Statement of Findings

Western Clifton Park Land Conservation Plan & Generic Environmental Impact Statement

Town of Clifton Park
Saratoga County, New York

Adopted by the
Town of Clifton Park Town Board
April 11, 2005

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GENERAL

The study area comprises approximately 13,900 acres of land in the western portion of the Town of Clifton Park, which is almost half of the total Town land area. The study area is primarily comprised of rural lands that include large lot residential, farms, environmentally constrained lands, and undeveloped land, as well as the historic hamlets of Rexford, Vischer Ferry, and Grooms Corners. The primary transportation corridor through the Study area is NYS Route 146, extending from the Rexford Bridge eastward across the Town. Study Area boundaries are illustrated on the Land Conservation Plan provided in Attachment A.

Pursuant to the State Environmental Quality Review Act (SEQR), the Clifton Park Town Board prepared a Generic Environmental Impact Statement (GEIS) to evaluate the cumulative impacts of future development in the Study Area and to identify appropriate mitigation to ensure orderly and equitable growth. The GEIS serves two primary purposes. The first is to establish a new plan and zoning to address the concerns of build-out under current zoning on land conservation and community character. The second is to evaluate the cumulative impacts of future development on land use/community character, the natural environment, infrastructure, and services. The GEIS is an excellent tool to look at the major issues of growth and to put the Town in a position to be proactive in guiding future development and maintaining a preferred level of service, so as to preserve a high quality of life for Town residents.

Pursuant to the requirements of SEQR, the Town Board deemed the Draft GEIS complete on December 20, 2004. A public hearing was held on January 18, 2005. The public comment period was closed on January 28, 2005. A Final GEIS was prepared and deemed complete on March 14, 2005.

CERTIFICATION

The Town of Clifton Park Town Board, as Lead Agency, is issuing this Statement of Findings pursuant to 6NYCRR Part 617.11 of SEQR. Specifically, the Town Board hereby finds:

a. The requirements of 6 NYCRR 617 have been met.

b. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable,

c. Adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigation measures that were identified as practicable.

d. The GEIS is comprehensive and contains the facts and conclusions relied upon to support the Town Board's Statement of Findings and indicates the social, economic and other factors, which formed the basis of its findings.

Pursuant to the regulatory requirements of SEQR for Generic Environmental Impact Statements (6NYCRR Part 617.10), the Western Clifton Park Land Conservation Plan & GEIS assessed the environmental impacts that may occur as a result of future development in the Study Area. This Statement of Findings lists the specific conditions or criteria under which future projects may be undertaken or approved, including requirements for any subsequent SEQR compliance. To the extent that certain impacts may require further analysis, it is recognized that the Final GEIS may be supplemented pursuant to 6 NYCRR Part 617.10(d). No further SEQR compliance is required if a subsequent proposed action will be carried out in conformance with the conditions and thresholds established for such actions in the GEIS and its Findings Statement.

FACTS & CONCLUSIONS

Existing Zoning Build-out

A build-out analysis was conducted for the Study area to identify the development potential under current zoning and development patterns. The primary purpose for this effort was to determine whether or not existing zoning would suffice as the basis for the preferred growth scenario. Build-out is defined as the maximum development potential of a study area based on pre-determined land use regulations and density.

The analysis included impact evaluation of critical environmental and social-cultural issues including traffic, water and sewer services, land use, and taxes to determine if build-out was consistent with the vision generally established for this area through the town's Comprehensive Plan and Open Space Plan. The analysis revealed a level a residential and commercial development that is inconsistent with the rural uses envisioned for the area. Current zoning would result in a pattern of suburban development and associated impacts similar to those in the eastern portion of the Town. This was determined to be unacceptable and the Town Board authorized the preparation of a new plan consistent with the Town's vision.

Land Conservation Plan

The foundation for the Land Conservation Plan was the Town's Open Space Plan adopted in 2003. From that document, the Open Space Concept Plan map was refined to create the Land Resources maps (DGEIS Figures II-2, II-3 & II-4 – provided in Attachment A of this Statement of Findings), which were used as resource materials for a community workshop held on May 12, 2004. The workshop attracted approximately 150 people participating in small groups. The input and insight from the workshop was an essential element in formulating plan recommendations.

The Land Conservation Plan combines zoning recommendations with a permanent easement program; a combination of regulatory and incentive based growth management. The basic elements of the plan are as follows:

- Rezone all residentially zoned lands in the Study area to Conservation Residential (CR). This new zone would establish an average density for the Study area of 1 home per 3 developable acres. All projects in this zone involving 10 acres or more would be designed as conservation subdivisions; a refined form of clustering that protects important natural and cultural resources and is based on specific adopted design guidelines. If conservation subdivision is not used, projects involving 10 acres or more may develop at a density of 1 unit per 10 acres. This new zone would also include the opportunity to increase the development potential of a given site in exchange for the purchase of development rights on a designated open space parcel.
- Rezone the residential portion of Rexford to Hamlet Residential (HR) to preserve the character of this area.
- Rezone all existing commercially zoned areas to Hamlet Mixed Use (HM) to promote uses more in tune with the rural character of the Study area. Reduce underlying development density to a maximum of 4,000 gross square feet of office space per developable acre or 2,000 gross square feet of retail space per developable acre.
- Conduct design workshops for the potential infill and enhancement of existing hamlets (particularly Rexford) to better understand growth potential and land use issues.
- Establish a purchase of development rights (PDR) program and funding mechanisms to permanently protect agricultural and open space resources in accordance with the Town's Open Space Plan and the Land Conservation Plan map provided in Attachment A. Note that the attached Land Conservation Plan map has been revised (per FGEIS) from the version presented in the DGEIS and illustrates the final Land Conservation Plan for the study area. The land resources maps also provided in Attachment A are for reference purposes only, primarily provided to illustrate areas of visual significance. For key open space parcels, refer to the final Land Conservation Plan map.

The Land Conservation Plan is implemented through this SEQR process by the inclusion of draft zoning for Conservation Residential, Hamlet Mixed Use, and Hamlet Residential. Also included is draft Open Space Incentive Zoning, new zoning definitions, and Design Guidelines. The Land Conservation Plan Recommendations, new zoning and the design guidelines serve as the primary mitigation for the potential loss of rural character and associated impacts. The GEIS encourages the establishment of permanent easements to protect important parcels but recognizes that these easements require willing land owners and funding. Opportunities to build an open space fund or to directly establish permanent easements through the development process are provided in the Open Space Incentive Zoning.

The Clifton Park Town Board recognizes that the proposed zoning, as presented in the DGEIS and modified in the FGEIS, may require further modifications relative to final edits, codifying and cross referencing, but these modifications will not change the basic intent of the zoning amendments or their relation to the Land Conservation Plan. Therefore, these future modifications are expected to meet the intent of this SEQR process and Statement of Findings. Modifications contrary to the Land Conservation Plan would require further SEQR review.

GEIS Scope Issues

The following are findings on the environmental issues identified in the Final Scoping Document. The thresholds, procedures and requirements identified herein are applicable to all future residential subdivision projects involving more than 4 units and all commercial development. Exceptions to this are the land use and zoning recommendations that shall apply to all projects.

A. Topography, Geology & Soils

A.1 Soils within the study area consist primarily of silt loam, silts and clays and are generally very deep. Hydric and other somewhat poorly drained soils can be major constraints to development in the study area. Some of the lands identified as poorly drained have been identified as State wetlands or as potential federal wetlands, thereby limiting the extent of development in these areas. Development on hydric and somewhat poorly drained soils should be limited to the greatest extent practicable.

A.2 Development that would impact productive farmland is contrary to the vision articulated in the Land Conservation Plan. Therefore, prime and statewide important farmland should be considered in any subdivision or site plan review process to protect these lands to the greatest extent practicable.

A.3 Restoration of all disturbed areas to be revegetated shall have a minimum of 6” of topsoil.

B. Water Resources

B.1 The primary drainage courses in the Western Clifton Park study area are the Mohawk River, Dwaas Kill, Stony Creek, Alplaus Kill, Long Kill, Cooley Kill and their tributaries. Three groundwater recharge areas have been identified in the study area: Clifton Knolls, Sugar Hill Road and Riverview Road. Currently, the majority of study area residents rely on individual, private wells.

B.2 Unmanaged stormwater runoff has physical, chemical and biological effects on receiving streams and waterbodies. Soil disturbance increases the potential for erosion and sedimentation. Impervious surfaces accumulate pollutants deposited from the atmosphere, vehicle fluids, roadway de-icing materials and windblown materials.

B.3 Stormwater discharges from construction activities involving one acre or more of land are regulated under SPDES General Permit GP-02-01. The discharges authorized under this general permit must neither cause nor contribute to a violation of the water quality standards contained in Parts 700 through 705 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York. Future projects must obtain coverage under this general permit by submitting a "Notice of Intent" (NOI) to NYSDEC and preparing a stormwater pollution prevention plan.

B.5 Erosion control measures for future development within the Study Area shall include the following:

- Construction and maintenance of erosion and siltation control measures in accordance with the New York State Guidelines for Urban Erosion and Sediment Control.
- Prompt vegetative stabilization of disturbed areas with topsoil, seeding and mulch.
- Use of stone riprap at culvert inlets and outlets and proposed drainage channels in excess of 5% longitudinal slope.
- Stabilization of proposed pavement areas by compaction and the application of gravel base as soon as all utilities are installed.
- Excavation work not to be carried out during periods of extreme inclement

weather.

- Protection of all areas of the project site disturbed during construction, by sediment basins, providing at a minimum 1,800 cubic feet of storage per acre drained. The use of polymers shall be evaluated to aid in the "settling-out" of smaller-sized sediment particles in proposed sediment basins.
- Use of rock check dams along proposed drainage channels in excess of 5% longitudinal slope.
- Use of sediment filter dams at sediment basin outfalls, as well as other critical locations of concentrated stormwater discharge locations.

B.6 Low Impact Development (LID) for stormwater management should be considered by the Planning Board during subdivision or site plan review. Some management practices that could be incorporated into the final design of new buildings and parking areas could include:

- Dry Wells (also known as infiltration basins) - Consist of a small pit filled with pea-sized gravel or stone. They are used to control runoff from rooftops or pavement.

- Filter/buffer strips and other manufactured landscape areas - Consist of bands of close growing vegetation, usually grasses. They direct water into vegetated detention areas or special sand filters that capture pollutants and gradually discharge water over a period of time.

- Infiltration trenches - Consists of a shallow trench that is backfilled with stone to create an underground reservoir. Stormwater runoff is diverted into the trench and gradually infiltrates into the soil.

- Permeable pavers - Consist of a pavement block containing regularly interspersed void areas, which are filled with pervious materials such as gravel or sod. The gravel or sod acts like a reservoir storing water so that it may be infiltrated.

B.7 Given the importance of floodplains in the process of natural stormwater management, any impact to a floodplain is considered inconsistent with this GEIS. Possible exceptions to this might be a stream crossing necessary to access a parcel or portion thereof, or the installation of outfalls. The Planning Board must be provided with sufficient information on the potential impacts and mitigation for these encroachments to be considered.

B.8 Within mapped groundwater recharge areas, an Aquifer Impact Review shall be required, where a professional with special expertise and is familiar with ground water modeling supplies a written aquifer impact assessment. Impact to groundwater within the recharge areas is not considered consistent with this GEIS and further SEQR analysis may be required.

C. Ecology

C.1 The study area is typified by a mixture of natural and cultural open field, shrubland and forested terrestrial (upland) and palustrine (wetland) communities as well as developed and agricultural lands.

C.2 Contact with the NYSDEC Natural Heritage Program revealed the potential for three rare vegetative species either occurring or likely to occur within the study area. These include side-oats grama (*Bouteloua curtipendula*) – State endangered, hoary puccoon (*Lithospermum canescens*) – unprotected, and hooker's orchid (*Platanthera hookeri*) – State endangered. The New York State Amphibian and Reptile Atlas Project (1990-1999) and the New York State Breeding Bird Atlas' 1980-1985 and 2000-2004 list of species were reviewed to identify any rare, threatened or endangered species that have been previously identified within the study area or its immediate surrounding areas. These species are identified in DGEIS Appendix E.

C.3 Build-out under current zoning could impact 6,200 to 7,700 acres of land. This constitutes approximately half of the study area. This could include significant loss of wetland, potential impact to the habitat of threatened and endangered species, and the loss of habitat for common wildlife species.

C.4 Implementation of the Land Conservation Plan through the new zoning will reduce density by half and will require a minimum of 50 percent open space through the conservation subdivision process. Based on this approach, it may be possible to limit the impact to ecological communities to approximately 3,000 to 4,000 acres. With a conservation approach to siting development, there is greater opportunity to protect important ecological communities and to lessen the

potential for habitat fragmentation. Site specific mitigation measures include the following:

- Preserve stream corridors and associated wetland to maintain and improve water quality and habitat and to preserve natural buffers between incompatible land uses. A minimum setback of 100 feet from the ordinary high water mark shall be provided. This will apply to all mapped streams as identified on USGS 7.5 minute quadrangles (quads for the study area include Niskayuna, Schenectady, Burnt Hills, and Round Lake). The buffer will be natural and no clearing or other maintenance will be allowed. Unmapped streams as identified during on-site investigations and determined jurisdictional by the U.S. Army Corps of Engineers will have a minimum setback of 50 feet from the ordinary high water mark. This buffer may be extended to 100 feet if the stream exhibits natural characteristics or other high quality attributes that warrant further protection. This will be at the discretion of the Town. The 50 foot buffer will also be natural and protected from development and maintenance.
- All projects are required to contact both the NYSDEC and the USFWS to request information on rare, threatened and endangered species. Although the DGEIS includes correspondence from these agencies, it must be updated since new information could arise that would change the species list.
- Require all project sites to undergo a habitat resource investigation by a qualified wildlife biologist to be presented to the Town during the process of identifying lands to be included in the minimum 50 percent open space. This DGEIS provides much of the background data in order to perform the analysis. The work must include identification of actual vegetative community types on the site, which can then be compared to those listed in this document. The habitat of any federal or State protected species of plant or animal must be identified.
- Maintain contiguous habitat and open space to prevent habitat fragmentation both internally and between parcels/projects.
- Minimize clearing in forested areas.
- Phase development in order to utilize previously/currently disturbed lands first, leaving natural areas for later phases.
- To the extent practicable, avoid construction in natural areas until denning and nesting are complete and young wildlife are mobile.
- Utilize native vegetation for landscaping and, when possible, specify vegetative species that produce berries, seeds and nuts that have high wildlife value. This is often referred to as conservation planting.

C.5 The impact to federal and State wetlands is contrary to the intent of this GEIS. It is recognized, however, that some impacts may be unavoidable even with the

most environmentally sensitive projects due to wetland corridors and other protrusions that constrain access. Therefore, for the purpose of establishing an impact threshold, wetland (federal and State) impacts that will require an individual permit from the U.S. Army Corps of Engineers (USACE) and/or an Article 24 permit from the NYS Department of Environmental Conservation (NYSDEC) are considered potentially significant and will require further SEQR documentation. This does not suggest that a supplemental EIS will be necessary, since it may be possible for the applicant to appropriately mitigate the impact. Projects that only require Pre-Construction Notification from USACE will result in limited impacts and are generally consistent with the GEIS and these Findings.

C.6 If wetland and stream impacts are permitted, project sponsors must attempt to limit impacts to less significant portions of the wetland and avoid fragmentation (splitting wetland into parts, isolating the parts through impervious areas and other barriers). This is consistent with the requirements of federal and State regulations to avoid and minimize impacts.

C.7 Require wetland delineations pursuant to State and federal regulations, as appropriate. The project sponsor will be responsible for confirming the wetland boundaries with USACE and NYSDEC prior to site plan approval.

C.8 All wetlands should be buffered from development. The magnitude of the buffer should be consistent with the type and quality of the wetland to be preserved. At a minimum, all structures and septic systems should be set back 50 feet from the boundary of a federal wetland and the Land Conservation (L-C) zone. No structures or septic systems are allowed within the State mandated 100-foot Adjacent Area for NYS Freshwater Wetlands. In addition, all structures must be set back 50 feet from the Adjacent Area boundary. Where the L-C zone and State or federal wetlands overlap or conflict the greater setback shall apply. For example, if a federal wetland occurs outside an L-C boundary, the 50-foot setback from the federal wetland must be provided in addition to any other setback associated with the L-C boundary.

C.9 Require compliance with the special and general conditions of permits issued by

USACE or NYSDEC, including conditions of Nationwide Permits, as applicable.

C.10 Any impact to threatened or endangered species is considered inconsistent with this DGEIS. Should the habitat for State or federally protected species be identified, further site-specific and species specific investigations will be required to confirm the presence or absence of such species. In most cases, the final determination on impact to protected species will be from NYSDEC.

D. Land Use & Zoning

D.1 Land use within the Study Area is predominantly rural, characterized by rolling farm fields, pastures, farm houses and barns. In addition, individual houses occur along local, county, and state roads and a few residential subdivisions have been developed.

D.2 The Town's Comprehensive Plan was initially adopted in 1995, undergoing updates in 1997, 1999, 2001 and 2003. The latest revisions identify the study area as Area 2 and recognize the rural character of the area. The plan identifies numerous goals and strategies that apply to the study area including the adoption of an Open Space Plan Overlay Zone, water supply and protection of recharge areas, natural resource protection, and agricultural land protection. Other specific goals in support of this GEIS are identified in DGEIS Section III.D.

D.3 The most important potentially significant adverse impacts of a built-out landscape of conventional or cluster residential development are the loss of the rural character, loss of the agricultural working landscape, and the loss of the scenic qualities of the western lands. Similarly, the development of large scale commercial projects will significantly impact rural character and the character of the existing hamlets.

D.4 The preservation of rural character can be addressed through design using a conservation/resource based approach. Modifications to zoning regulations in

accordance with the proposed Conservation Residential (CR), Hamlet (HM, HR), and Open Space Incentive zoning, are necessary to reduce development potential (density) and establish flexibility and promote creative design. All residential projects in this zone involving 10 acres or more would be designed as conservation subdivisions, providing a minimum of 50% open space, as defined by the zoning. If conservation subdivision is not used, projects involving 10 acres or more may develop at a density of 1 unit per 10 acres.

D.5 By applying the 3-acre density to developable land within the study area, density was cut in half from approximately 5,000 single-family homes under current zoning to approximately 2,500 homes under the proposed Conservation Residential (CR) zone. However, further reductions in density are recommended and encouraged through implementation of the Town's Open Space Plan.

D.6 Hamlets within and adjacent to the study area provide opportunities to recreate the traditional rural patterns of development. Most of the available commercial land within the study area occurs within the hamlets of Rexford and Ballston Lake. There may be significant opportunity to focus development within the hamlets in a manner that respects and enhances the hamlet style.

D.7 Anticipated future land uses along municipal boundaries will be generally consistent with adjacent land uses.

E. Agricultural Resources

E.1 Agricultural resources within the Town have been inventoried and evaluated as part of the Town's Open Space Plan (adopted 2003).

E.2 Current zoning and land use policies in the Town coupled with or without the potential for the extension of water and sewer services have set the stage for the elimination of agriculture as a viable use in the study area.

E.3 Saratoga County Agricultural District No. 6 was formed in 1994 by certain landowners within the Town of Clifton Park (mostly within the study area). The district was originally comprised of 146 lots consisting of 3,186 acres of land. Today the total land area included in the agricultural district and taking the agricultural exemption (viable active farms) is 1,622 acres (DGEIS Figure III-10), a loss of 1,564 acres or almost 50 percent since 1994.

E.4 The primary means of conserving agricultural resources is the implementation of the Town's Open Space Plan. The Land Conservation Plan identifies important farmland parcels within the study area, which is a refinement of the Open Space Concept Plan (Open Space Plan). The Land Conservation Plan Recommendations call for a combined regulatory and incentive-based approach to land conservation. Relative to farmland protection, the regulatory approach includes amenity zoning that would allow for an increase in development potential in exchange for the purchase of development rights by the developer or payment to the Town's Open Space Fund. This potential would apply to all proposed zoning but would be subject to Planning Board or Town Board review and discretion.

E.5 All new residential zoning, outside of the hamlets, is required to be designed as conservation subdivisions whereby important land features are identified and site layout is accomplished in such a manner to conserve open space. A minimum of 50 percent common open space is required. Depending on the size of the project area, this approach could allow continued farming on the remaining open space.

E.6 The purchase of agricultural conservation easements (PACE), also known as the purchase of development rights, remains the primary recommendation for farmland protection.

F. Recreation Resources & Trails

F.1 Within the study area, the Town owns and operates Veterans Park on MacElroy Road that provides softball fields. The Vischer Ferry Nature and Historic Preserve provides 400 acres of passive recreational opportunities including hiking, biking, birding, hunting, fishing, cross-country skiing, and canoeing.

F.2 Existing trails within the study area are limited to those within the Vischer Ferry Nature and Historic Preserve, along the Mohawk River to Riverview Road at Sugar Hill Road, and an on-road bike segment along Route 146A west to MacElroy Road.

F.3 The revised Land Conservation Plan (Figure II-5 – last revised 2-4-05) would significantly reduce the build-out potential in the study area. However, given that current recreational facilities are at or near capacity, the additional development will have an impact. Should additional development in the Rexford hamlet be considered, a park should be considered in this area in accordance with the plan. The park should provide both active and passive recreational uses; however, the needs of the residents of this area should be investigated further through the development of concept plans and community outreach.

F.3 All new major development projects within the study area should be required to address recreational need either through the provision of pocket parks or the establishment of appropriate trail linkages to existing facilities.

F.4 Design of future on-road bikeways should occur with the rural character of the road in mind. The creation of a wide, paved shoulder could have significant impacts on the corridor. In addition to creating wider road pavement and the loss of character that could have, there may be significant environmental impacts such as the loss of mature trees and the need to fill wetland.

F.5 As development occurs within the study area, there will be an increasing need for multi-use trails. Opportunities to create multi-use trail linkages between residential areas and destinations, such as parks and commercial areas, should be explored. Linkages between subdivisions and major trail corridors should be incorporated into all new projects and retrofitted to existing subdivisions whenever possible.

F.6 Trailheads should be located at road crossings and locations central to population clusters. Each trailhead should provide information on trail destinations and

options as well as small parking areas. They should also be coordinated with the local emergency services to ensure quick and easy access when necessary.

F.7 All future projects that are located along potential future trail routes shall dedicate the appropriate right-of-way to support the trail(s).

F.8 The following SEQR guidelines/thresholds should serve as the required mitigation for future development impacts of trails.

- Utilize conservation subdivision review procedures to preserve constrained lands and to accommodate greenways and trails.
- Lands dedicated for trails should be suitable for trail construction and not significantly constrained by environmental features that would cause excessive permitting or high cost construction and maintenance.
- For projects outside the main trail system, require developers to incorporate trail linkages to the main trail system to provide the greatest opportunity possible for residents to access the trails. Each neighborhood or cluster within a development should have ample trail access.
- All trails must undergo review to identify important environmental resources, as specifically identified for each issue in this DGEIS (such as wetlands) and must avoid any significant environmental impact that cannot be addressed through appropriate mitigation.

G. Visual Resources

G.1 The study area has many locations of scenic interest, which include distant views of the Mohawk River and countryside to views of the pastoral landscape along some of the Town's country roads. It is the rural landscape that comprises much of the valued views within the study area. The aesthetic quality of the study area is, in and of itself, pleasing to those who live there and those who pass through.

G.2 The community recognized that there is a network of scenic roadways throughout the study area as part of an open space inventory in 1998. The scenic roadways included: Riverview Road, Grooms Road, Appleton Road, Nott Road, Waite

Road, the western core of Route 146 in the study area, Sugar Hill Road, Ray Road, Vischer Ferry Road, Crescent Road, Van Vranken Road, Ballston Lake Road, Eastside Drive and Schauber Road. In addition, the town's Trails Advisory Committee has created a scenic tour in and around Rexford – the Rexford Ramble – for pedestrians, bicyclists and motor traffic -- that includes the hamlet of Rexford, Nott Road, Riverview Road, Grooms Road, Droms Road, Sugar Hill Road, Vischer Ferry Road, Crescent Road, and along the Erie Canal Towpath in the Vischer Ferry Nature and Historic Preserve.

G.3 Viewsheds and visual resources are illustrated on the land resources maps provided in Attachment A.

G.3 The significance of the potential impact will depend on the intensity of development and partly on the number of people impacted by the loss of views. It is unknown how many people might enjoy these views. However, regardless of the numbers, these views are still Town resources and part of the character of the Study Area. Views such as these are not common place and should be respected for both their current and potential future value as designated viewsheds.

G.4 The conservation subdivision procedures should result in visually compatible projects. All future projects within the study area will be required to consider visual resource concerns through the design process in accordance with the conservation subdivision review process and associated development guidelines. Other options, such as permanent conservation easements to protect open space and farmland are even more effective in preserving visual resources and should be encouraged.

H. Traffic

H.1 The current land uses within the Town of Clifton Park generate approximately 14,420 vehicle trips during the afternoon peak travel hour. This number is projected by the Capital District Transportation Committee to increase by approximately 55% by the year 2025, totaling more than 22,360 peak hour vehicle trips. The FGEIS for the Route 146 Corporate Commerce Zone completed in

2001 further identified the potential for an additional 1,500 peak hour vehicle trips to be generated by the year 2025, or 23,860 total peak hour vehicle trips.

H.2 Under current zoning conditions, the development potential in the study area could produce a 75% increase in traffic generated within the Town, when built out. This would result in additional vehicle miles traveled, traffic congestion and travel delays, and stress on the existing roadway infrastructure, which could require a substantial investment in improvements of the transportation system within the study area to provide the capacity to accommodate this level of new traffic demand.

H.3 As a result of the Land Conservation Plan and proposed zoning, the project area should not significantly impact the transportation system beyond that already accounted for by the Capital District Transportation Committee's regional transportation planning recommendations. The recommendations for access management provided in the DGEIS should be incorporated to the extent practicable so as not to create unintended conflicts.

H.4 All project sites shall provide the necessary right-of-way to accommodate future highway improvement projects.

H.5 All projects shall evaluate traffic impacts (may require a traffic study at the Planning Board's discretion) and must be responsible for mitigating the impacts.

I. Air Quality

I.1 The Albany Area was designated as a one hour ozone marginal non-attainment area, according to the US Environmental Protection Agency Green Book. No portion of the study area is zoned for manufacturing uses and there are no uses that would generate major sources of air pollution. Localized air pollution concerns can occur in congested areas where vehicles are backed up and idling.

I.2 Future development in the study area under current zoning could result in a significant increase in traffic volume, which could lead to localized air quality concerns. The Land Conservation Plan would decrease development potential in the study area and should decrease the potential for localized air pollution concerns relative to vehicle emissions.

I.3 Construction of individual projects in the study area may result in the potential for propagation of dust. Dust will be generated as a result of vehicle movement on construction sites and grading and excavation activities.

I.4 Minimum standards/measures have been identified in the Draft GEIS to address dust impacts. These and potentially other more strict measures, as identified by the Town Board or Planning Board, may be necessary to address construction impacts.

J. Noise

J.1 Although rural in character, the study area is impacted by a few noise sources that include traffic on Route 146 and 146A, airplane noise, and site generated noise (operation of farm equipment).

J.2 Both the western and eastern portions of Clifton Park are in the direct flight path for Albany International Airport's primary runway (Runway 19), with the Stony Creek Reservoir as the centerline. Both arrivals and departures pass over the Town. Under the provisions of the Aviation Safety and Noise Abatement Act of 1979, the Albany County Airport Authority prepared an FAR Part 150 Noise Compatibility Study, which was updated in April 2003.

J.3 The study area and other portions of the Town are likewise impacted by the Air National Guard at Stratton.

J.4 Based on federal regulations, impacts on the Town of Clifton Park are not consider significant (less than 65 DNL) and do not warrant direct interventions, such as land acquisition. Current low density uses are typically considered

consistent with the noise levels experienced within the Marginal Impact contour (60-65 DNL).

J.5 Future projected development within the study area is expected to generate noise during construction of specific sites, operation of equipment pertaining to new businesses, daily activity at residences, and from increased traffic. The specific locations of noise sources and noise generated by increased traffic will depend on where development occurs. Construction noise will be unavoidable. The Town should work with developers for each project to establish a noise reduction program.

K. Community Services

K.1 Police protection is provided to the Town of Clifton Park by the Saratoga County Sheriff's department and the New York State Police Department. There are four fire departments that service the Study Area on a volunteer basis. They are: the Jonesville Fire Department, which is located on Main Street, the Vischer Ferry Fire District located on Riverview Road, the Rexford Fire Department located in Rexford, and the Clifton Park Fire Department which is located on Old Route 146, near the intersection of Routes 9 and 146. The Clifton Park/Halfmoon Emergency Corps, located at 15 Crossings Boulevard in Clifton Park, provides emergency medical services (EMS) in the study area. There are three public school districts that provide education to the students who reside within the Study Area: the Shenendehowa Central School District, Niskayuna Central School District, and the Burnt Hills-Ballston Lake Central School District.

K.2 Neither the New York State Police nor the County Sheriff have identified any significant impact to their operations as a result of the projected development.

K.3 The Town Emergency Services Advisory Board responded to the inquiry on the impacts of the growth scenario on behalf of the fire districts. The Board determined that the volume of calls would increase, but not to an extent they cannot handle.

K.4 The Town Emergency Services Advisory Board responded to the inquiry on the impacts of the growth scenario. The Board determined that the volume of calls would increase, but not to an extent they cannot handle.

K.5 The Shenendehowa Central School District has indicated that they have adequately planned for the projected student increase over the next 5 years. The Burnt Hills Ballston Lake School District has expressed concern over development within their district, which includes lands within and outside of the Study Area. Depending on the type and intensity of additional development within the Study Area, the potential to affect capacity issues is great. Therefore, the District will possibly commission a study to assess their district growth impacts.

L. Utilities

L.1 The GEIS study area is predominantly unserved by municipal or community water supply systems. The Clifton Park Water Authority (CPWA), which provides municipal water supply to much of the eastern portion of Clifton Park, does not have significant existing infrastructure in the study area. There are some municipal systems within or adjacent to the study area including the Rexford Water District, the Miller Road Water District (North & South), the Ballston Lake Water District (proposed), the Appleton Road Water District (proposed), and the Corporate Commerce Zone Water District.

L.2 The majority of the study area is rural and currently uses onsite wastewater disposal systems for sanitary service. The study area is predominantly unserved by municipal or community sanitary sewer systems

L.3 Continued use of existing individual wells as well as development of new individual wells is not likely to have a significant effect on the availability of groundwater. Due to the relatively low withdrawal rates, it is not typically an issue of concern in rural areas. Each property would be required to meet NYS Department of Health requirements both in terms of capacity and quality.

L.4 Consideration was given to providing municipal water for the study area by use of capital improvement plans and/or mitigation fees. Two varying degrees of service were evaluated. The first alternative includes the development of a complete water supply system with municipal water along all existing public roads throughout the Study area. Generally, all existing and new development within the Study area would be able to connect to the improvements. The second alternative is to only provide water mains along a few major corridors throughout the study area that will allow for connection to the existing Rexford Water District and the water supply systems of the neighboring municipalities such as Glenville and Ballston. Primary benefits of such a system include overall strengthening of the water supply system and ability to provide service from multiple locations which becomes critical during emergencies or water main breaks.

L.5 The capital improvement costs of servicing the entire study area with 12" and 8" watermain would be approximately $16,100,000. This cost represents only the watermain and does not include potential treatment and storage upgrades required by the increased service area. The capital improvement costs of providing only service along a few major corridors would be approximately $4,500,000. This cost represents only the watermain and does not include potential treatment and storage upgrades required by the increased service area.

L.6 In order to pay for water system improvements, a mitigation cost scenario was evaluated. The intent is to charge future development projects for their impact on water service. With this comes a public share of the costs, reflecting existing development in the study area. The public share of the costs for serving all portions of the study area is estimated at $4.6 million. For the less extensive system, the public share was estimated at $1.3 million.

L.7 Based on these costs for water service, the Town has determined not to undertake water improvements through this GEIS. In addition to the high public costs, the private (developer) share would be paid over a very long period of time since the GEIS explores build-out rather than a defined planning period. This would only increase the public cost since additional public funds would be necessary to make the improvements in a reasonable period of time.

L.8 Sewer service in the study area is considered a conduit for growth, which is generally inconsistent with the vision for this area. Sewer service may be beneficial for certain projects where a greater density of clustering would result in significant open space protection or the opportunity to transfer development rights. Such extensions would be the responsibility of the developer. No capital improvement plan and mitigation cost structure have been developed for sewer service. The availability of sewer service will not be permitted to dictate density or development patterns. Land use will be dictated by the Land Conservation Plan and associated zoning requirements. Sewer may serve to facilitate a significant community benefit through the proposed open space incentive zoning.

M. Cultural Resources

M.1 A modified Phase 1A Cultural Resource Survey was conducted to investigate the potential occurrence of historic and prehistoric cultural resources within the study area. Historic resources include properties listed on the National Register of Historic Places (NR) including register eligible (NRE) sites, State Register of Historic Places (SR), and the local Clifton Park Register of Historic Places (CP). Several properties are within the National Register Vischer Ferry Historic District (VFHD).

M.2 Based on the results of the cultural resources survey, each future project within the study area will be required to update the base study performed for this DGEIS with site specific information and may require further site-specific field work (Phase 1B) to determine the presence or absence of cultural resources. Future development projects will be required to coordinate the results of their cultural resource investigations with the NYS Office of Parks, Recreation and Historic Preservation (OPRHP) and must receive a Letter of No Effect or Letter of No Adverse Effect from this agency to be consistent with this SEQR process.

N. Fiscal Resources

N.1 A fiscal impact model was prepared to predict the relative impact of future alternative land use scenarios on the taxes paid by Clifton Park property owners.

The three alternatives considered in this process were build-out under current zoning, Land Conservation Plan (zoning only), and Land Conservation Plan (zoning & some permanent easements).

N.2 The results of the fiscal impact analysis of the build out of this portion of Town under existing zoning projected school taxes to increase relative to current taxes by approximately 12 percent. The proposed zoning scenario cuts the development density approximately in half and had some effect on the increase in taxes, projecting a 9 percent increase. The combination of new zoning and the establishment of permanent easements through public financing of approximately half of the lands recommended for open space conservation resulted in a similar fiscal impact as projected for the current zoning scenario. However, the benefit to the community is that a significant land conservation effort could be realized.

O. Mitigation Costs

O.1 One of the benefits of preparing an area-wide GEIS is the ability to identify capital improvements necessary to serve anticipated future growth and to distribute the cost of those improvements equitably among all future development within the study area. Consideration was given to several issues including traffic, water, sewer, and open space. However, mitigation costs work best in areas of planned future growth. Although future growth is anticipated within the study area, the intent for this area is to preserve rural character and open space through density reduction, design, and permanent conservation easements. Given this intent, mitigation costs will be limited to the cost of preparing the GEIS.

O.2 The total contract cost for preparing the GEIS is $250,000, borne solely by the Town of Clifton Park. The future development scenario used to evaluate impacts in the GEIS was based on the development potential of the proposed new zoning, which equates to the following:

- Approximate number of homes that could be built: 2,500
- Approximate amount of office space that could be built: 715,000 s.f.
- Approximate amount of retail space that could be built: 125,000 s.f.

O.3 The Town's current Equivalent Domestic Unit Assessment Schedule was used to equate commercial growth with residential in order to identify a reasonable means of distributing cost. Based on this approach 2,881 new EDUs are projected at build-out. However, build-out is likely to occur over a long period of time, far beyond the useful life of the GEIS. A more reasonable planning period is 20 years. Other that time period, it is assumed that 25 percent of build-out or approximately 720 new EDUs will be developed. Based on this projection, the mitigation cost for GEIS preparation is $348 per EDU in 2005 dollars. The mitigation cost will be reviewed yearly to adjust for inflation and actual rate of growth.

O.4 There is no public share for this GEIS mitigation cost. There is a direct benefit in time and money to the developer not to have to undertake the SEQR process for a site specific project.

Future SEQR Actions

According to 6 NYCRR 617.10 of SEQR,

> *Generic EISs and their findings should set forth specific conditions of criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQR compliance. This may include thresholds and criteria for supplemental EISs to reflect specific significant impacts, such as site specific impacts, that were not adequately addressed or analyzed in the generic EIS.*

In response to the above, the following outlines the general criteria under which future SEQR actions will take place within the Study Area. As stated in 6NYCRR 617.15(c)(1):

> *No further SEQR compliance is required if a subsequent site specific action will be carried out in conformance with the conditions and thresholds established for such actions in generic EIS or its findings statement.*

Therefore, to satisfy these requirements, future development proposals should be consistent with the criteria specified in the Draft and Final GEIS and as finalized in this Statement of Findings.

These criteria include the mitigation measures discussed for each environmental issue. Failure to provide mitigation for potential adverse impacts will require further SEQR action to justify the lack of mitigation.

In the event subsequent proposed actions were adequately addressed in the GEIS but not adequately addressed in the findings statement, an amended findings statement must be prepared. If subsequent proposed actions were not addressed or not adequately addressed in the GEIS and the subsequent actions will not result in any significant environmental impacts, then SEQR requires only that a negative declaration be prepared. However, SEQR requires a supplement to the final generic EIS if:

> *...the subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action may have one or more significant adverse environmental impacts.*

As future development is proposed within the Study Area, the lead agency for each proposed action will be responsible for carrying out the requirements of 6 NYCRR 617. This will require the Lead Agency to interpret the Statement of Findings prepared for the Study Area, as it specifically relates to the development project being proposed. To provide the Lead Agency with sufficient documentation to compare the parameters and impacts of a site specific project with the Findings Statement, each project that is subject to SEQR (Type 1 or Unlisted Action) must prepare a Full Environmental Assessment Form in addition to the studies required to further investigate site specific issues, as identified in the DGEIS, FGEIS, and these Findings.

ATTACHMENT A
Land Resources & Land Conservation Plan Mapping

Western Clifton Park

Generic Environmental Impact Statement

CHA
CLOUGH HARBOUR & ASSOCIATES LLP

Behan Planning Associates, LLC
Planning Community Futures

LEGEND
- ACTIVE FARMLAND & KEY OPEN SPACE PARCELS
- ACTIVE FARMLAND WITH EASEMENT
- DISTANT VIEW
- HAMLET AREA
- PUBLIC PARKS
- ROUTE 146 CORRIDOR
- VIEWS FROM RURAL ROAD
- WETLAND AREA

HUBBS ROAD
ASHDOWN ROAD
MACELROY ROAD
COOLEY KILL
RT. 146A
ALPLAUS KILL
BOSTON AND MAINE RAIL
SARATOGA & SCHENECTADY RR
MATCHLINE
MATCHLINE
Burnt Hills
Burnt Hills Sr High Sch
Burnt Hills Mid Sch
Francis Stevens Elem Sch
High Mills
Country Knolls
Country Knolls West
Elnora
Golf Course
Park
Cem
COUNTY FOREST
GRAPHIC SCALE

Figure II-2 (North)

Western Clifton Park

Generic Environmental Impact Statement

CHA

Behan Planning Associates, LLC
Planning Community Futures

MATCHLINE
MATCHLINE

LEGEND
- ACTIVE FARMLAND & KEY OPEN SPACE PARCELS
- ACTIVE FARMLAND WITH EASEMENT
- DISTANT VIEW
- HAMLET AREA
- PUBLIC PARKS
- ROUTE 146 CORRIDOR
- VIEWS FROM RURAL ROAD
- WETLAND AREA

COOLEY KILL
BRADT ROAD
RT. 110
GARNSEY RD
RT. 146
APPLETON
NOTT ROAD
ROAD
DWAAS KILL
Dwaas
REXFORD
ERIE CANAL
Aqueduct
GROOMS ROAD
DROMS ROAD
STONY CREEK
RAY ROAD
Calico Colony
Clifton Common Park
Clifton Park Center
Clifton Knolls
Golf Course
Clifton Gardens
Shenendehowa High Sch
Koda Junior High Sch
Gowana Junior High Sch
Karigon Elem Sch
Arongen Elem Sch
Oriskany Elem Sch
Skano Elem Sch
Tesago Elem Sch
Substation
Craig Sch
Fire Sta
Landfill
Pumping Station
SCHENECTADY CO
SARATOGA CO

N
W
E
S

GRAPHIC SCALE
2000 0 1000 2000 4000 8000
(IN FEET)
1"=4000 Feet

MATCHLINE
MATCHLINE

Figure II-3 (Middle)

Western Clifton Park

Generic Environmental Impact Statement

CHA
CLOUGH HARBOUR & ASSOCIATES LLP

Behan Planning Associates, LLC
Planning Community Futures

LEGEND
- ACTIVE FARMLAND & KEY OPEN SPACE PARCELS
- ACTIVE FARMLAND WITH EASEMENT
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- HAMLET AREA
- PUBLIC PARKS
- ROUTE 146 CORRIDOR
- VIEWS FROM RURAL ROAD
- WETLAND AREA

MATCHLINE
MATCHLINE

RIVERVIEW ROAD
SUGAR HILL ROAD
RAY ROAD
ERIE CANAL
KNOLLS ATOMIC POWER LABORATORY
U.S. DEPT. OF ENERGY
Blatnick Park
Landfill
Reservoir
Colonie
Creek
Spillway Elev 240
Compton Park
Goat Island
Light
Lock 7
Waste Treatment Facility
Substation
Rosendale Estates
Rosendale Sch
Iroquois Mid Sch
Hawthorne Hill
Mohawk Golf Course
St Helen Sch
Van Antwerp Mid Sch
Bevis Substation
Water Reservoir
Central Park
Bellevue Hospital
NISKAYUNA
Kill
Sub Sta
Most Holy Redeemer Cemetery
Niska Isle
Radio Towers
Niskayuna
Avon
New Life Academy
OSWALD D. HECK STATE DEVELOPMENTAL CENTER
VAN VRANKEN
MOHAWK
STONY CREEK
RIVERVIEW ROAD
SARATOGA CO
SCHENECTADY CO
ALBANY CO

N W E S

GRAPHIC SCALE
2000 0 1000 2000 4000 6000
(IN FEET)
1"=4000 Feet

Figure II-4 (South)

Western Clifton Park

Generic Environmental Impact Statement

CLOUGH HARBOUR & ASSOCIATES LLP

Behan Planning Associates, LLC
Planning Community Futures

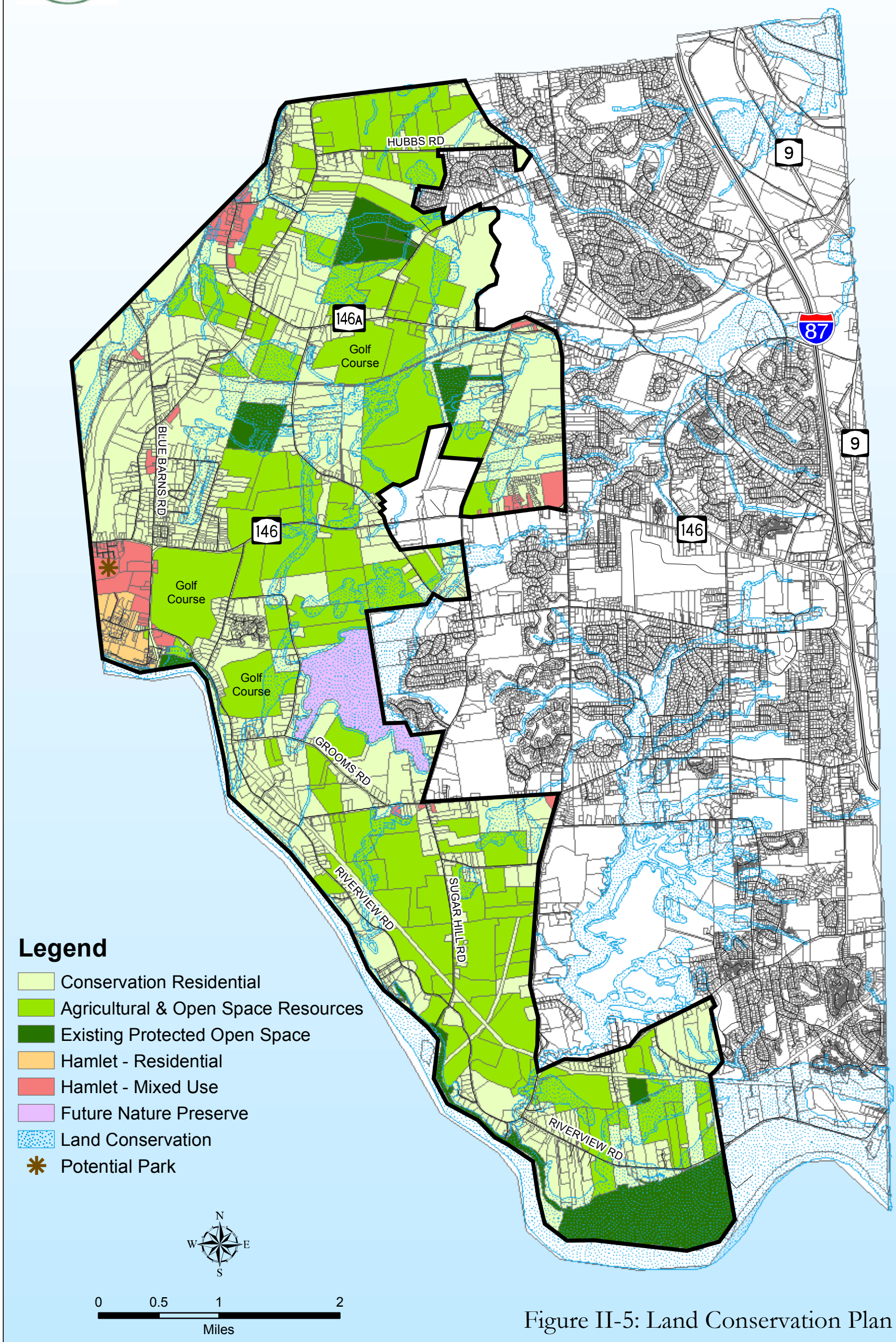

Figure II-5: Land Conservation Plan

Last Revised: 2-4-05