



U.S. Department of Housing and Urban  
Development  
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Washington, DC 20410  
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## **Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58**

### **Project Information**

Project Name: **Four-Season Senior Citizens Shelter**

Responsible Entity: **Town of Alden  
3311 Wende Road  
Alden, New York 14004**

Grant Recipient (if different than Responsible Entity): **Same as Responsible Entity.**

State/Local Identifier: **Project No: 2602CVPF43-21**

Preparer:

Certifying Officer Name and Title: **Brett Sitzman – Town Supervisor**

Grant Recipient (if different than Responsible Entity): **Same as Responsible Entity**

Consultant (if applicable): **Michael J Metzger, PE – Town Engineer  
Metzger Civil Engineering PLLC  
8245 Sheridan Drive  
Williamsville, New York 14221**

Direct Comments to: **Consultant (Metzger Civil Engineering PLLC)**

Project Location: **Town of Alden Memorial Park  
13116 Main Street  
Town of Alden, New York 14004**

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

**The proposed action includes the construction of an approximate 6,000 square foot, 4-season all weather community shelter to be utilized primarily by the senior citizens of the community. Additional improvements are proposed including pavement for access to the building as well as utilities (i.e. water, gas, electric, sewer, etc).**

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

**The Town of Alden is in desperate need of additional space to accommodate the growing population of senior citizens within the community. As of the latest census, close to 20% of the population of the Town of Alden are senior citizens. An existing community building adjacent to the proposed 4-season shelter is present. However, this building lacks the adequate space and modern amenities to adequately serve the town's senior citizen population. To further complicate the lack of space to accommodate their needs and activities, the recent global pandemic and subsequent COVID restrictions have further restricted the use to a small number of senior citizens. These restrictions have rendered the building effectively useless as during COVID restrictions only 16 residents were allowed in the building at one time.**

**The existing community building adjacent to the proposed 4-season community shelter alone cannot accommodate the needs of the more than 3,800 senior citizens and / or disabled residents. The construction of the 6,000 square foot 4-season Community Shelter will provide ample opportunity for the growing senior population now and well into the future. Most importantly, the existing building cannot provide the required space for seniors to gather and receive lunches, which many depend on daily for nutritional needs and social interaction. Simply put, a substantially larger gathering space with modern and safe amenities is desperately needed.**

Existing Conditions and Trends [24 CFR 58.40(a)]:

**As it was previously stated, an existing Community Center is present at the Town of Alden Memorial Park. Even prior to the pandemic, the facility was cramped with limited space for classes and activities (i.e. meeting rooms, common rooms, etc.). The building has a poor layout with a lot of "wasted space". This limited space, combined with the general public health risks associated with the pandemic, have prohibited the Town of Alden from providing the majority of its programs and services to seniors and residents with disabilities. In addition to the existing community center, a shelter is present at the proposed location of the 4-season Senior Shelter. This shelter is only available for use during the summer months and does not have ADA compliant access.**

The 4-season Senior Shelter will in essence create a space to supplement the existing space in the Community Center and replace the existing shelter with a more modern space and amenities.

**Funding Information**

Grant Number	HUD Program	Funding Amount
2602CVPF43-21	CDBG	\$500,000

Estimated Total HUD Funded Amount:      **\$500,000**

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:      **\$550,000**

**Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities**

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6</b>		
<b>Airport Hazards</b>  24 CFR Part 51 Subpart D	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	<b>No impacts. 6,000 square foot building is a single story with no airports within 6 miles and is not within a “flight path”</b>
<b>Coastal Barrier Resources</b>  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	<b>No impacts. Project site is not located in a coastal community.</b>
<b>Flood Insurance</b>  Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	<b>No impacts. Project site is not located within a floodplain as determined by the FEMA FIRM panel no. 36029C0290H.</b>

[42 USC 4001-4128 and 42 USC 5154a]		
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 &amp; 58.5</b>		
<b>Clean Air</b> Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<b>No impacts. The proposed development will not generate emissions and will only operate as a community center.</b>
<b>Coastal Zone Management</b> Coastal Zone Management Act, sections 307(c) & (d)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<b>No impacts. Project site is not located in a coastal community.</b>
<b>Contamination and Toxic Substances</b> 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<b>No impacts. The project site has no known spills nor hazardous waste site designations on the NYSDEC environmental databases.</b>
<b>Endangered Species</b> Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<b>No impacts. No species of plants or animals was identified on the project site as per the NYSDEC online environmental resource mapper tool.</b>
<b>Explosive and Flammable Hazards</b> 24 CFR Part 51 Subpart C	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<b>No impacts. No explosive or flammable liquids will be stored in the proposed building in bulk.</b>
<b>Farmlands Protection</b> Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<b>No impacts. The project site is not located within an Erie County Agricultural District as determined by the Erie County GIS database.</b>
<b>Floodplain Management</b> Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<b>No impacts. Project site is not located within a floodplain as determined by the FEMA FIRM panel no. 36029C0290H.</b>
<b>Historic Preservation</b> National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<b>No impacts. The site is not located within an archaeologically sensitive area as determined by the NYS Office of Parks, Recreation and Historic Preservation.</b>
<b>Noise Abatement and Control</b> Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<b>No impacts. The proposed development, which will be utilized as a senior shelter is not industrial in nature and will not create noise nuisance to the surrounding</b>

neighborhood.

CFR Part 51 Subpart B		<b>neighborhood.</b>
<b>Sole Source Aquifers</b>  Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	<b>No impacts. The proposed development will be served by a municipal water supply and will have no discharges potentially affecting groundwater.</b>
<b>Wetlands Protection</b>  Executive Order 11990, particularly sections 2 and 5	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	<b>No impacts. No federal wetlands regulated by the USACOE nor state wetlands regulated by the NYSDEC are present on the project site. The NYSDEC environmental resource mapper as well as the Erie County GIS mapping tool were utilized to verify the absence of each.</b>
<b>Wild and Scenic Rivers</b>  Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	<b>No impacts. There are no regulated streams, creeks or rivers on the project site.</b>
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b>  Executive Order 12898	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	<b>No impacts.</b>

**Environmental Assessment Factors** [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

**Impact Codes:** Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>LAND DEVELOPMENT</b>		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	The proposed 4-season community shelter will be built within the Town of Alden Memorial Park as a community space primarily for senior citizens. The use is an allowed use by zoning code and compatible with the surrounding neighborhood features.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	The area is relatively flat with no significant slopes. All stormwater will sheet flow from the impervious areas into the surrounding lawn areas of Memorial Park or enter the municipal storm sewer system.
Hazards and Nuisances including Site Safety and Noise	2	The nature of the project as a community building for recreational purposes will not create adverse nuisances to the surrounding neighborhood. The building will only operate during recreational events, mostly during weekday mornings and afternoons.
Energy Consumption	2	The building will not operate continuously and only during recreational events. It will be fitted with the latest energy conservation fixtures and lighting in accordance with the NYS energy code requirements.

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>SOCIOECONOMIC</b>		
Employment and Income Patterns	2	There will be no additional town employee's needed for the operation and / or maintenance of the building. Again, it will only be operated / occupied temporarily during recreational events.
Demographic Character Changes, Displacement	2	No demographic changes or displacement will occur as a result of the project.

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>COMMUNITY FACILITIES AND SERVICES</b>		
Educational and Cultural Facilities	1	The project will enhance the educational and cultural capabilities of the Town to provide a space for senior citizens to participate in such programs.
Commercial Facilities	2	The building will be used for recreational purposes and not for commercial business.

Health Care and Social Services	1	The proposed development will provide additional space for senior citizens within the community to obtain lunches, which will provide nutritional value to their daily routine. In addition, the building will provide seniors an opportunity for social interactions that will benefit their physical, mental and emotional health.
Solid Waste Disposal / Recycling	2	The limited use of the facility will create a small amount of refuse and recycling. Town employees will dispose of any waste during routine collection of all Town facilities in the park. Waste volumes will not increase above existing levels.
Waste Water / Sanitary Sewers	2	The limited use of the building will create minor amounts of wastewater, which will be discharged into the municipal sewer system. Wastewater use will not increase as a result of this project.
Water Supply	2	Again, the limited use of the facility will create a small amount of water usage, which will be obtained from the municipal water supply. Water use will not increase as a result of this project.
Public Safety - Police, Fire and Emergency Medical	2	The building will be served by the existing public safety outfits (NYS Police, Erie County Sheriff, Alden Village Fire Department). The proposed building is located within the applicable public safety districts and no new districts or public safety entity is necessary.
Parks, Open Space and Recreation	1	The proposed development will create additional space for recreational activities in the Town for senior citizens. It will also enhance the Town of Alden Memorial Park.
Transportation and Accessibility	2	There will be no impacts to the existing transportation and accessibility.

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>NATURAL FEATURES</b>		
Unique Natural Features, Water Resources	2	There are no unique natural features or water resources within the project limits.
Vegetation, Wildlife	2	The current project location has 2 existing structures, which comprise an outdoor shelter and restroom building. No wildlife areas will be impacted by the project.
Other Factors		N/A

Additional Studies Performed: **None**

Field Inspection (Date and completed by): **The responsible entity did not conduct a separate field inspection as it is intimately familiar with the current site as it is located within the Town of Alden Memorial Park, which is owned and operated by the responsible entity. All parties visit the site on a regular basis.**

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

**FEMA Flood Insurance Rate Maps (FIRM's)  
NYSDEC Spills Database  
NYSDEC Remedial Site Database  
NYSDEC Bulk Storage Database  
NYSDEC Environmental Resource Database Map  
Erie County GIS Database Map  
NYS Parks, Recreation and Historical Preservation Database**

List of Permits Obtained: **None**

Public Outreach [24 CFR 50.23 & 58.43]:

**The Town of Alden has previously held public hearings during Town Board meetings. The project is being proposed because of the public's desire for additional recreational space for senior citizens. No adverse comments have occurred.**

Cumulative Impact Analysis [24 CFR 58.32]:

**When balancing the factors associated with this project, namely, land development, socioeconomic, community facilities & services and natural features it is concluded that the proposed development has a minor beneficial impact to the community.**

**The minor beneficial impact is outlined by the impact evaluation of each factor in the tables above.**

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

**An alternative for a smaller shelter was explored. However, due to the large percentage of population of senior citizens, it was imperative to maximize the space to create additional opportunities for the aging population. The benefits were marginal by constructing a smaller facility.**

No Action Alternative [24 CFR 58.40(e)]:

**A "No Action Alternative" would not provide the necessary opportunities for recreational activities. The existing facilities are out-of-date and do not provide the proper space to**



accommodate the needs of the senior citizens in the Town of Alden. The lack of space was even more glaring during COVID pandemic restrictions on gatherings and personal space.

Summary of Findings and Conclusions:

The responsible entity reviewed all applicable resources available in accordance with 24 CFR Part 58. In addition, the responsible entity reviewed all resources and completed an impact evaluation of all factors including land development, socioeconomic, community facilities & services and natural features. Lastly, the responsible entity evaluated the proposed development for compliance with all applicable local, state and federal laws and authorities.

Based on the evaluation of the proposed project, it is the opinion of the responsible entity that this project will have no significant impact on the quality of the human environment.

**Mitigation Measures and Conditions [40 CFR 1505.2(c)]**

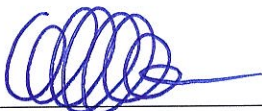
Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure
<b>No mitigation measures are required.</b>	

**Determination:**

**Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]  
The project will not result in a significant impact on the quality of the human environment.

**Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]  
The project may significantly affect the quality of the human environment.

Preparer Signature:  Date: 4/4/22

Name/Title/Organization: Michael J Metzger, PE – Town Engineer  
Metzger Civil Engineering PLLC

Certifying Officer Signature:  Date: 4/6/2022

Name/Title: Brett Sitzman  
Town of Alden Town Supervisor

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with record keeping requirements for the HUD program(s).