

10:33 JUL 15 2014 8-341

COMBINED NOTICES TO THE PUBLIC
NOTICE OF FINDING OF NO SIGNIFICANT EFFECT ON THE ENVIRONMENT
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

To: All Interested Agencies, Groups, and Persons

On or about July 29, 2014, Erie County proposes to request the U.S. Department of Housing and Urban Development to release Federal funds under Title I of the Housing and Community Development Act of 1974 (PL 93-383) for the following project:

Project Title:	Senior Center Construction- Commerce Drive- Town of Concord
Purpose:	The project involves the new construction of an 80' x 120', 5,500 square foot senior center. The structure will be a single story frame, slab on grade building. The building will have a conference room, offices, multipurpose room, restrooms and a commercial kitchen. The site is located on 5.5 acres of vacant land owned by the Town of Concord. Project will meet the national objective of benefitting a low and moderate income clientele.
Funds Requested:	\$100,000
Location:	248 Commerce Drive, Town of Concord, Erie County, NY
SEQR Status:	Unlisted Action as per NYCCR, Part 617.5 C617-14-29

As a result of this environmental review, it was determined that such request for release of funds will not constitute an action significantly affecting the quality of the human environment and accordingly, Erie County has decided not to prepare an Environmental Impact Statement under the National Environmental Policy Act of 1969 (PL 91-190).

The reasons for such decision not to prepare such statement are as follows:

There may be negative impacts during the construction phase of this project; however, these impacts are short-term and not of a magnitude that are considered to be significant. Removal of soil will be recycled, where possible. No construction related waste discharges to sanitary and storm sewers and clean up of any spills to protect against infiltration into local drainage. Traffic flows on local and adjacent streets will be temporarily impacted by construction activity over the short term as will air quality due to noise and dust generated by construction equipment.

The construction of a new senior center will result in a positive impact for the senior citizen population of the Town of Concord. Programming will be increased due to the larger space and accessibility for the handicapped population will be positively impacted as the current town senior center space at Goddard Hall is inadequate and does not meet current ADA standards in certain areas of the building. The Goddard Hall site also lacks ample parking for seniors. The new senior center will be located on vacant land adjacent to the newly constructed Orchard Apartment Senior Housing project. This housing development is home to over 100 senior citizens. These seniors will be in walking distance to the newly constructed senior center. Ample

parking will be available on site and the increase in traffic on Commerce Drive and Waverly Street will not be significant enough to result in a negative impact for the nearby residents.

An Environmental Review Record has been made by Erie County which documents the environmental review of the project, and more fully set forth the reasons why such a statement is not required. This Environmental Review Record is on file at the Erie County Division of Planning, Room 1053, (95 Franklin Street, Buffalo, New York) and is available for public examination and copying upon request between the hours of 9:00 A.M. and 4:00 P.M. No further environmental review is to be conducted prior to the request for release of federal funds.

All interested agencies, groups and persons disagreeing with this decision are invited to submit written comments for consideration by the County to the Environmental Review Coordinator at the same office. All written comments received at this office on or before July 28, 2014 will be considered and the County will not request the release of Federal funds or take any administrative action on the project prior to this date.

Erie County will undertake the project described above with Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Urban Development (HUD) under Title I of the Housing and Community Development Act of 1974, as amended. Erie County is certifying to HUD that Erie County, and Mark C. Poloncarz, in his official capacity as County Executive, consent to accept the jurisdiction of the Federal courts if an action is brought to enforce responsibilities in relation to environmental reviews, decision making, and action; and that these responsibilities have been satisfied. The legal effect of the certification is that upon its approval, Erie County may use the Block Grant funds and HUD will have satisfied its responsibilities under the National Environmental Policy Act of 1969. HUD will accept an objection to its approval of the release of funds and acceptance of the certification only if it is on one of the following bases: (a) that the Certification was not in fact executed by the chief executive officer or other officer of the applicant approved by HUD; (b) that the applicant's environmental review record for the project indicates omission of a required decision, finding, or step applicable to the project in the environmental review process; (c) that the applicant committed funds or incurred costs not authorized by 24CFR Part 58 before approval of a release of funds by HUD; (d) another federal agency acting pursuant to 40CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality; (e) recipient in development process committed funds, incurred costs or undertook activities not authorized and approved by HUD; (f) responsible entity failed to make a finding pursuant to Sec. 58.40 or omitted one or more steps set forth for an EA or EIS. Objections must be prepared and submitted in accordance with the required procedure (24 CFR Part 58), and may be addressed to HUD at 465 Main Street, Buffalo, New York 14203. Objections to the release of funds on bases other than those stated above will not be considered by HUD. No objection received following the 15th day (August 14, 2014) after HUD receives this request will be considered by HUD.

Mark C. Poloncarz
County Executive
95 Franklin Street
Buffalo, New York 14202

Date: July 12, 2014

To be sent to: kedwards@cpowny.com
Hon. Gary A. Eppolito, Supervisor, Town of Concord
NYS Department of Environmental Conservation
NYS Department of Transportation
Erie County Legislature
Erie County Health Dept.
Erie County Highway Div.
Erie County Environment & Planning, Sewerage Mgmt. Div.
HUD Buffalo Office
465 Main Street, Buffalo, NY 14203