

By Legislators McCabe and Johns

Intro. No. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ OF 2023

**CLASSIFICATION OF ACTION AND DETERMINATION OF SIGNIFICANCE PURSUANT TO STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR ACQUISITION OF EASEMENTS FOR JEFFERSON AVENUE IMPROVEMENT PROJECT IN TOWN OF PERINTON**

BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. The Monroe County Legislature determines that the acquisition of easements located at the below listed addresses in the Town of Perinton is an Unlisted action.

<u>Parcel</u>	<u>Offeror</u>	<u>Offered Amount</u>
Map 1 Parcel 1, PE 1,679 SF T.A. #165.11-2-17.1 Town of Perinton	State of New York	\$1
Map 2 Parcel 1, PE 356 SF T.A. #165.11-2-15.2 Town of Perinton	State of New York	\$1
Map 3 Parcel 1, PE 2,359 SF T.A. #165.11-2-32 Town of Perinton	State of New York	\$1
Map 4 Parcel 1, PE 527 SF T.A. #165.11-2-33 Town of Perinton	State of New York	\$1
Map 5 Parcel 1, PE 97 SF Parcel 2, PE 129 SF T.A. #165.11-2-1 Town of Perinton	State of New York	\$1
Map 6 Parcel 1, PE 129 SF T.A. #165.11-1-14 Town of Perinton	State of New York	\$1

14.2

Map 7 Parcel 1, PE 431 SF Parcel 2, PE 356 SF T.A. #166.15-1-1.1 Town of Perinton	State of New York	\$1
Map 9 Parcel 1, PE 135 SF Parcel 2, PE 97 SF T.A. #165.07-2-40 Town of Perinton	State of New York	\$1
Map 12 Parcel 1, PE 48 SF T.A. #165.07-2-2 Town of Perinton	State of New York	\$1
Map 13 Parcel 1, PE 48 SF T.A. #165.07-2-1 Town of Perinton	State of New York	\$1
Map 14 Parcel 1, PE 134 SF T.A. #152.19-4-35 Town of Perinton	State of New York	\$1
Map 15 Parcel 1, PE 135 SF T.A. #152.19-4-37.1 Town of Perinton	State of New York	\$1
Map 16 Parcel 1, PE 146 SF T.A. #152.19-4-69 Town of Perinton	State of New York	\$1
Map 17 Parcel 1, PE 151 SF T.A. #152.19-3-67 Town of Perinton	State of New York	\$1
Map 19 Parcel 1, PE 160 SF T.A. #152.19-5-1 Town of Perinton	State of New York	\$1
Map 20 Parcel 1, PE 135 SF T.A. #152.19-3-35 Town of Perinton	State of New York	\$1

Map 21 Parcel 1, PE 167 SF T.A. #152.19-1-65 Town of Perinton	State of New York	\$1
Map 22 Parcel 1, PE 135 SF T.A. #152.19-3-34 Town of Perinton	State of New York	\$1
Map 24 Parcel 1, PE 135 SF T.A. #152.19-3-1 Town of Perinton	State of New York	\$1
Map 25 Parcel 1, PE 1,002 SF T.A. #152.15-1-43 Town of Perinton	State of New York	\$1
Map 26 Parcel 1, PE 527 SF Parcel 2, PE 2,462 SF T.A. #152.15-2-15 Town of Perinton	State of New York	\$1
Map 27 Parcel 1, PE 1,326 SF T.A. #152.15-1-42 Town of Perinton	State of New York	\$1
Map 28 Parcel 1, PE 1,476 SF Parcel 2, PE 44,598 SF Parcel 3, PE 2,579 SF T.A. #152.15-2-16.2 Town of Perinton	State of New York	\$1
Map 32 Parcel 1, PE 97 SF T.A. #152.15-1-34 Town of Perinton	State of New York	\$1
Map 33 Parcel 1, PE 88 SF T.A. #152.15-1-33 Town of Perinton	State of New York	\$1
Map 34 Parcel 1, PE 164 SF T.A. #152.15-1-14 Town of Perinton	State of New York	\$1

Map 35 Parcel 1, PE 54 SF T.A. #152.15-1-13 Town of Perinton	State of New York	\$1
Map 36 Parcel 1, PE 43 SF T.A. #152.15-1-6.3 Town of Perinton	State of New York	\$1
Map 37 Parcel 1, PE 47 SF T.A. #152.15-2-4 NKA 152.15-2-4.11 Town of Perinton	State of New York	\$1
Map 46 Parcel 1, PE 46 SF T.A. #165.11-2-4 Town of Perinton	State of New York	\$1
Map 47 Parcel 1, PE 134 SF T.A. #165.07-2-41.1 Town of Perinton	State of New York	\$1
Map 48 Parcel 1, PE 51 SF T.A. #165.11-2-3 NKA 165.11-2-31 Town of Perinton	State of New York	\$1
Map 62 Parcel 1, PE 2,138 SF T.A. #152.19-1-73 Town of Perinton	State of New York	\$1
Map 65 Parcel 1, PE 2,139 SF T.A. #152.19-1-58 Town of Perinton	State of New York	\$1
Map 67 Parcel 1, PE 81 SF T.A. #152.19-2-30 Town of Perinton	State of New York	\$1
Map 70 Parcel 1, PE 81 SF T.A. #152.19-1-31 Town of Perinton	State of New York	\$1

Map 88 Parcel 1, PE 3,881 SF T.A. #165.07-1-14.31 Town of Perinton	State of New York	\$1
Map 89 Parcel 1, PE 731 SF T.A. #165.07-2-42.11 Town of Perinton	State of New York	\$1
Map 91 Parcel 1, PE 1,772 SF T.A. #152.19-2-1 Town of Perinton	State of New York	\$1
Map 92 Parcel 1, PE 582 SF T.A. #152.15-2-16.1 Town of Perinton	State of New York	\$1

Section 2. The Monroe County Legislature has reviewed and considered the Short Environmental Assessment Form dated June 29, 2023 and has considered the potential environmental impacts of the acquisitions of real property identified above located in the Town of Perinton pursuant to the requirements of State Environmental Quality Review Act and has found that the proposed action will not result in any significant adverse environmental impacts. The Monroe County Legislature hereby issues and adopts the Negative Declaration attached hereto and made a part hereof and determines that an environmental impact statement is not required.

Section 3. The County Executive, or his designee, is hereby authorized 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.

Section 4. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Environment and Public Works Committee; July 24, 2023 - CV: 6-0  
File No. 23-0227

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_

## 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.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Acquisition of Permanent Easements along Jefferson Avenue, (Village of Fairport) Perinton, NY			
Project Location (describe, and attach a location map): Jefferson Avenue, Fairport-Address (Town of Perinton), NY - Multiple properties (map attached).			
Brief Description of Proposed Action: Monroe County is acquiring permanent easements (PEs) in multiple properties along Jefferson Avenue in Fairport, New York. The PEs will be acquired as a result of road maintenance completed in conjunction with the New York State Department of Transportation. The permanent easements are necessary for routine road maintenance, including: constructing, reconstructing, and maintaining thereon a stream channel, drainage ditch and drainage structures along with appurtenances necessary to such work and facilities. Such easements do not limit the parcel owners use beyond that which is necessary to effectuate the above construction, maintenance, and drainage.			
Name of Applicant or Sponsor:  Monroe County		Telephone: 585-753-2032  E-Mail: patrickgouch@monroecounty.gov	
Address: 50 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?		1.58 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?		1.58 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			

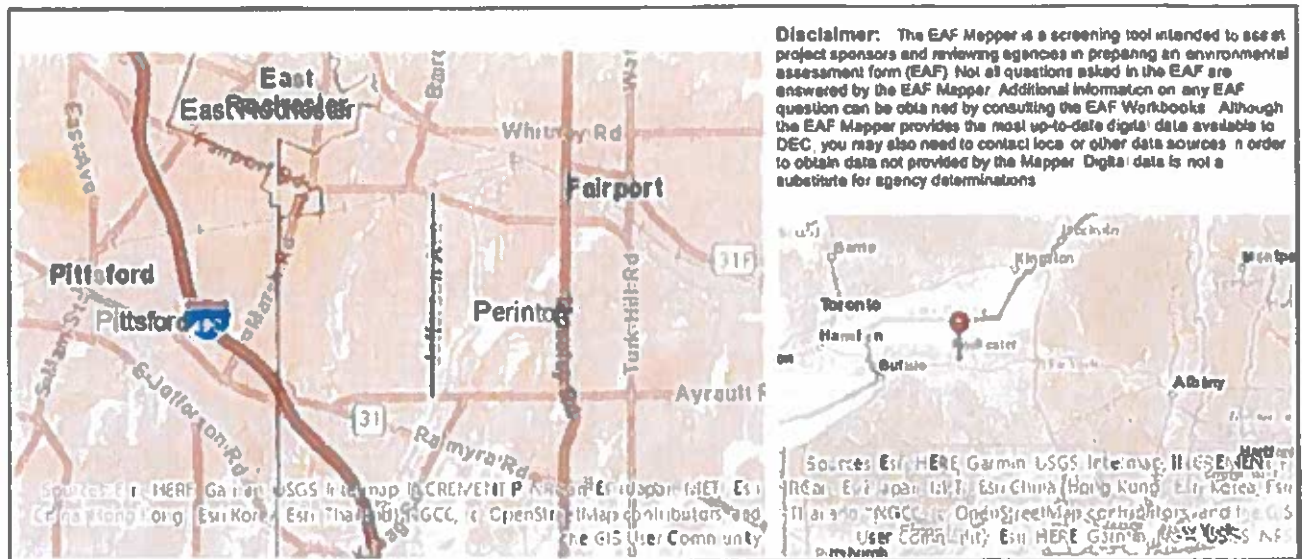
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input 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 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: _____ _____ _____			

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 checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input checked="" 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 type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>
<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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
<hr/> <hr/>		
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"/>
<hr/> <hr/>		
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"/>
<small>A parcel adjacent to the parcels that are the subject of this action has been the site of remediation (C828185) and is subject to further clean up. However, it will not be impacted by the easements as no construction other than maintaining drainage channels.</small>		
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor/name: <u>Monroe County</u>		Date: <u>6/29/23</u>
Signature: <u><i>Omey Grande</i></u>		Title: <u>Director, RPS.</u>



## EAF Mapper Summary Report

Tuesday, May 16, 2023 11:02 AM



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

1410

## Agency Use Only (If applicable)

Project: Jefferson Ave. Easements

Date: 2023.05.16

**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**

14.11

Agency Use Only (If applicable)	
Project:	Jefferson Ave. Easement
Date:	2023.05.16

### 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.

Part 2 did not indicate any moderate to large impacts may occur due to this action. The action being reviewed is the transfer of easements from NYS DOT to Monroe County. Monroe County is acquiring permanent easements as a result of road maintenance completed in conjunction with the New York State Department of Transportation. The permanent easements are necessary for routine road maintenance, including: constructing, reconstructing, and maintaining thereon a stream channel, drainage ditch and drainage structures along with appurtenances necessary to such work and facilities. Such easements do not limit the parcel owners use beyond that which is necessary to effectuate the above construction, maintenance, and drainage.

Part 1 indicated that a remediation site is on or adjacent to the project area. The site is adjacent to, but not involved in this proposed action. The site is part of the Brownfield Cleanup Program (BCP C828185) and has numerous contaminants of concern. New York State Department of Environmental Conservation ("DEC") has determined that the site is a significant threat. A significant threat determination indicates that the site poses a significant threat to public health and/or the environment. With the significant threat determination at this site, the State shall select the remedy to be implemented to address the contamination.

Although BCP C828185 has been determined to be a significant threat, it will not be impacted by easements for road maintenance on nearby properties. The remediation site is removed from the proposed action. The proposed action, easements, are limited to roadway and roadway drainage maintenance. Roadway drainage ensures that runoff flows to appropriate channels, thus reducing runoff that overflows or spills on to roads or nearby properties. Accordingly, after review of relevant materials and consideration the proposed action 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.	
Monroe County	
Name of Lead Agency	Date
Adam J Bello	
County Executive	
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	Amy Grande
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)
	<i>Amy E. Grande</i>

**PRINT FORM**