

By Legislators Wright and Keller

Intro. No. _____

RESOLUTION NO. _____ OF 2021

CLASSIFICATION OF ACTION AND DETERMINATION OF SIGNIFICANCE PURSUANT TO STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR SALE OF COUNTY OWNED TAX FORECLOSURE PROPERTY LOCATED AT 1800 SOUTH WINTON ROAD IN TOWN OF BRIGHTON

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

Section 1. The Monroe County Legislature determines that the sale of County owned tax foreclosure property located at 1800 South Winton Road in the Town of Brighton is an Unlisted action.

Section 2. The Monroe County Legislature has reviewed and considered the Short Environmental Assessment Form dated October 7, 2021 and has considered the potential environmental impacts of the sale of County owned tax foreclosure property located at 1800 South Winton Road in the Town of Brighton 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; November 22, 2021 - CV: 7-0
File No. 21-0425

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.

Part 1 - Project and Sponsor Information			
Name of Action or Project:			
Proposed Sale of County owned property located in the Town of Brighton			
Project Location (describe, and attach a location map):			
1800 S Winton Road, Brighton, NY			
Brief Description of Proposed Action:			
1800 South Winton Road is approximately 3.10 Acres of Land. This is a portion of the County owned property consisting of Tax Account number 150 05-1-42			
Name of Applicant or Sponsor:		Telephone: 585-753-1233	
Monroe County		E-Mail:	
Address:			
39 West Main Street			
City/PO:		State	Zip Code
Rochester		NY	14614
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO YES
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			☒ ☐
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO YES
If Yes, list agency(s) name and permit or approval:			☒ ☐
3. a. Total acreage of the site of the proposed action?		3.10 acres	
b. Total acreage to be physically disturbed?		0.00 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		3.10 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action			
5. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☒ Residential (suburban)			
☒ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify)			
☐ Parkland			

5	Is the proposed action,	NO	YES	N/A
	a. A permitted use under the zoning regulations?	☐	☐	☒
	b. Consistent with the adopted comprehensive plan?	☐	☐	☒
6.	Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
		☐	☒	
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: _____	☒	☐	
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?	☒	☐	
	c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☒	
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: _____ _____	☒	☐	
10	Will the proposed action connect to an existing public private water supply?	NO	YES	
	If No, describe method for providing potable water: _____	☒	☐	
11.	Will the proposed action connect to existing wastewater utilities?	NO	YES	
	If No, describe method for providing wastewater treatment: _____	☒	☐	
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	
		☐	☒	
	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?	☐	☒	
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	
		☐	☒	
	b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
	If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

Agency Use Only (If applicable)

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 sale of a parcel and does not include the physical alteration nor disturbance of the property. Part 1 of the EAF indicates the site contains or is near the following: archaeological resources, 100 Year Flood Plan and wetlands.

Future use or development of the parcel may be subject to a wetland delineation and the New York State Freshwater Wetlands Act.

The sale of this property does not include physical disturbance or development of the parcel and will not result in any significant adverse environmental impacts.

- ☐ 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.
- ☒ 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

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

November 5, 2021

OFFICIAL FILE COPY
No. <u>210425</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 Sale of County Owned Tax Foreclosure Property Located at 1800 South Winton Road in the Town of Brighton

Honorable Legislators:

I recommend that Your Honorable Body determine whether the sale of County owned tax foreclosure property located at 1800 South Winton Road in the Town of Brighton may have a significant adverse impact on the environment pursuant to the State Environmental Quality Review Act ("SEQRA").

The proposed sale is as follows:

<u>Parcel</u>	<u>Offeror</u>	<u>Offered Amount</u>
1800 S. Winton Rd. TA # 150.05-1-42 Town of Brighton	Regency Legacy II LLC 2604 Elmwood Avenue, Suite 159 Rochester, New York 14618	\$10,000

This vacant land was acquired January 30, 2019 through tax foreclosure, is surplus property, and is not needed by Monroe County. The price indicated above was negotiated by Monroe County Real Estate.

The sale of County owned tax foreclosure property located at 1800 South Winton Road in the Town of Brighton has 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 sale of County owned tax foreclosure property located at 1800 South Winton Road in the Town of Brighton is an Unlisted action.
2. Make a determination of significance regarding the sale of County owned tax foreclosure property located at 1800 South Winton Road in the Town of Brighton 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

AJB:db

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

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

Part 1 - Project and Sponsor Information			
Name of Action or Project: Proposed Sale of County owned property located in the Town of Brighton			
Project Location (describe, and attach a location map): 1800 S Winton Road, Brighton, NY			
Brief Description of Proposed Action: 1800 South Winton Road is approximately 3.10 Acres of Land. This is a portion of the County owned property consisting of Tax Account number 150.05-1-42			
Name of Applicant or Sponsor: Monroe County		Telephone: 585-753-1233	
Address: 39 West Main Street		E-Mail:	
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 ☐	YES ☐
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 ☐	YES ☐
3. a. Total acreage of the site of the proposed action?		3.10 acres	
b. Total acreage to be physically disturbed?		0.00 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		3.10 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☒ Residential (suburban) ☒ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5	Is the proposed action,	NO	YES	N/A
	a. A permitted use under the zoning regulations?	☐	☐	☒
	b. Consistent with the adopted comprehensive plan?	☐	☐	☒
6.	Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
		☐	☒	
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: _____	☒	☐	
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?	☒	☐	
	c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☒	
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: _____ _____	☒	☐	
10	Will the proposed action connect to an existing public private water supply?	NO	YES	
	If No, describe method for providing potable water: _____	☒	☐	
11.	Will the proposed action connect to existing wastewater utilities?	NO	YES	
	If No, describe method for providing wastewater treatment: _____	☒	☐	
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	
		☐	☒	
	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?	☐	☒	
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	
		☐	☒	
	b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
	If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

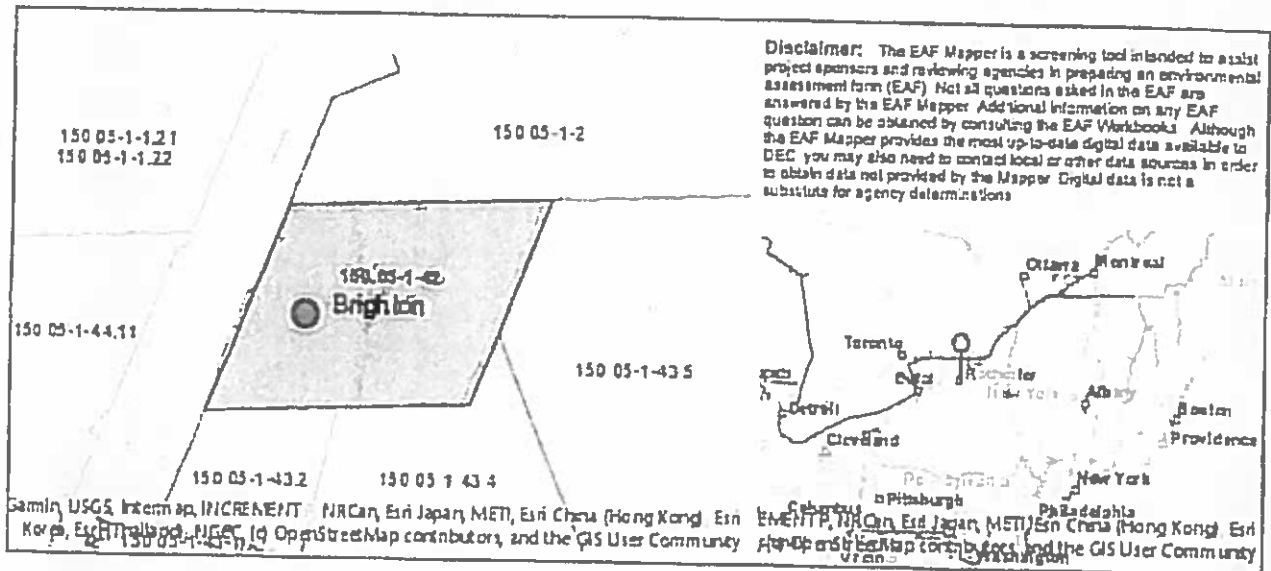
91:6 MW 8-NOV 1202

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☒ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☒ Wetland ☐ Urban ☒ 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 ☒	YES ☐
16. Is the project site located in the 100-year flood plan?	NO ☐	YES ☒
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO ☒	YES ☐
a. Will storm water discharges flow to adjacent properties?	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☒	☐
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 ☒	YES ☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO ☒	YES ☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO ☒	YES ☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Morgan County</u> Date: <u>10/7/2021</u> Signature: <u>[Signature]</u> Title: <u>Director</u>		

PRINT FORM

EAF Mapper Summary Report

Monday, August 23, 2021 4:41 PM



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]	Yes
Part 1 / Question 20 [Remediation Site]	No

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?	☒	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☒	☐
3. Will the proposed action impair the character or quality of the existing community?	☒	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☒	☐
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?	☒	☐
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?	☒	☐
7. Will the proposed action impact existing: a. public / private water supplies?	☒	☐
b. public / private wastewater treatment utilities?	☒	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☒	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

PRINT FORM

Agency Use Only (If applicable)

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.

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- ☒ 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

Adam J Bello

Date

County Executive

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM