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STATE ENVIRONMENTAL QUALITY REVIEW
SOLICITATION FOR LEAD AGENCY STATUS
UNLISTED ACTION

Pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

Date: July 21, 2011

To: NYS Department of Environmental Conservation, Region 9
Hon. George Gertz, Supervisor, Town of Marilla
Erie County Legislature
Erie County Highway Dept.
Erie County Health Dept.
HUD Buffalo Office- 465 Main Street, Buffalo NY 14203

Name of Action: Acquisition/Demolition of 1717 Two Rod Road

Location: 1717 Two Rod Road, Marilla, Erie County

Project Number: C617-11-41

Erie County Department of Environment and Planning has identified this project as an Unlisted action for the purpose of SEQRA and is not required but has chosen to coordinate the review of involved agencies pursuant to Part 617.6(c).

Any involved or interested agency may submit objections in writing within thirty (30) days of the date of this notification. If no objections are expressed, Erie County Department of Environment and Planning will assume lead agency status for this action and will make a determination of its significance.

The Erie County Department of Environment and Planning has made an initial determination of no significant impact and anticipates issuing a negative declaration if no significant concerns are identified. The EAF Part I is attached for your review.

Written comments may be submitted to:

Mr. Paul J. D'Orlando, Environmental Review Coordinator
Erie County Department of Environment and Planning
Edward A. Rath County Office Building
95 Franklin Street, Room 1053
Buffalo, NY 14202

before August 23, 2011.

SEQRA Lead Agency Unlisted Action.doc
7-22-02

EXHIBIT E

7/25
14-16-4 (887) - Text 12

PROJECT I.D. NUMBER
C617-11-41

617.20

SEQR

State Environmental Quality Review SHORT ENVIRONMENTAL ASSESSMENT FORM For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

<p>1. APPLICANT / SPONSOR <i>Eric County / Town of Marilla</i></p>	<p>2. PROJECT NAME <i>1717 Two Rod Road Acquisition / Demolition</i></p>
<p>3. PROJECT LOCATION: Municipality <i>Town of Marilla</i> County <i>Eric County NY</i></p>	
<p>4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>1717 Two Rod Road, Near intersection of - Two Rod Road and Bull's Road. Adjacent to Town Hall Building across Two Rod Rd</i></p>	
<p>5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration </p>	
<p>6. DESCRIBE PROJECT BRIEFLY: <i>Remove any asbestos containing materials in preparation for building demolition. Acquire property from private owners. Former 5 unit apartment building now unrepairable due to fire damage.</i></p>	
<p>7. AMOUNT OF LAND AFFECTED: Initially <i>1</i> acres Ultimately <i>1</i> acres</p>	
<p>8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly <i>Local Building department permit necessary.</i> </p>	
<p>9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe: </p>	
<p>10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals <i>Local Building department.</i> </p>	
<p>11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval </p>	
<p>12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </p>	
<p>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE</p>	
<p>Applicant/sponsor name: _____ Date: _____</p>	
<p>Signature: _____</p>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.57? *4* If yes, coordinate the review process and use the FULL EAF.
 Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.57 If No, a negative declaration may be superseded by another involved agency.
 Yes No *FONSF AT FEDERAL LEVEL AS PER NEPA.*

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
Air quality - dust during demolition arise - short term - during demolition *Solid wastes - wastes to be disposed of in licensed landfill - asbestos to be properly removed first before being*

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
No adverse effects - will improved neighborhood appearance *LOSS OF AFFORDABLE HOUSING UNITS IN TOWN w/ LOW VACANCY RATE*

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
No adverse effects + developed area. - n/a

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
No adverse effects - future use may be to leave lot vacant.

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.
Local building code requires 10' setback from lot - it is only 15.9 feet deep. Also code requires 15' on each side from lot line - lot is 583 feet wide. *future use beyond vacant lot would have to meet local building and zoning codes - small lot = 83 x 159 in fully developed area.*

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.
loss of rental housing in vacant buildings not repairable.

C7. Other impacts (including changes in use of other quantity or type of energy)? Explain briefly.
See C-1 - many short term adverse effects.

D. CEA IMPACTS: (Y/N) NA

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If Yes, explain briefly

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

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 AND provide on attachments as necessary, the reasons supporting this determination:

Erie County
 Name of Lead Agency

Kathy Konst
 Print or Type Name of Responsible Officer in Lead Agency

Commissioner, Dept. Env. + Planning
 Title of Responsible Officer

 Signature of Responsible Officer in Lead Agency

 Signature of Preparer (if different from responsible officer)

 Date

Local building code requires 10' setback from lot - it is only 15.9 feet deep. Also code requires 15' on each side from lot line - lot is 583 feet wide.

Local building code would certainly prohibit the building of a property on the vacant lot.

SEQR REFERRAL RESPONSE

Project Name: Acquisition / Demolition - 1717 Two Red Road

Project Number: C 617-11-41

Location: 1717 Two Red Road, Marilla, NY

Lead Agency

- Erie County should act as lead agency.
- _____ should act as lead agency because _____

Please provide input for scoping, reflecting your agency's concerns, permit jurisdictions, and information needs sufficient to making your SEQR findings.

Approval/Permits

_____ (your agency) considers itself an (involved/ interested) agency, as per SEQR regulations, for this action. The following approvals and/or permits are necessary:

(Type)	(From)
_____	_____
_____	_____
_____	_____

Comments/Concerns to be addressed in positive or negative declaration. (Please note or attach additional page if needed)

Information Needs (for Involved Agencies)

If a positive declaration is issued, the DEIS should study the following to assist in the making of SEQR findings:

Agency: _____

Responsible official: _____

Title: _____

Signature: _____

Date: _____

Address: _____

Phone: _____

Please return by: _____ to:

Erie County Department of Environment and Planning
Paul D'Orlando, Environmental Review Coordinator (716-858-2194)
Edward A. Rath County Office Building
95 Franklin Street, Room 1053
Buffalo, New York 14202

