



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 6, 2023

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No. <u>230008</u>
Not to be removed from the Office of the Legislature of Monroe County
Committee Assignment
ENV. & PUB. WORKS-L

To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Classification of Action and Determination of Significance Pursuant to the State Environmental Quality Review Act for the Acquisition of Real Property for the Hinchey Road Project in the Town of Gates

Honorable Legislators:

I recommend that Your Honorable Body determine whether the acquisition of interests in real property for the Hinchey Road Project in the Town of Gates may have a significant adverse impact on the environment pursuant to the State Environmental Quality Review Act ("SEQRA"). The proposed acquisition of interests are as follows:

<u>Parcel</u>	<u>Owner</u>	<u>Amount</u>
Map 3 Parcel 1 PE 476 sf T.A. # 119.17-1-62 Town of Gates	James & Eileen Longuillio 580 Pixley Road Rochester, NY 14624	\$650 PE \$700 Indirect
Map 4 Parcel 1 PE 50 sf T.A. # 119.18-1-50 Town of Gates	Robert J. Elliott 1255 Howard Road Rochester, NY 14624	\$350 PE
Map 5 Parcel 1 PE 150 sf T.A. # 119.19-1-30 Town of Gates	Thien V. Chau 75 Tarwood Drive Rochester, NY 14606	\$250 PE
Map 6 Parcel 1 PE 382 sf T.A. # 119.19-2-1	Doreen A. Moore 707 Hinchey Road Rochester, NY 14624	\$550 PE
Map 7 Parcel 1 PE 162 sf T.A.# 119.18-2-32	Willie May Turner 1269 Howard Road Rochester, NY 14624	\$250 PE

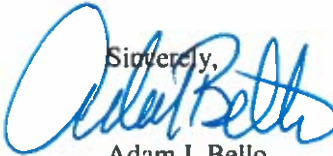
The acquisition of real property located at the addresses listed above in the Town of Gates have been preliminarily classified as an Unlisted Action. The SEQRA regulations found at 6 NYCRR Part 617 requires that no agency shall carry out or approve an Action until it has complied with the requirements of SEQRA.

The specific legislative actions required are:

1. Determine that the acquisition of real properties located at the above listed addresses in the Town of Gates is an Unlisted action.
2. Make a determination of significance regarding the acquisitions of real property identified above in the Town of Gates pursuant to 6 NYCRR 617.7.
3. Authorize the County Executive, or his designee, to take such actions to comply with the requirements of the State Environmental Quality Review Act, including without limitation, the execution of documents and the filing, distribution and publication of the documents required under the State Environmental Quality Review Act, and any other actions to implement the intent of this resolution.

This designation will have no impact on the revenues or expenditures of the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,


Adam J. Bello
Monroe County Executive

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

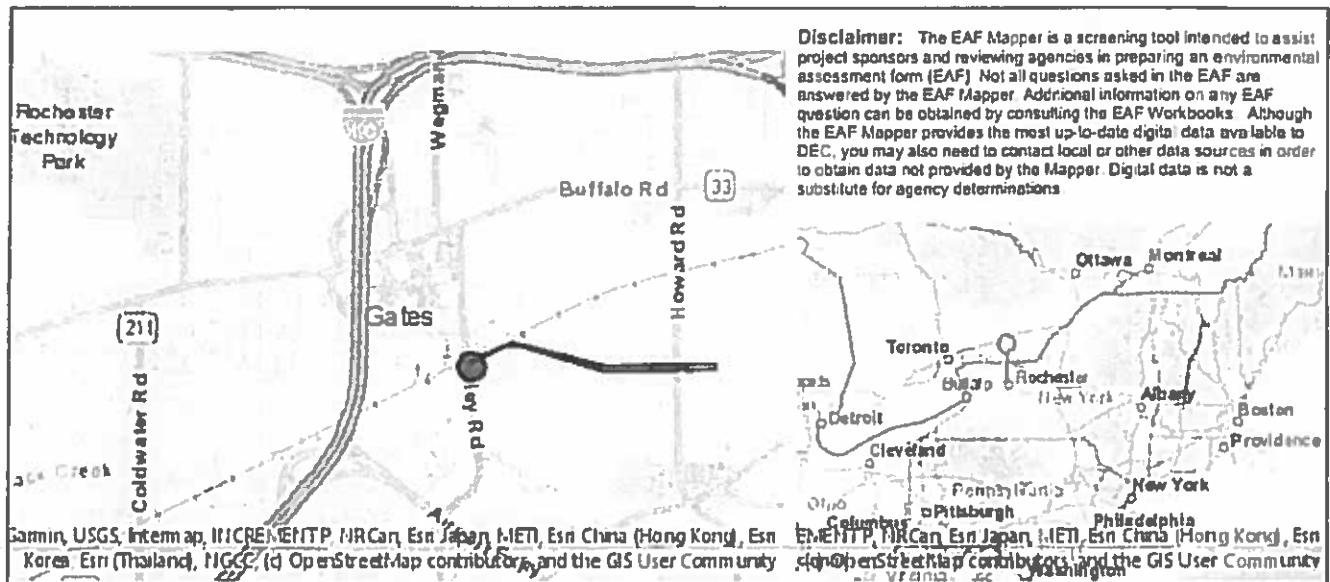
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part I based on information currently available. 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: Hinckley Road Rehabilitation Project			
Project Location (describe, and attach a location map): Hinckley Road from Pixley Road to Chili Avenue in the Town of Gates			
Brief Description of Proposed Action: Rehabbing the drainage design for a closed system (storm sewer) on a small portion of the road and an open (ditch/swale) system on the remainder of the road. Installation of 6' wide asphalt shoulders, milling and re-paving of the existing pavement, replacement of existing sidewalk ramps, installation of pavement markings and minor traffic signal work. Purchase interests in real property, such as easements for road construction. There are five residents that will be impacted, with total property interests approximately .028 Acres. The following parcels are included in this action: 119.19-2-1, 119.18-1-50, 119.18-2-32, 119.19-1-30, 119.17-1-62.			
Name of Applicant or Sponsor: Monroe County		Telephone: 585-753-1233 E-Mail:	
Address: 39 West Main Street			
City/PO: Rochester		State: NY	Zip Code: 14614
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.			NO <input checked="" type="checkbox"/> YES <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:			NO <input checked="" type="checkbox"/> YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		.028 acres	
b. Total acreage to be physically disturbed?		less than .028 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.028 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <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 type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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: _____ _____	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

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 type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" 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?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
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 <input checked="" type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <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 <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
Gates Dump at Hinchey Road, Closed Circa 1939. State Superfund Site, Classified as a Type N Site per 1992 Phase II.		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Monroe County</u> Date: <u>12/2/2022</u>		
Signature: <u><i>Jeffrey P. Nigdy</i></u> Title: <u>Director of Real Properties</u>		



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]	No
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]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

Agency Use Only (If applicable)

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"/>

PRINT FORM

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.

The action is for the acquisition of easements for a highway improvement and rehabilitation project along Hinchey Road in Gates. Part 1 of the EAF indicates the site contains or is near the following: archaeological resources, an adjoining property that has been the site of remediation, and wetlands.

The Remediation Site is at the eastern end of Hinchey Road (Latitude: 43 08'25.7"N Longitude: 77 40'17.6"W; parcel numbers 119.20-3-34.1 and 119.20-3.3) and is formerly the Gates Dump at Hinchey Road and served as a municipal dump/landfill from 1920 to 1939 for the City of Rochester. In 1992 a Phase II was conducted and determined there is no record of hazardous waste disposal at the site and ground samples were tested for extraction procedure toxicity (EP Tox) metals and concentrations were found to be below EP Tox Standards. Ground water is controlled by a storm sewer along Hamlet Court. Groundwater samples collected showed several metals exceeding groundwater standards. However, the area is served by municipal water and sewer and is not expected to be disturbed during this project. None of the easements sought are from the parcels in the State's Remediation Database.

Actions contemplated in this SEQR include road maintenance, reconstruction, rehabilitation, and acquisition of easements related to such work. Paved shoulders, wider than current shoulders are proposed, but no further widening of lanes or other roadway is proposed. Existing road drainage and storm sewers will be modified in line with this project, and in line with typical roadway construction and rehabilitation. The easement acquisition of these properties does not include physical disturbance or development of the parcels and will not result in any significant adverse environmental impacts.

<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.
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Monroe County</p> <hr/> <p style="text-align: center;">Name of Lead Agency</p> <p>Adam J. Bello</p> <hr/> <p style="text-align: center;">Print or Type Name of Responsible Officer in Lead Agency</p> <hr/> <p style="text-align: center;">Signature of Responsible Officer in Lead Agency</p> </div> <div style="width: 45%;"> <p style="text-align: right;">Date</p> <hr/> <p style="text-align: center;">County Executive</p> <p style="text-align: center;">Title of Responsible Officer</p> <p style="text-align: center;"><i>Anthony P. Pugh</i></p> <hr/> <p style="text-align: center;">Signature of Preparer (if different from Responsible Officer)</p> </div> </div>	