the complexion of current land use characteristics. To adequately address the aforementioned changes in land use characteristics the following mitigation should be required:

- BI. Approximately 80% of the agriculture lands in the study area may be developed by the year 2009. The Town should set forth policies to achieve a balance between development and preservation of agricultural lands. Therefore, implementation of voluntary use valuation of farmland or voluntary preferential assessment of farmland is recommended. Generally, these techniques provide for assessment of farmland based on its agricultural use rather than its full value. Included in these techniques are restrictions or penalties if the owner of farmland sells his property for non-agricultural use.

- B2. Adoption of the recommendations regarding Land Use Management alternatives set forth in the LUMAC Technical Report and Future Land Use Plan prepared by the Town.
- B3. Existing infrastructure will dictate the type and location of growth within the study area. It is anticipated the majority of growth from 1989 to 1999 will be concentrated within the southern portion of the study area. As the infrastructure is extended, growth will continue in the northern section of the study area.
- B4. Pressure for non-residential type development is expected to continue along the major transportation corridors (i.e., Route 9 and Route 2). The Town should encourage general office type uses rather than retail which generates a significantly higher ratio of traffic.
- B5. Expansion of light industrial development should be limited to the southeastern portion of the study area as specified in the LUMAC Technical Report.
- B6. Land use density shall initially be permitted to proceed at the rates specified in the DGEIS. Appropriate development mitigation costs should be provided by persons proposing new development. However, if growth exceeds the capacity of associated infrastructure and other community facilities, the Town will consider controlling growth to ensure the provision of adequate infrastructure and/or community facilities. This could include limiting the number of building permits issued annually within the study area. If infrastructure and/or community facilities cannot be constructed, the Town will consider reducing allowable densities in appropriate areas. A capital

improvement plan and associated growth monitoring program will be implemented to ensure there is a balance between future growth, infrastructure and community facility needs.

- B7. The Town realizes that in order for development to occur there must be a balancing of environmental impacts with the utilization of natural resources. To maintain the political and social fiber of the community the incentive for development must be maintained. With this in mind, it is realized that 100% mitigation of all impacts cannot be achieved.

C. TOPOGRAPHY/GEOLOGY/SOILS:

The study area includes a diversity of soil types and geologic conditions. With anticipated growth projected in the study area the Town should establish guidelines to ensure, to the extent practical, protection of soil from erosion and unnecessary loss of the natural vegetative cover. To mitigate potential impacts on the aforementioned it is recommended the following be implemented:

- C1. Encourage the "cluster" concept in areas where the topography and soils present severe limitations.
- C2. When blasting of bedrock is necessary, require all developers to adhere to the United States Bureau of Mine Blasting Procedures as specified in the DGEIS.
- C3. Require the submission of erosion control plans during the subdivision and site plan review process.
- C4. Prohibit the installation of individual septic systems in areas with high groundwater and severe soil limitations.

- C5. Prohibit construction on unstable slopes.
- C6. Require slope stability analyses prior to approval of development in areas that have a high potential for slope failure as shown on Exhibit II-C-4 in the DGEIS. A slope stability analysis generally should include test borings and/or test pits as required to define site specific soil conditions, additional field inspection, laboratory testing as required to determine the necessary soil parameters, and a calculation of the factor of a safety against slope failure. Upon completion of the typical slope stability analysis, a summary of recommendations should be prepared to outline limitations for site development on or near critical slopes.
- C7. Prohibit the development, or removal of existing ground cover, below the top of any slope found to be potentially unstable.
- C8. Require that site grading be accomplished in such a manner to prevent the concentration of site drainage at the top of any potentially unstable slope.
- C9. Allow underbrush only be cut to within ten (10) feet of the top of unstable slopes. Care must be taken in the development of lawn areas to prevent conditions at the top of a slope which might lead to concentration of drainage and development of erosion rills.
- C10. Require all collected storm or foundation drainage be directed to the bottom of all slopes in adequately designed and sized structures. In most cases, ditches or swales should be lined with crushed stone and/or rip rap.

- C11. Ensure site grading promotes positive drainage to prevent the impoundment or puddling of storm runoff. If recharge basins are found to be required for a specific site, a detailed analysis of groundwater seepage from such structures as well as any impacts on adjacent slopes should be required.
- C12. Require that earth fills be generally limited to those for landscaping purposes only. Typically, earth fill should only be permitted within ten (10) feet of the top of a slope. Fill grading beyond this point should usually be limited to gently sloping grades away from the top of a slope. Maximum fill heights should be determined based upon additional analysis as previously described.
- C13. Require that no earth embankments be constructed closer than twenty-five (25) feet to the top of a potentially unsafe slope.

D. VEGETATION AND WILDLIFE:

The vegetation and wildlife habitat located within the study area is fairly diverse. A mixture of forest cover, non-regulated wetlands, pasture, farmland and stream systems provide a ecosystem able to support a wide range of plant and animal life. Projected development will have an impact on both vegetation and wildlife. The removal of the natural vegetative cover will reduce the habitat available to support wildlife. To adequately address the aforementioned impacts to the natural habitat in the study area the following mitigation measures are required:

- D1. As specified in the LUMAC Technical Report (p. 52), the Dry River and adjacent lands should be protected through the implementation of a Watercourse Protection Ordinance.

- D2. Encourage cluster development in areas considered as having important vegetative cover that would be critical to support wildlife habitat.
- D3. Implement proper stormwater management and erosion control programs to protect stream integrity.
- D4. A potential innovative mechanism to preserve sensitive habitat that is currently under study by LUMAC is the provision of tax incentives for reduced development rights, or transfer of development rights by allowing higher density development in one area and reducing the allowable density in areas considered environmentally sensitive.
- D5. The Town will require that applicants submit detailed landscaping plans acceptable to the Town for future development proposals.

E. GROUNDWATER:

The Town has recognized that groundwater is an important resource that must be protected. The nature of the soils within the study area however preclude the area as a primary aquifer source. Heavy soils present severe limitations for groundwater recharge, resulting in seasonable high groundwater conditions. It has been determined that development within the study area must take into consideration the seasonably high groundwater conditions. In an effort to reduce potential impacts on the aforementioned the following mitigation measures are required:

- E1. Projects proposed in areas which require excavation below the groundwater table will implement measures E3 through E8 below.
- E2. Identification of potential uses which either manufacture, utilize, or require on site storage of hazardous materials. In these instances steps E3 through E8 below will be required.

- E3. Require minimum separation of two (2) feet between seasonal high water table and basement foundations.
- E4. Require slab-on-grade construction when the two (2) foot minimum separation is not practicable.
- E5. Require all septic systems to meet the design criteria of Albany County Department of Health Standards.
- E6. Require underdrain for all proposed road construction in areas experiencing high groundwater conditions.
- E7. Require water quality and quantity testing of private water supplies in accordance with Albany County Department of Health Standards.
- E8. Require proper containment for contaminants associated with any new development during pre and post construction periods (i.e., above and below ground storage tanks.)

F. SURFACE WATER AND DRAINAGE:

The Town has recognized that future development will have a significant impact on stormwater drainage characteristics in the study area. In order to address the aforementioned the following mitigation is required.

- F1. Implement an area-wide Stormwater Management "Master Plan" based on detailed engineering information to identify acceptable stormwater management techniques.
- F2. All future projects should be required to meet pre and post development runoff parameters established by the Town.

- F3. A combination of centralized and on-site stormwater management is desired by the Town. This will promote centralized detention in critical areas, allow on-site detention in other areas deemed inappropriate for centralized detention, and may reduce maintenance costs to the Town through ownership and maintenance of on-site commercial stormwater management systems by individual commercial property owners. Maintenance of on-site stormwater management systems cannot be guaranteed, therefore system efficiency may not be as desirable as the Town owned system. A determination of the particular management technique will be decided by the Town on a case by case basis.
- F4. Upon completion of the Stormwater Management "Master Plan" existing Town regulations will be revised requiring future developments' compliance with the concept of centralized stormwater facilities in critical areas and on-site stormwater management for commercial facilities.
- F5. As per the provisions of Section 270 of Town Law the Town will prepare, adopt and file in the Town Clerk's office, an official map which will show future road right of ways, drainage systems and location of parklands as identified in the GEIS and this findings statement.
- F6. The following list pertains to right of way reservations in currently proposed developments for future drainage improvements:
- a. Right of way may be required as part of the Riverfield Estates Subdivision for a proposed regional detention/retention facility.

G. TRAFFIC:

It has been determined that the projected growth in the study area will generate a significant increase in traffic. Without appropriate improvements local highways will exceed their design capacity thus reducing their overall level of service. Operational deficiencies can also be expected to occur at key highway intersections within the study area.

- G1. Projected traffic volumes, based upon land use projections and trip generation and distribution, increase an average of 3.7 percent annually through 2009 planning period. Eighty (80) percent of the projected increase is directly attributable to the anticipated development within the study area.
- G2. Route 9 is expected to remain as the heaviest travelled roadway in the study area (over 46,000 vehicles per day by 2009), while several local roads (Swatling Road, Old Loudon Road, Johnson Road) are expected to carry over ten thousand (10,000) vehicles per day by 2009.
- G3. Operational analysis of roadways in the study area indicated that five (5) locations currently experience operational deficiencies. These locations include Dunsbach Ferry Road, Century Hill Drive, Columbia Street/I-87/Route 7, Fonda Road/Old Loudon Road, and NYS Route 2/Swatling Road. Details of necessary mitigation to connect the above deficiencies can be found on p.II-51 of the DGEIS. Total costs for corrective measures is estimated at approximately \$135,000. These costs were not included as part of the Development Mitigation costs for transportation improvements for the 20 year planning period.

- G4. Analysis of accident histories in the study area indicates 2 of 11 intersection/areas experienced accident ratios exceeding statewide averages. The 2 areas of primary concern are the Boght Road/Elm Street/Haswell Road intersection and Johnson Road between Miller Road and Boght Road.

The Boght Road/Elm Street/Haswell Road intersection has experienced an accident rate over the last 4 years that has exceeded the statewide average. A total of 12 right angle accidents (the type most correctable with a traffic signal) were reported in the 4 year analysis period. However, 6 of those occurred in 1984, with an average of 2 per year from 1984-1987. Since the existing traffic flows at this intersection are relatively light and there were relatively few accidents recently that would have been prevented with a traffic signal, the installation of a traffic signal is not warranted at this time. In fact, studies conducted by NYSDOT have shown that installing a traffic signal actually increases certain types of accidents.

On Johnson Road, a total of 5 accidents have occurred between Miller Road and St. Agnes Highway, from 1984-1987, an average of 1.25 per year. Of these 5 accidents, there were no fatalities or personnel injuries involved, 2 resulted in property damage in excess of \$300.00. As shown on Table II-G-2 of the DGEIS, the accident rate for this link is 2.21 ACC/MVM, which is 14% below the statewide average. Although this portion of Johnson Road may be perceived as a safety concern, the accident history shows a below average accident

rate, with no history of fatalities or personnel injury. Although some improvement may be desirable for convenience, it does not appear that safety improvements are warranted on this portion of Johnson Road at this time.

To the extent possible, low cost corrective measures (such as tree trimming, etc.) should be implemented as soon as possible as these measures can provide immediate benefits at little cost. However, the benefits of implementing more extensive improvements (such as installing traffic signals, adding turn lanes, etc.) do not always outweigh the costs or other impacts associated with the improvement. Therefore, these higher cost improvements should only be implemented as an accident reduction measure, after additional study indicated the potential benefits are greater than the estimated cost of the improvement.

G5. Projections of traffic conditions indicate many additional locations are expected to experience operational deficiencies, requiring some degree of improvements. Required improvements to mitigate operational deficiencies for the 1999 planning period as indicated in the DGEIS include:

- a. Extension of Vliet Street to provide a two (2) lane through street. As a result reservation of future right of way may be required within the proposed Northbrook Estates Subdivision.
- b. Construction of separate left turn lanes on all approaches of the Route 9/Boght Road intersection.
- c. A right hand turn lane and second approach lane at the Route 9/Century Hill Drive intersection.

- d. Three through lanes in each direction at Route 9 in the vicinity of Route 9R and Route 7 Interchange and 1 additional lane on Route 9R between Route 9 and Johnson Road.
 - e. Construction of separate left turn lanes on all four (4) approaches at the Columbia Street/Baker Avenue/St. Agnes Highway intersection. This may require the reservation of future right of way within the proposed Hunter's Run Subdivision.
 - f. Realignment of Dunsbach Ferry Road to intersect Route 9 opposite Vliet Street extension.
 - g. Separate right turn lanes on the westbound Route 9 approach and the Route 2 Swatling Road intersection.
 - h. Traffic signals will also be required at the following intersections: Old Loudon Road/Latham Ridge Road, Old Loudon Road/Cobbee Road, and Miller Road/Latham Ridge Road.
- G6. Required improvements to mitigate operational deficiencies for the 2009 planning period as indicated in the DGEIS include:
- a. Provide required turn lanes at the Route 9/Columbia Street intersection.
 - b. Install separate left turn lanes at the Route 9R/Vliet Street Extension.
 - c. Install a separate right turn lane on the southbound approach of the Columbia Street/Baker Street intersection. This may

require the reservation of future right of way within the proposed Hunter's Run Subdivision.

- d. Reconstruction of Johnson Road/Boght Road-St. Agnes Highway intersection and installation of a traffic signal.
- e. Widening of Miller Road approach to Miller Road/Johnson Road intersection.
- f. Widening of Swatling Road approach to Swatling Road/Route 2 intersection.
- g. Realignment of Miller Road and installation of traffic signal at Miller Road/Swatling Road/Haswell Road intersection.
- h. Construction of separate left turn lanes on Old Loudon Road between Cobbee Road and Latham Ridge Road.
- i. Installation of traffic signals will be required at the following intersections: Miller Road/Latham Ridge Road, Haswell Road/Boght Road, and Boght Road/Baker Avenue.
- j. Route 9 has been identified as needing 6 travel lanes from the Route 7 interchange to north up the Boght Road intersection. In regard to the above, the Town will consider six travel lanes on Route 9 in the vicinity of the Columbia Street intersection for the 1999 planning period (Exhibit II-G-II of the DGEIS) and six travel lanes on Route 9 north of that area to the proposed Vliet Street Extension for the 2009 planning period. North of the Vliet Street Extension, the Town should implement reduced levels of improvements on Route 9 which would include the following improvements at the Boght Road/Route 9 intersection:

-Westbound Boght Road would have a separate left turn lane and combination through and right turn lane.

-Eastbound Boght Road would have separate left turn, right turn and through lanes.

-Southbound Route 9 would have separate left and right turn lanes and two through lanes.

-Northbound Route 9 would have a left turn lane, one through lane and one combination through and right turn lane.

This would mitigate some traffic impacts associated with projected future development. However, traffic delays, when compared to current conditions, would increase. The Town Board has made a policy determination that the reduced levels of service would be acceptable. An appropriate transportation mitigation plan and cost estimate will be developed to determine what levels of service will be acceptable on Route 9. This approach would reduce the impacts to residential and commercial properties along the corridor and reduce capital improvements costs associated with the construction of 2 additional lanes, which outweigh potential traffic delays associated with limited improvements along Route 9.

- k. In addition, the Town will consider implementing the Transportation Systems Management (TSM) techniques as specified

on pages II-66 to II-77 of the DGEIS. These techniques include ride-sharing, variable work hour programs and/or transit programs.

Implementation of these techniques may effectively reduce other improvements necessary within the study area. The Town must implement a monitoring program to ensure TSM techniques are effectively reducing traffic volumes. If TSM techniques are effective in reducing traffic, a reevaluation of potential roadway improvements and associated mitigation costs must be conducted. If effective, TSM techniques will have less environmental and social impact when compared to the Capital Improvements identified in Section II-G of the DGEIS.

- G7. Mitigation to alleviate potential problems on local roads includes limiting or reducing access to a few, well-designed key intersections and maintaining a minimum spacing between intersections.
- G8. Access to Route 7 from the study area is limited to the Route 9/I-87/Route 7 interchange. A new interchange to Route 7 may provide great benefit to alleviate pressures at the existing interchange; further study may be warranted.
- G9. Potential impacts to major transportation facilities outside the study area (Route 7, I-87, etc.) as a result of projected growth may necessitate additional analysis prior to initiation of any transportation related improvement activities.
- G10. As per finding F5 the Town will prepare, adopt and file in the Town Clerk's office, an official map which will show future road right of

ways, drainage systems and location of parklands as identified in the GEIS and this findings statement.

H UTILITIES:

The Town of Colonie recognizes that the projected development within the study area will require the extension and improvement of the infrastructure system. In order to provide adequate service for the proposed development the following improvements are required:

- H1. The Niagara Mohawk Power Corporation has indicated that they will be able to adequately service the electrical and natural gas needs of the study area. However the existing gas distribution systems must be upgraded and in some areas replaced with new mains. It is understood that the Niagara Mohawk Power Corporation will be responsible for all capital improvement costs associated with extension of natural gas and electrical utilities.
- H2. New York Telephone has indicated they will be able to meet the short and long term telephone service needs of the study area with the installation of the fiber optic cable along Route 9 which is scheduled for completion in December of 1989.
- H3. The public water supply system servicing the study area is owned and operated by the Latham Water District (LWD). The LWD plant currently provides an average 10.5 MGD, with a maximum capacity of 22.5 MGD. Two, 24 inch mains currently provide water to the study area. Two standpipes, on Miller Road and on Boght Road, currently provide 2.2 MG of storage for the study area. Additional peak water demand in the study area has been projected at 868,648 GPD above current demand by 1999 and, by 2009, at 362,500 GPD above 1999 demand.

H4. The following findings pertain to water system improvements during planning period 1:

- a. The LWD has had plans over the past few years to expand the filtration plant and to improve the pumping stations in conjunction with this expansion. Therefore, in regard to filtration plant improvements, to meet the projected 1999 demand, a NYSDEC permit to draw more water from the Mohawk River will be necessary.
- b. By 1999, the LWD indicated that the Boght Road standpipe should be replaced with a one (1) MG standpipe for storage to support projected demand in the northern portion of the study area.
- c. Necessary improvements by 1999 to the transmission line to support the additional demand include, the extension of the 24 inch line to connect with the line at the Old Loudon Road/Columbia Street intersection.
- d. The existing distribution system by 1999 must be improved with the replacement and expansion of existing lines and construction of new lines as specified on pages II-86 through II-88 of the DGEIS.

H5. The following findings pertain to water system improvements during planning period 2:

- a. In regard to supply, treatment and filtration the Mohawk View Treatment Plant should be adequate for additional demands, however a NYSDEC permit will be required for drawing additional water from the Mohawk River. The total additional water demand

for planning periods 1 and 2 is projected at ± 1.4 MGD which is equivalent to an average flow reduction in the Mohawk River of ± 3 cfs. Since the Vischer Ferry Dam Gauging Station (west of the filtration plant) showed an average daily flow of the Mohawk River of $\pm 6,200$ cfs, there are no anticipated impacts from drawing additional Mohawk River water to meet projected demands.

- b. The Latham Water District does not anticipate any improvements to the distribution pumping system for planning period 2.
- c. No additional storage requirements are anticipated during planning period 2.
- d. Transmission and distribution improvements are specified on pages II-92 through II-93 of the DGEIS.

H6. The study area is serviced by 2 sewer districts, the Albany County Sewer District (ACSD) and the Town of Colonie Pure Waters Department. However, the entire sanitary sewer system within the study area is owned and maintained by the Town of Colonie Pure Waters Department. Both the ACSD and Town of Colonie Pure Waters Department treatment plants are currently utilized at approximately sixty (60) percent capacity. Projected additional wastewater discharges for the study area are projected at 868,648 GPD above current discharges in 1999 and 362,500 GPD above 1999 discharges in 2009. Both sewer districts have indicated that the existing treatment facilities can support projected demand through 2009. The Town of Colonie Pure Waters Department has indicated that while the existing sanitary system can support the projected 1999 demand, the additional 2009 demand may

necessitate the reconstruction of approximately 4,000 linear feet of trunk line.

I. MUNICIPAL SERVICES

The Town recognizes the projected growth in the study area will impact the provision of municipal services.

11. Police protection in the study area is provided by the Town of Colonie Police Department. Additional protection can be provided by the New York State Police. Based upon anticipated growth, it is estimated that 5 additional Colonie Police Officers would be necessary to maintain the current level of service within the study area.
12. The following pertain to projected development as it relates to the North Colonie Central School District. The entire study area is located within the North Colonie Central School District, which had a 1987-1988 total enrollment of approximately 4,600 students. Based upon population projections for the study area, it is anticipated that the school district will have a total of 2,535 students by 1999 and a total of 3,358 students by 2009 from the study area alone. The 1999 projections have been analyzed and according to the North Colonie Central School District, 1 large elementary school (450 students) on approximately 10 acres of land will be needed in the area east of Boght Road and north of Route 7 (Appendix 4 of the FGEIS).

The Town has reviewed the proposed location for a future school building as suggested by the North Colonie Central School District,

east of Boght Road and north of Route 7 (Appendix 4 of the FGEIS). Results of this review indicate that further review of topographic conditions of this proposed site is necessary. Therefore, the Town will also consider a site north of Route 9R and east of Route 9 (see attached exhibit). The Town will coordinate the location of the proposed school with the North Colonie Central School District after the Town and School District have had the opportunity to complete the further study mentioned above. As part of the planning review process for the proposed Northbrook Estates Subdivision, the Town will contact the School District to determine if a school within this subdivision is desirable.

Regardless of the ultimate location of the new school site, transportation patterns around the school should be carefully designed. Transportation patterns should allow easy access for pedestrians from adjacent subdivisions while avoiding use of local streets for school related traffic to the greatest extent practical.

A minimum of 4 traditional junior high school classrooms with an increase of 5 teachers would be required. In addition, 9 high school classrooms, and a staff of 14 for such expansions would be required. The North Colonie Central School District has indicated that the capital costs along with annual operation and maintenance costs will have a significant impact on district taxpayers.

13. Three (3) volunteer fire companies provide fire protection for the study area; the Boght Community Fire Company, the Latham Fire Company, and the Maplewood Fire Company. Basic concerns of the 3 fire districts regarding development in the study area include the

need to upgrade equipment and improve existing infrastructure to maintain adequate service, and the ability to attract volunteers.

Specifically, the following necessary items were identified by the fire districts in response to projected growth:

Planning Period 1

One Additional Pumper
One Ladder Truck
One Sub Station
Land for Station
Additions to Fire Station
Rescue Boat
Manpower Equipment
E.M.S. Vehicle
Maintenance
Additional Insurance

Planning Period 2

One Additional Pumper
Manpower Equipment
Additional Insurance

14. The North Colonie Volunteer Relief Squad, Inc. provides emergency medical service for the study area. A problem maintaining adequate personnel and equipment currently exists, and is expected to worsen as growth continues. The Town of Colonie has employed a Emergency Medical Service Director to formulate and implement a Town-wide ambulance system.
15. The Town of Colonie Landfill on Route 9 is utilized by the study area for the disposal of solid waste. The landfill has an estimated life of approximately 7 years, and in light of environmental and economic considerations the Town established the Solid Waste Alternative Planning Committee (SWAP) in 1987 to analyze waste stream reduction techniques. Based upon development projections, additional solid waste generation will total approximately 12,497 tons in 1999 and an

additional 6,248 tons in 2009. Additional landfill space will be necessary for both the 1999 (.43 acres) and 2009 (.31 acres) time periods. These estimates include a twenty-five (25) percent reduction in the waste stream.

16. The Town of Colonie also provides library services, a community center, and a senior citizen center for the use of study area residents. The projected population increase will result in increased usage of these facilities and it is anticipated that expansion or construction of community facilities may be necessary.

J. HISTORICAL AND ARCHAEOLOGICAL CONSIDERATIONS

- J1. The study area contains 4 prehistoric archaeological sites, 1 historic archaeological site, 8 cemeteries, and 25 historic structures, 4 of which are on the National Register of Historic Places. The general physiogeographic characteristics of the study area indicate there is potential for additional prehistoric sites. Site-specific cultural resource surveys should be completed for future projects proposed in close proximity to the sites identified on Exhibit II-J-1 in the DGEIS. Mitigation measures, such as buffer areas, limiting construction in sensitive areas, and/or filling affected to limit possible disturbance, may be implemented at sites deemed potentially significant.

K. AESTHETICS

- K1. The aesthetic character of the study area is varied, with rural/open space mixed with low density development along primary highway corridors. Six unique viewsheds were identified in the study area through field analysis. These viewsheds include the I-87 corridor

(east), Route 9 corridor (north, south, and east), Miller Road (east), Route 7 corridor (east). The viewsheds are primarily to the east as a result of the Hudson River and hills in Rennselaer County.

K2. Future development is expected to have an impact upon the aesthetic characteristics of the study area, particularly along the highway corridors. General mitigation measures for the previously mentioned significant viewshed areas include architectural design and construction scale details, development layout plans, and beneficial use of the natural topography in design and layout. In addition, specific mitigation measures to minimize potential impacts include:

- a. Limiting curb cuts along scenic routes.
- b. Encourage curvilinear design of interior subdivision roadways.
- c. Use of cluster development, underground installation of utilities, setback and landscaping requirements, and placing parking areas behind commercial buildings with appropriate screening.

L. RECREATIONAL RESOURCES

L1. Public recreational resources maintained by the Town of Colonie include the Town Park and bike trails, municipal golf course, community center and numerous pocket parks serving individual neighborhoods.

L2. Currently, no expansion or improvements of these resources is planned.

- L3. Growth within the study area is anticipated to create additional demand on the public recreational resources, causing overutilization of those resources.
- L4. The Town Recreation and Parks Department has indicated that, rather than enlarging the Town Park, the Town will continue to create pocket parks as necessary. Population projections indicate a minimum of 15 acres of pocket parks will be necessary in the study area.

The need for pocket parks in the following general locations has been identified by the Recreation and Parks Department. These locations are based on development as projected in the DGEIS and shown on Exhibit II-B-3 of the DGEIS.

- a. A pocket park should be located east of Boght Road and west of the Town boundaries with the City of Cohoes and the City of Watervliet. This would serve the existing Latham Farms subdivision and the projected 577 units east of Boght Road. This park should be at least 4 acres and include tennis courts, basketball courts and a playground area. An additional 3 to 4 acres for a multipurpose ballfield also is desirable. The above referenced capital improvement costs are estimated at \$145,000. The Planning Board during the planning review process should evaluate whether a portion of the pocket park would be appropriate in the proposed Manchester Heights subdivision.
- b. A pocket park should be located in the Johnson Road area to serve the 170 single family units which exist and the projected 170 single family units. This park should also be

approximately 4 acres with facilities similar to those described in a., above with the exception of a ballfield. Capital improvement costs are estimated at \$120,000.

- c. The proposal Northbrook Estates (304 units) and the projected 280 units south of Northbrook Estates will require a pocket park in the vicinity north of Route 9R and east of Route 9. The scale of these potential developments will require an 8 acre park to include 3 tennis courts, 2 basketball courts, a children's play area and a multipurpose ballfield. Capital improvement costs are estimated at \$191,000. All or a portion of the park may be appropriate for location within Northbrook Estates. During the planning review process the Planning Board should determine the appropriate location for the park.

The Parks and Recreation Department has also chosen these locations with the assumption that the potential townhouse developments shown on Exhibit II-B-3 of the DGEIS will set aside green space and some recreation facilities as part of the development. If a townhouse development will not offer recreational opportunities, a pocket park will be necessary in the area of Haswell Road.

Access is an important issue in siting these pocket or neighborhood parks. Parks should be easily accessible by foot to the neighborhoods they are intended to serve. Whenever possible one park should be located to serve several neighborhoods. In this way one park can offer a variety of activities at a central location rather than having several parks that offer only one activity.

- L5. The Town swimming pool will likely need expansion in the future to meet projected needs. The Town will monitor swimming pool usage to determine if expansion would be warranted.
- L6. The Town will monitor Municipal Golf Course usage, and if necessary, will construct an additional 9 holes to remain within typical recreational standards.
- L7. As per finding F5 the Town will prepare, adopt and file in the Town Clerk's office, an official map which will show future road right of ways, drainage systems and location of parklands as identified in the GEIS and this findings statement.

M. ECONOMICS

The Town of Colonie recognizes that the projected development within the study area will have an impact on the economic climate of the Town. In regard to achieving a responsible fiscal policy the Town finds the following:

- M1. The 1989 Town of Colonie tax rate, excluding special districts, is \$46.1703/\$1000 assessed value for both residential and non-residential uses. In 1988, average town taxes on a single family residential unit were approximately \$230. The 1988-1989 North Colonie Central School District tax rate is \$192.74/\$1000 assessed value.
- M2. Sources of funding for capital improvements (transportation, utilities, municipal services and recreational facilities) necessary to support development include developers, local State and Federal taxes, and utility companies. Developers generally fund improvements in close proximity to a particular development. A lack of cumulative

analysis to apportion costs of off-site improvements necessitated by development often places financial burden upon the Town. The use of local, state and federal tax revenues to fund capital improvements has become increasingly difficult largely due to the reduction of State and federal funding. Primary utility service costs are generally funded by utility companies, with specific connection costs borne by developers.

- M3. A fiscal impact analysis model was completed for the study area to determine the fiscal impacts of the projected development. Due to parameters utilized in the model, the analysis may predict lower costs of development than may actually occur. The model provides a general magnitude of costs and revenues associated with anticipated growth, and should not be utilized as a specific budget analysis. Municipal cost/revenues associated with projected development in the study area indicate surpluses of \$634,804 in planning period 1 and \$1,006,198 in planning period 2. School district costs and revenues indicate deficits of \$1,202,061 and \$1,526,681 for the respective planning periods. Total municipal costs associated with projected development have been estimate at \$36,704,608 for planning period 1 and \$14,878,195 for planning period 2. Municipal surpluses identified above will be used by the Town to offset costs associated with capital improvement plans and engineering design associated with future improvements.
- M4. Several innovative financing techniques, including impact fees, development excise taxes, and negotiated developer contributions, have been identified as potential mechanisms to fund capital

improvements, particularly in light of the lack of State and Federal support.

- a. Impact fees are charges imposed by local governments to recoup a proportionate share of capital improvements costs associated with a development. Once state legislation is adopted which permits local governments to implement impact fees, they can be utilized for various public facility improvements, including water, sanitary, solid waste, drainage, roads, parks, public buildings, medical police, and fire services, schools libraries and cemeteries. Recent New York State court findings in the Town of Guilderland have indicated local governments currently do not have authority to impose impact fees. Thus, this mechanism is dismissed by the Town as a viable financing alternative at this time.
- b. Implementation of excise taxes also requires enabling legislation, but do not need to provide a rational nexus. These monies do not have to relate to a specific development need nor be earmarked, and thus are used strictly to raise revenues. Excise taxes are currently legal in New York State. This mechanism is under consideration by the Town as a viable financing alternative at this time.
- c. Negotiated developer contributions represent a traditional method of collecting monies and are analyzed on a case-by-case basis. However, this method does not realize potential cumulative off-site impacts as do the previous 2 methodologies or the following SEQRA development mitigation costs. However, in certain circumstances the Town may use

negotiated developer contributions in lieu of development mitigation costs.

- M8. The Town will use the authority under SEQRA to collect money for development mitigation costs from future projects within the study area as specified on the attached Table. Also, attached are examples of how development mitigation costs would be calculated for a typical residential and a typical commercial development. In regard to collection of development mitigation costs by the Town, the Town does not have the legislative authority under New York State Law to collect monies for distribution to other agencies, i.e., North Colonie Central School District, New York State Department of Transportation, and Fire Districts. However, the Town can acquire land through the planning review process for a future school building. When the School District desires, the land can be deeded to them by the Town. Mitigation costs for 10 acres of property for school construction have been included on the attached Table. These costs have been distributed across residential land projected for development over the first 10 year planning period.

As mentioned above, the Town cannot collect monies from future development for capital improvements associated with the local fire districts. However, land can be acquired by the Town through the planning review process for a new fire station. Mitigation costs for 2 acres of property for fire station construction have been included on the attached Table. These costs have been distributed across all land projected for development over the 20 year planning period.

Although the Town cannot collect monies to pay for the entire share of identified improvements for roadways under the NYSDOT jurisdiction, the Town can collect their projected local share contribution (25% of project costs) and a full share for intersection improvements when a Town road intersects a State road. The attached Table which identifies development mitigation costs has been modified to reflect the appropriate contribution shares.

On the whole the Town feels this is the most equitable mechanism for reducing impacts in this portion of the Town. Development mitigation costs will be paid by developments that directly create the need for mitigation and directly benefit from the implementation of that mitigation.

- M9. For illustration purposes, examples of development mitigation costs have been calculated for hypothetical commercial and residential projects within the study area and are attached to this findings statement.

DEVELOPMENT MITIGATION COST CALCULATION
HYPOTHETICAL OFFICE PROJECT

Project Statistics

Building Size 10,000 SF
 Lot Size 1 Acre
 Drainage Area 1

Mitigation	Cost If Developed In Planning Period 1	Cost If Developed In Planning Period 2
Solid Waste	\$ 600	\$ 600
Water	3,900	3,700
Sewer	0 (No Improvements Necessary)	600
Transportation	13,100	12,800
Drainage	5,740	5,740
Fire Protection	38	38
GEIS Prep	69	69
TOTAL	23,447	23,547

DEVELOPMENT MITIGATION COST CALCULATION
HYPOTHETICAL RESIDENTIAL PROJECT

Project Statistics

No. of Lots 100
 Total Acreage 50
 Drainage Area 1

Mitigation	Cost If Developed In Planning Period 1	Cost If Developed In Planning Period 2
Solid Waste	\$ 5,000	\$ 5,000
Schools	32,000	School District does not project needs beyond 10 year period
Water	112,500	
Sewer	0 (No Improvements Necessary)	16,500
Transportation	60,000	55,100
Drainage	143,500	143,500
Recreation	27,300	27,300
Park Land	42,700	42,700
Fire Protection	1,900	1,900
GEIS Prep	3,450	3,450
TOTAL	\$428,350	\$401,350 *
TOTAL per unit cost	\$ 4,284	\$ 4,014 *

* May be higher if additional school property acquisition is required.

M10. Development mitigation costs must be updated every two years for inflation.

M11. Development mitigation costs will be collected by the Town from developers/applicants based on the following:

RESIDENTIAL

Prior to final approval	33 1/3%
Prior to pre-construction meeting	33 1/3%
Prior to issuance of first building permit	33 1/3%

COMMERCIAL

Prior to final approval	33 1/3%
Prior to building permit	33 1/3%
Prior to issuance of temporary or final CO	33 1/3%

M12. Capital improvement plans will be developed by the Town for the water system, sanitary sewer system, transportation system, drainage system and recreational facilities to ensure there is a balance between infrastructure, future development and available funding. The Town will periodically monitor growth to ensure it progresses as specified in the GEIS. If there is significant deviation from the development projections, the Town will revise the capital improvement plans and development mitigation cost structure to maintain an equitable balance between infrastructure, future development and available funding.

N. ALTERNATIVES

The Town evaluated three general alternatives which included varying development densities, rezoning the project study area, and the No Action alternative and finds the following:

N1. Four alternatives were evaluated to project residential densities in the study area for the planning periods. The first utilized the 5.6

percent growth rate for the Town of Colonie projected by CDRPC. This was not considered appropriate as the study area contains the majority of undeveloped lands in the Town and was dismissed. The second alternative was based on full build-out of the study area, which was considered *neither desirable nor realistic* and was also dismissed. Alternative 3 arbitrarily utilized a 30 percent growth rate, which was determined to be unlikely as it represents an overall decrease in growth after the initial several years. The fourth and chosen alternative, projected growth based upon analysis of building permits, available land, infrastructure and correspondence with the Town of Colonie Engineering and Planning Services Department, was acceptable as the most reasonable alternative for projecting future growth.

In addition, several non-residential development projections within the study area were developed utilizing current land use maps, existing zoning and correspondence with the Town of Colonie Engineering and Planning Services Department. Currently it is estimated that 40 percent of commercially zoned lands within the study area are developed. It was determined that ultimately 60 percent and 80 percent of appropriately zoned lands will be developed for non-residential purposes for the respective planning periods. The Town considered this the most appropriate projection for future non-residential growth in the study area on the basis of weighing all alternatives identified in the DGEIS.

- N2. Reduction of allowable densities, which would reduce development and associated impacts, can be accomplished through changing existing zoning. The Town can calculate the development mitigation costs for

specific growth scenarios and determine if such costs meet the goals and policies, and an acceptable level can be utilized to change allowable zoning. For the initial purpose of the DGEIS preparation this alternative was dismissed as not being viable.

- N3. The no action alternative would eliminate future development projections, and accordingly, the identification of impacts associated with future growth. In addition, cumulative impacts may not be realized resulting in future problems in the study area. For the initial purpose of the DGEIS preparation this alternative was dismissed as not being viable.

O. CUMULATIVE AND GROWTH-INDUCING IMPACTS

- O1. The Town recognizes the cumulative negative impacts resulting from projected development which include impacts to the North Colonie Central School District tax base, infrastructure, community facilities and municipal services, vegetation and wildlife, historical and archaeological resources, and aesthetics. Implementation of funding mechanisms will reduce potential fiscal impacts associated with the cumulative impacts. In addition, positive cumulative impacts include increased general Town tax base and sales tax revenues and additional employment opportunities.
- O2. Development in the study area may induce growth throughout the Town of Colonie. Commercial growth, resulting from additional demand for goods and services, and in-fill residential growth are anticipated. Financing of this growth may originate from a variety of public and private agencies.

P.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

- P1. Commitment of resources include land necessary for development and associated vegetation and habitat for wildlife, raw materials and energy for construction, and resources for water, sewer, utility and solid waste services. Financial resources, including capital necessary to initiate development, will also be committed. The Town recognizes that projected development will result in a commitment of resources.
- P2. The Town realizes that development will reduce currently undeveloped lands in a natural vegetative condition. However, landscaping of future developments will be required by the Town thus mitigating the loss of natural vegetation.

Q.

UNAVOIDABLE ADVERSE ENVIRONMENTAL IMPACTS

- Q1. There are several adverse impacts associated with the proposed plan which cannot be avoided. These impacts include land use, vegetation and wildlife, transportation resources, municipal services, and aesthetic character of the study area. The Town recognizes that there are unavoidable impacts associated with future projected development within the study area. On balance, the Town realizes that continued growth in this area will have positive long term benefits when compared to the unavoidable impacts noted above.
- The long term benefits realized with continued growth include strengthening the economic base in the Town by providing office, industrial and retail uses which promote employment and stabilization

of the tax base; the provision of service for residents of the Town through continued office and retail development, and the provision of adequate housing for the growing population within the Town.

R. FUTURE SEQRA ACTIONS IN THE STUDY AREA

- R1. The Town recognizes as per Section 617.15 (c, 1) of SEQRA, no further SEQRA compliance is required if a proposed action is carried out in conformance with the conditions and thresholds established for such actions in the findings statement for the GEIS. Future development should generally be consistent with the timing, distribution and scale of future development (Section II, B of the DGEIS) and with the criteria of this findings statement.
- R2. However, if a future development proposal is not consistent with future land use and the findings statement, and the action involves 1 or more significant environmental effects, a supplement to the Final GEIS must be prepared. If the future development proposal is not consistent with future land use and the findings statement, and the action will not result in any significant environmental effects, a negative declaration must be prepared. In addition, according to Section 617.15, (c), (2) "a supplemental findings statement must be prepared if the subsequent proposed action was adequately addressed in the GEIS but was not adequately addressed in the findings statement for the GEIS.
- R3. If an action is not subject to the provisions of SEQRA, the findings specified herein are not required to be applied to such action.

BOGHT ROAD - COLUMBIA STREET AREA DEVELOPMENT MITIGATION COSTS - Continued

PLANNING PERIOD	IMPROVEMENT	UNIT MEASURE	COST	COMMENT
2009	Transportation-Office	Sq.ft.bldg.space	\$ 1.28	See Above
2009	Transportation-Retail	Sq.ft.bldg.space	\$ 2.14	See Above
2009	Transportation-Industrial	Sq.ft.bldg.space	\$.42	See Above
1999 & 2009	Drainage-Area 1-Res.	acre	\$ 2,870	Includes ROW costs of \$20,000/acre
1999 & 2009	Drainage-Area 1-Com/Ind.	acre	\$ 5,740	Same as above
1999 & 2009	Drainage-Area 2-Res.	acre	\$ 3,780	Same as above
1999 & 2009	Drainage-Area 2-Com/Ind.	acre	\$ 7,560	Same as above
1999 & 2009	Drainage-Area 3-Res.	acre	--	No Improvements necessary
1999 & 2009	Drainage-Area 3-Com/Ind.	acre	\$13,400	Same as above
1999 & 2009	Drainage-Area 4-Res.	acre	\$ 5,960	Same as above
1999 & 2009	Drainage-Area 4-Com/Ind.	acre	\$11,920	Same as above
1999 & 2009	Drainage-Area 5-Res.	acre	\$ 2,170	Same as above
1999 & 2009	Drainage-Area 5-Com/Ind.	acre	\$ 4,340	Same as above
1999 & 2009	Recreation	Dwelling Unit	\$ 273	Includes costs for additional 9 hole golf course and equipment for pocket parks. Commercial/industrial not considered as creating additional demand.
1999 & 2009	Park Land	Dwelling Unit	\$ 427	20 acres of land required with estimated value of \$80,000/acre.
1999 & 2009	Fire Protection	acre	\$ 38	Fire districts estimated costs of \$40,000/acre, need 2 acres.
1999 & 2009	GEIS Preparation	acre	\$ 69	Only acreage projected for development between 1989 & 2009 used to calculate fee.

BOGHT ROAD - COLUMBIA STREET AREA DEVELOPMENT MITIGATION COSTS

PLANNING PERIOD	IMPROVEMENT	UNIT MEASURE	COST	COMMENT
1999 & 2009	Solid Waste-Residential	Dwelling Unit	\$ 50	No land costs included, assume that land is available at existing landfill.
1999 & 2009	Solid-Waste Com/Industrial	Sq.ft.bldg.space	\$ 0.06	Same as Above
1999	Schools	Dwelling Unit	\$ 320	Estimated property costs of \$80,000/acre used for calculation. Commercial/Industrial not considered as creating additional demand.
2009	Schools	--	--	School District does not project needs beyond 10 year period. Must reevaluate needs in 1999.
1999	Water-Residential	Dwelling Unit	\$ 1,125	
1999	Water-Com/Industrial	Sq.ft.bldg.space	\$ 0.39	
2009	Water-Residential	Dwelling Unit	\$ 1,059	
2009	Water-Com/Industrial	Sq.ft.bldg.space	\$ 0.37	
1999	Sewer-Residential	--	--	No improvements required.
1999	Sewer-Com/Industrial	--	--	No improvements required.
2009	Sewer-Residential	Dwelling Unit	\$ 165	
2009	Sewer-Com/Industrial	Sq.ft.bldg.space	\$ 0.06	
1999	Transportation Residential	Dwelling Unit	\$ 600	Includes ROW costs of \$20,000/acre undeveloped land, \$80,000 developed land, 20% background growth accounted for. Transportation costs have been adjusted to reflect collection of 25% of costs by Town for NYSDOT improvements and collection of 100% of costs by Town for NYSDOT and Town road intersections.
1999	Transportation-Office	Sq.ft.bldg.space	\$ 1.31	See Above
1999	Transportation-Retail	Sq.ft.bldg.space	\$ 1.98	See Above
1999	Transportation-Industrial	Sq.ft.bldg.space	\$ 0.54	See Above
2009	Transportation-Residential	Dwelling Unit	\$ 551	See Above

