

By Legislators McCabe and Terp

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

RESOLUTION NO. \_\_\_\_\_ OF 2022

**CLASSIFICATION OF ACTION AND DETERMINATION OF SIGNIFICANCE PURSUANT TO STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR THE ACQUISITION OF REAL PROPERTY FOR SALT ROAD HIGHWAY IMPROVEMENT PROJECT IN TOWN OF PENFIELD**

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

Section 1. The Monroe County Legislature determines that the acquisition of interests of real property identified below in the Town of Penfield is an Unlisted action.

<u>Parcel</u>	<u>Owner</u>	<u>Amount</u>
Map 15 Parcel 1 TE 1,908 sf 1652 Salt Road T.A. # 111.03-1-4.4	Vanessa Kelly 1652 Salt Road Penfield, NY 14526	\$200
Map 16 Parcel 1 TE 396 sf 1647 Salt Road T.A. # 110.04-1-30	Kristy J. King 1647 Salt Road Penfield, NY 14526	\$100
Map 17 Parcel 1 PE 2,295 sf Parcel 2 TE 1,144 sf Parcel 3 TE 1,709 sf 1632 Salt Road T.A. # 111.03-1-2	Paschalis Mihalitsas Sandra Mihalitsas 1632 Salt Road Penfield, NY 14526	\$2,400
Map 18 Parcel 1 PE 2,574 sf Parcel 2 TE 841 sf 1630 Salt Road T.A. # 111.03-1-1	Kimberly McNaughton 1630 Salt Road Penfield, NY 14526	\$3,700
Map 19 Parcel 1 PE 165 sf 1606 Salt Road T.A.# 110.04-1-29.2	Denise M. Hogestyn James M. Hogestyn 1606 Salt Road Penfield, NY 14526	\$200
Map 20 Parcel 1 PE 1,782 sf 1606 Salt Road T.A. # 111.01-1-31	William J. Kelly Joann Kovacich 1606 Salt Road Penfield, NY 14526	\$3,700
Map 21 Parcel 1 PE 3,505 sf 1550 Salt Road T.A. # 111.01-1-32.1	James Wilbert 1515 Salt Road Penfield, NY 14526	\$300

Map 22 Parcel(s) 1,2,3 & 4 Parcel 1 PE 256 sf Parcel 2 PE 380 sf Parcel 3 TE 3,914 sf Parcel 4 TE 601 sf 1601 Salt Road T.A. # 110.04-1-28.1	Roger I. Leavy 1601 Salt Road Penfield, NY 14526	\$5,200
Map 23 Parcel(s) 1, 2, 3, 4, 5, 6 & 7 Parcel 1 PE 9,520 sf Parcel 2 PE 1,650 sf Parcel 3 PE 5,699 sf Parcel 4 TE 4,107 sf Parcel 5 TE 1,485 sf Parcel 6 TE 2,150 sf Parcel 7 TE 4,946 sf 1530 Salt Road T.A. # 111.01-1-32.2	James R. Wilbert 1515 Salt Road Penfield, NY 14526	\$2,000
Map 24 Parcel(s) 1, 2, 3, 4, 5, & 6 Parcel 1 PE 7,772 sf Parcel 2 PE 6,282 sf Parcel 3 TE 579 sf Parcel 4 TE 3,850 sf Parcel 5 TE 14,720 sf Parcel 6 TE 780 sf 1515 Salt Road T.A. # 110.02-1-23	James R. Wilbert 1515 Salt Road Penfield, NY 14526	\$1,700
Map 25 Parcels 1, 2 & 3 Parcel 1 PE 560 sf Parcel 2 TE 4,919 sf Parcel 3 TE 1,998 sf 1620 Kennedy Road T.A. # 111.01-1-6.3	John G. Mechetti 1620 Kennedy Road Penfield, NY 14526	\$1,000
Map 26 Parcel 1 PE 260 sf 1421 Salt Road T.A. # 110.02-1-17	Tyler A. Johnson Marie A. Johnson 1421 Salt Road Penfield, NY 14526	\$700
Map 27 Parcel 1 PE 8,093 sf Parcel 2 TE 4,945 sf 1410 Salt Road T.A. #111.01-1-1	Craig Relyea 1410 Salt Road Penfield, NY 14526	\$1,000

Map 28 Parcel 1 PE 2,556 Parcel 2 TE 2,250 sf 1405 Salt Road T.A. # 095.04-1-46	Julie Schwartz 1405 Salt Road Penfield, NY 14526	\$4,400
Map 29 Parcel 1 PE 198 sf 1404 Salt Road T.A. # 096.03-1-70	Allison Fedyk 1404 Salt Road Penfield, NY 14526	\$300
Map 30 Parcel 1 PE 2,700 sf Parcel 2 TE 1,500 sf 1403 Salt Road T.A. # 095.04-1-45	Ricky Trotter Barbara Trotter 1403 Salt Road Penfield, NY 14526	\$3,900
Map 31 Parcel 1 PE 3,580 sf Parcel 2 TE 1,728 sf 1401 Salt Road T.A. # 095.04-1-44	Daniel A. Hyman 1401 Salt Road Penfield, NY 14526	\$5,400
Map 32 Parcel(s) 1, 2, & 3 Parcel 1 PE 240 sf Parcel 2 PE 240 sf Parcel 3 TE 1,920 sf 1401 Salt Road T.A. # 096.03-1-69.2	Joseph J. Scofero Kimberly A. Scofero 1402 Salt Road Penfield, NY 14526	\$1,100
Map 33 Parcel(s) 1, 2, & 3 Parcel 1 PE 1,456 sf Parcel 2 PE 956 sf Parcel 3 TE 507 sf 1391 Salt Road T.A. # 095.04-1-43	North East Fire District 1391 Salt Road Penfield, NY 14526	\$1,700
Map 34 Parcel(s) 1, 2, 3 & 4 Parcel 1 PE 240 sf Parcel 2 PE 392 sf Parcel 3 TE 1,392 sf Parcel 4 TE 2,024 sf 1623 Plank Road T.A. # 096.03-1-69.1	Joseph Scofero Paula A. Scofero 1623 Plank Road Penfield, NY 14526	\$700
Map 35 Parcel 1 PE 4,150 sf 1590 Kennedy Road T.A. # 110.02-1-22.31	James Wilbert 1515 Salt Road Penfield, NY 14526	\$400

Section 2. The Monroe County Legislature has reviewed and considered the Short Environmental Assessment Form dated January 10, 2022 and has considered the potential environmental impacts of the acquisition of interests of real property identified above in the Town of Penfield 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; March 21, 2022 - CV: 5-1  
File No. 22-0090

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

3.5

# 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 properties for the Salt Road Highway Rehabilitation Project.			
Project Location (describe, and attach a location map): Located on Salt Road the project will run from Atlantic Avenue up to Plank Road.			
Brief Description of Proposed Action: The Salt Road Highway Rehabilitation will consist of improving the asphalt pavement surface, correcting the roadway cross slopes, increasing the width and providing paved shoulders and enhancing roadside drainage along Salt Road between Atlantic Avenue and Plank Road in the Town of Penfield.			
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: 14514
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
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		3.072 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?		3.072 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 checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input checked="" 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
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	
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 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	

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
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

16. Is the project site located in the 100-year flood plan?

	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

17. Will the proposed action create storm water discharge, either from point or non-point sources?

If 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:

	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?

If Yes, explain the purpose and size of the impoundment:

	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?

If Yes, describe:

	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?

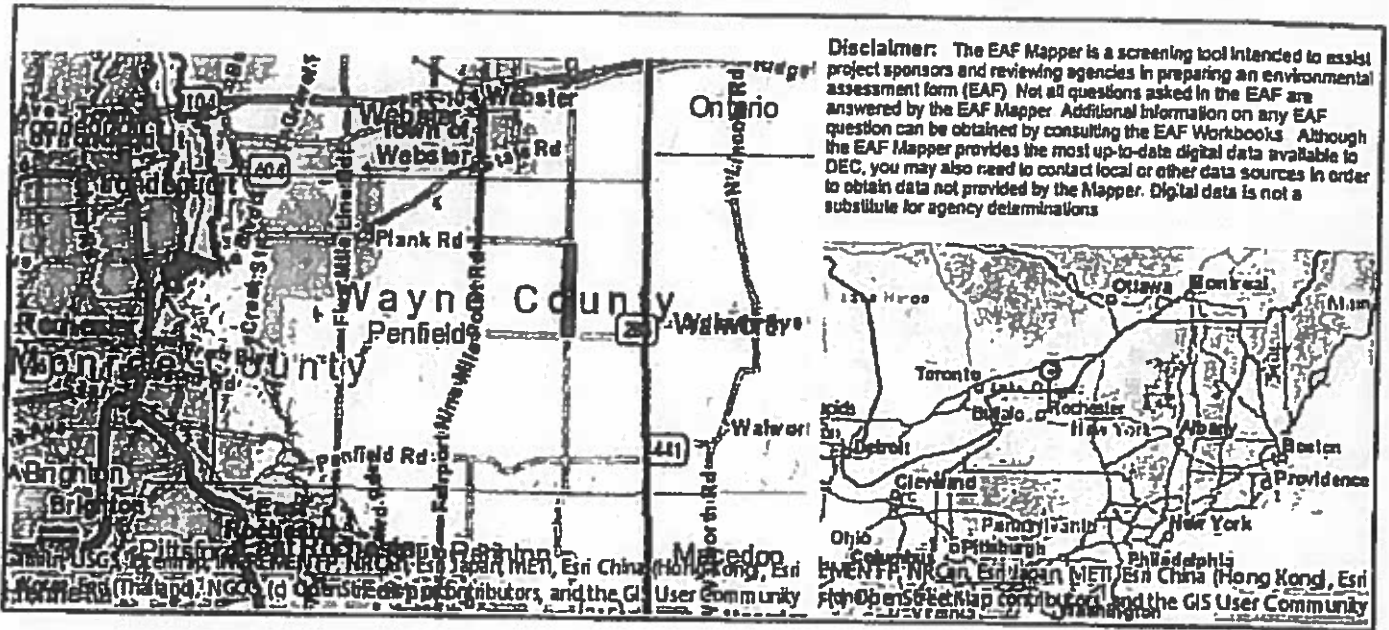
If Yes, describe:

	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

Applicant/sponsor/name: Monroe County Date: 1-10-22

Signature: *Justin P. [Signature]* Title: Director



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
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]	No



3.9

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: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<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**

3.10

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 proposed action is for the acquisition of interests in properties and improvements to an existing roadway. Improvements consist of remedying asphalt condition, improving roadside drainage, cross slopes, and increasing width and condition of paved shoulders, all of which are consistent with Type II roadway maintenance (617.5(c)(5)) and has been found categorically to not have significant adverse impacts on the environment. Accordingly, roadway maintenance will not result in a significant adverse environmental impact.

The acquisition of interests in properties is limited to permanent and temporary easements related to roadway maintenance and improvements that by themselves are classified as a Type II action. The acquisition of temporary and permanent property interests are ancillary to necessary roadwork and are minor, but are an unlisted action. However, such property acquisitions are minor and ancillary to roadwork will not result in a significant adverse environmental impact.

Considering both actions together the main environmental concerns are impacts to wetlands. The scope of work does include shoulder improvements which may widen the impermeable surface. However, shoulder improvements are minimal, will be constrained by environmental and physical features and will include drainage channels that will allow runoff to infiltrate and filter into the ground or into storm sewers before reaching adjacent wetlands. Additionally, should a wetland delineation determine encroachment on existing wetlands Monroe County will seek appropriate permits with required mitigation efforts from the New York State Department of Environmental Conservation consistent with the Freshwater Wetlands Act.

<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
_____	<i>Justin Pugh</i>
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**PRINT FORM**