

David A. Paterson
Governor



Deborah VanAmerongen
Chairperson

New York State Division of Housing and Community Renewal

Hampton Plaza
38-40 State Street
Albany, NY 12207

October 5, 2009

SENT VIA ELECTRONIC AND U.S. MAIL

Andrew Crossed, Vice President
c/o Conifer Realty, LLC
183 East Main Street, 6th Floor
Rochester, NY 14604
acrossed@coniferllc.com

Re: SHARS Number: 20096033
Conifer Interlaken Senior Housing, LP
Interlaken Senior Apartments
State Route 96 & Cayuga Street, Village of Interlaken, Seneca County

Dear Mr. Crossed:

On April 9 and 12, 2009, the New York State Division of Housing and Community Renewal (DHCR), published a "Combined Notice of Finding of No Significant Impact and Intent to Request Release of Funds". DHCR is the designated tax credit agency for the disbursement of funds in connection with the federal Tax Credit Assistance Program authorized under the "American Recovery and Reinvestment Act". DHCR prepared the combined FONSI after compiling its "TCAP Programmatic Environmental Review Record" dated April 9, 2009. On June 17, 2009, DHCR received a notice of Authority to Use Grant Funds, which certifies that the requirements under 24 CFR Part 58 of HUD environmental review regulations had been satisfied.

DHCR has determined that the Environmental Review Record, dated October 1, 2009, for the above referenced project complies with the requirements of 24 CFR Part 58 of HUD Environmental Review regulations. This letter constitutes clearance of the environmental review of this project and removal of the limitation on commitment of HUD TCAP assistance per [24 CFR 58.22(b)].

DHCR, in compliance the New York State Environmental Quality Review Act (SEQRA), accepts the determination of The New York State Housing Trust Fund Corporation (HTFC), which concurred with the Lead Agency, the Village Board of Interlaken, which conducted a coordinated review for SEQRA, with a determination of Type I, Negative Declaration, dated February 14, 2008.

If you have any questions or concerns regarding this environmental clearance letter, please contact me at (518) 402-3392 or bwizzell@nysdhcr.gov.

Sincerely,

Barbara H. Wigzell, R.A.
Certifying Officer
SEQR Officer

Cc: Cathy Frangella, TCAP Program Manager
Michele Marconi, HTFC Project Manager
Wayne Petterson, DHCR Program Management

Web Site: www.dhcr.state.ny.us
Email address: dhcrinfo@dhcr.state.ny.us

Environmental Assessment
Site Specific Review

Responsible Entity: NYS Division of Housing and Community Renewal (DHCR)

Certifying Officer: Barbara H. Wigzell, RA, DHCR

Program Name: The Tax Credit Assistance Program (TCAP)
American Recovery and Reinvestment Act (ARRA) of 2009

Federal Agency: U.S. Department of Housing and Urban Development (HUD)

Project #: 20096033

Project Sponsor: **Conifer Interlaken Senior Housing, LP**

Project Name: **Interlaken Senior Apartments**

Project Site Address: State Route 96 & Cayuga Street
Village of Interlaken/Town of Covert

Project County: Seneca

Estimated project costs: \$ 5,335,900.

Total TCAP Award: \$ 1,454,746.

Project Sponsor Address: c/o Conifer Realty, LLC
183 East Main Street, Suite #600
Rochester, NY 14604

Primary Contact's Name: Andrew Crossed

E-Mail address: acrossed@coniferllc.com

Telephone Number: 585-324-0571

Program Classification: 58.36 - Environmental Assessment

ENVIRONMENTAL FINDING: [58.40(g)]

Finding of No Significant Impact - The project will not result in a significant impact on the quality of the human environment.

Finding of Significant Impact - The project may significantly affect the quality of the human environment.

The undersigned hereby certifies that DHCR has conducted an environmental review of the project identified above and prepared the attached environmental review record in compliance with all applicable provisions of the National Environmental Policy Act of 1969, as amended, (42 USC sec. 4321 et seq.) and its implementing regulations at 24 CFR Part 58.

Preparer Signature:

NAME: Barbara H. Wigzell
Title/Agency: Director, Environmental Analysis Unit
NYS Division of Housing and Community Renewal

Date: October 5, 2009

Project Name: Interlaken Senior Apartments
Project #: 20096033

Environmental Assessment
Site Specific Review

Project Description:

Conifer Interlaken Senior Housing, LP, proposes new construction of a 3-story building for seniors, with 28 residential units, on an 8.25 acre site at the intersection of State Route 94 and Cayuga Street in the Town of Covert, in the Village of Interlaken, Seneca County. The building will include an elevator, office, community room and laundry services. The design and construction of the project will follow the NYS Division of Housing and Community Renewal's guidelines for the "Green Building Initiative." Public water and sewer are available at the site. Site work will include clearing, grading and excavation, construction of driveways, parking areas and sidewalks, finish grading and landscaping.

Summary of Findings and Conclusions

Alternatives and Project Modifications Considered [24 CFR 58.40(e), Ref. 40 CFR 1508.9]

The proposed project is being developed by a developer of affordable housing. The only other alternative considered is a No Action Alternative, described in more detail below. As described below, absent the requested funding, the project site would remain vacant and needed affordable housing for low-income individuals would not be provided.

No Action: If no actions are taken, the existing site would remain vacant and the benefits to low and moderate income households who need safe and decent affordable housing, would be lost. Through inaction, New York State will lose an opportunity to construct affordable housing projects and provide a large number of construction and related jobs in a time of economic uncertainty.

Action: Refer to project description above.

The construction of this project will not cause any significant, adverse environmental impacts.

Mitigation Measures Recommended [24 CFR 58.40(d), 40 CFR 1508.20]

A Phase I Environmental Assessment (ESA), prepared by LaBella Associates, PC, dated August, 2009, found no recognized environmental conditions on the property.

The project site is located in an area with the potential for radon levels to exceed the U.S. Environmental Protection Agency (EPA) action level. According to a letter from the project Sponsor, submitted August 20, 2009, a "passive" soil depressurization system will be incorporated into the building design in accordance with EPA "Model Standards and Techniques for Control of Radon in New Residential Buildings, EPA 402-R-94-009, March 1994. Radon testing must be conducted when the buildings are complete, prior to occupancy, with test results must be forwarded to the HTFC Environmental Analyst. A third-party air-monitoring contractor must complete the final testing/clearance and the results must be certified by an authorized testing laboratory. The third-party must submit a report summarizing the final testing/clearance for the entire project.

If radon testing indicates that the radon level exceeds the EPA action level of 4 pCi/L, an active fan, complete with alarm system, will be installed and re-tested prior to occupancy to determine that radon levels will be maintained below recommended limits.

**THE FOLLOWING DOCUMENTS ARE AVAILABLE FOR REVIEW BY REQUEST TO THE DHCR
CERTIFYING OFFICER at: bwigzell@nysdhcr.gov or (518) 402-3392.**

**List of Additional Studies Performed, Attachments, Sources, Agencies and Persons Consulted [40
CFR 1508.9(b)]:**

FIRM Map Panel Number 360751 0005B dated June 8, 1984.

Labella Associates, P.C. Phase I Environmental Site Assessment dated August 2009

New York State Coastal Zone Atlas

New York State Natural Heritage Program,

New York State Office of Parks, Recreation and Historic Preservation, February 5, 2008

Ms. Gail Thompson, Seneca Nation of Indians Tribal Historic Preservation Office

US EPA Map of Radon zones in NYS

APPENDIX A
Statutory Checklist
Site Specific
[24CFR §58.5 and 58.6]

Project #: **20096033**
Project Name: **Interlaken Senior Apartments**
Project Address: State Route 94 and Cayuga Street
Village of Interlaken, Town of Covert
Seneca County
Date: September 29, 2009

For each listed statute, executive order or regulation, record the determinations made. Note reviews, consultations or mitigation measures required:

A - Not Applicable to this project OR B - Consultation, Permit and/or Mitigation Required

Then, make a determination of compliance or consistency in the Section provided.

Factors	A	B	Determinations and Compliance Documentation
Historic Preservation [36 CFR 800]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project has been reviewed in accordance with Section 106 of the National Historic Preservation Act of 1966. A letter from the NYS Office of Parks, Recreation and Historic Preservation, dated August 7, 2007 indicates that the proposed construction will have "No Effect" upon cultural resources in or eligible for inclusion in the National Registers of Historic Places. A THPO project review request was submitted to Ms. Kathleen Mitchell at the Seneca Nation Tribal Historic Preservation Office in Salamanca, NY on August 19, 2009. The Seneca Nation Tribal Historic Preservation sent a letter of "No Effect" for the project.
Floodplain Management [24 CFR 55, Executive Order 11988]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project site is not in a Special Flood Hazard Area, according to the FIRM Map Panel Number 360751 0005B dated June 8, 1984.
Wetlands Protection [Executive Order 11990]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	According to a submission from the project sponsor dated September 9, 2009, there are no New York State wetlands (or wetlands buffer) on the site or that will be disturbed. Likewise, a map submission from the project sponsor indicates that Federal wetlands are not located on the site. Proper erosion and sediment control measures must be installed and maintained for the duration of the construction activities on the site.
Coastal Zone Management Act [Sections 307(c),(d)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	According to the New York State Coastal Atlas, the site is not located in a coastal zone.
Sole Source Aquifers [40 CFR 149]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The site is not located in a Sole Source Aquifer (SSA) area.
Endangered Species Act [50 CFR 402]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	A letter dated July 23, 2009 from the New York State Department of Environmental Conservation Natural Heritage Program states that there are no records or known occurrences of rare or state-listed animals or plants on or in the immediate vicinity of the site.
Wild and Scenic Rivers Act [Sections 7 (b), (c)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project is not located near a WSRR.

Air Quality [Clean Air Act, Sections 176 (c) and (d), and 40 CFR 6, 51, 93]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Seneca County is not in a nonattainment area. Since the project is for residential use there will be no significant increase in traffic.
Farmland Protection Policy Act [7 CFR 658]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	A letter dated January 27, 2009 from the Mayor of the Village of Interlaken states that "Neither the Village of Interlaken nor the Town of Covert are municipalities with Zoning enforcement. The project conforms to the residential use of the surrounding area". On February 11, 2008, a Town Board of the Town of Covert resolution annexed the site into the Village of Interlaken. Accordingly, this site is not covered by the Farmland Protection Policy Act.
Environmental Justice [Executive Order 12898]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This project will facilitate the creation of affordable housing units. It is not located in a predominantly minority and low-income neighborhood. Neither the site nor the neighborhood will suffer from disproportionately adverse environmental effects on minority and low-income populations relative to the community-at-large.
Noise Abatement and Control [24 CFR 51 B]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The site is not located within 15 miles of a military airport, 5 miles of a civilian airport, 3000 feet of a railroad or 1000 feet of a major road. Temporary and minor ambient noise is expected during construction. A noise assessment is not required.
Toxic or Hazardous Substances and Radioactive Materials [HUD Notice 79-33]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A Phase I Environmental Assessment (ESA), prepared by LaBella Associates, PC, dated August, 2009, found no recognized environmental conditions on the property. The project site is located in an area with the potential for radon levels to exceed the U.S. Environmental Protection Agency (EPA) action level. According to a letter from the project Sponsor, submitted August 20, 2009, a "passive" soil depressurization system will be incorporated into the building design in accordance with EPA "Model Standards and Techniques for Control of Radon in New Residential Buildings, EPA 402-R-94-009, March 1994. Radon testing must be conducted when the buildings are complete, prior to occupancy, with test results must be forwarded to the HTFC Environmental Analyst. A third-party air-monitoring contractor must complete the final testing/clearance and the results must be certified by an authorized testing laboratory. The third-party must submit a report summarizing the final testing/clearance for the entire project. If radon testing indicates that the radon level exceeds the EPA action level of 4 pCi/L, an active fan, complete with alarm system, will be installed and re-tested prior to occupancy to determine that radon levels will be maintained below recommended limits.
Siting of HUD-Assisted Projects near Hazardous Operations [24 CFR 51 C]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	According to an August 25, 2009 report prepared by Labella Associates, P.C., there are three 120 gallon propane tanks located to the 110 ft. to 120 ft. away from the southern property line of the project site. According to calculation of the Acceptable Separation Distance (ASD), these tanks are within the acceptable separation distance of 225 feet.

Airport Clear Zones and Accident Potential Zones [24 CFR 51 D]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The site is not located within 2500 feet of any designated commercial service airports or within 15,000 feet of any military airfields.
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NOTES: On September 19, 2007, the New York State Housing Trust Fund Corporation consented to the Village Board of Interlaken, to act as Lead Agency for this Type I action under the State Environmental Quality Review Act (SEQRA).

On February 14, 2008, the Village Board issued a determination that the "Project will not result in any significant adverse environmental impacts to the Village and that a Negative Declaration be issued pursuant to SEQRA".

On September 29, 2009, the NYS Housing Trust Fund Corporation concurred with the findings of the Village of Interlaken's Village Board's SEQRA determination of Type 1, Negative Declaration

Barbara H. Wigzell
Preparer

September 29, 2009
Date

END OF STATUTORY CHECKLIST

APPENDIX B
Environmental Assessment Checklist
Site Specific

SHARS #: **20096033**
 Project Name: **Interlaken Senior Apartments**
 Project Address: State Route 94 and Cayuga Street
 Village of Interlaken, Town of Covert
 Seneca County
 Date: September 29, 2009

[Environmental Review Guide HUD CPD 782, 24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]
 Evaluate the significance of the effects of the proposal on the character, features and resources of the project area.

Enter relevant base data and verifiable source documentation to support the finding. Then enter the appropriate impact code from the following list to make a finding of impact. **Impact Codes:** (1) - No impact anticipated; (2) - Potentially beneficial; (3) - Potentially adverse; (4) - Requires mitigation; (5) - Requires project modification. Note names, dates of contact, telephone numbers and page references. Attach additional materials as needed.

Land Development	Code	Source or Documentation
Conformance with Comprehensive Plans and Zoning	1	A letter dated January 27, 2009 from the Mayor of the Village of Interlaken states that "Neither the Village of Interlaken nor the Town of Covert are municipalities with Zoning enforcement. The project conforms to the residential use of the surrounding area". On February 11, 2008, the site was annexed into the Village of Interlaken by a Town Board of the Town of Covert resolution, which allows for the proposed affordable senior housing. Final site Plan approval was granted on February 14, 2009.
Compatibility and Urban Impact	1	The project will result in the development of 28 new affordable housing units for seniors. Construction of this facility will compliment the Village of Interlaken's goals to foster affordable housing. The Village made infrastructure improvements by extending water and sewer lines to promote development in the area. All necessary services are within 5 miles or less.
Slope	1	A Phase I Environmental Assessment (ESA), prepared by LaBella Associates, PC, dated August, 2009, found no recognized environmental conditions on the property. The site is relatively flat. The project will obtain a SPDES permit and implement a surface water management plan that will sufficiently capture storm water runoff on the project site. A Storm Water Pollution Prevention Plan has been completed and a NYSDEC Acknowledgment of Notice of Intent, dated 9/10/2009, has been received.

Erosion	1	<p>A Phase I Environmental Assessment (ESA), prepared by LaBella Associates, PC, dated August, 2009, found no recognized environmental conditions on the property. The site is relatively flat.</p> <p>The project will obtain a SPDES permit and implement a surface water management plan that will sufficiently capture storm water runoff on the project site. A Storm Water Pollution Prevention Plan has been completed and a NYSDEC Acknowledgment of Notice of Intent, dated 9/10/2009, has been received.</p>
Soil Suitability	1	The project is required to follow the local building code in regards to conducting soil borings.
Hazards and Nuisances including Site Safety	1	<p>A Phase I Environmental Assessment (ESA), prepared by LaBella Associates, PC, dated August, 2009, found no recognized environmental conditions on the property.</p> <p>The project site is located in an area with the potential for radon levels to exceed the U.S. Environmental Protection Agency (EPA) action level. According to a letter from the project Sponsor, submitted August 20, 2009, a "passive" soil depressurization system will be incorporated into the building design in accordance with EPA "Model Standards and Techniques for Control of Radon in New Residential Buildings, EPA 402-R-94-009, March 1994. Radon testing must be conducted when the buildings are complete, prior to occupancy, with test results must be forwarded to the HTFC Environmental Analyst. A third-party air-monitoring contractor must complete the final testing/clearance and the results must be certified by an authorized testing laboratory. The third-party must submit a report summarizing the final testing/clearance for the entire project.</p> <p>If radon testing indicates that the radon level exceeds the EPA action level of 4 pCi/L, an active fan, complete with alarm system, will be installed and re-tested prior to occupancy to determine that radon levels will be maintained below recommended limits.</p>
Energy Consumption	1	The project will comply with DHCR's Green Building Initiative, which includes sustainable building practices that place value on improved energy performance, comfort and simplified maintenance requirements that lead to financial efficiencies for the project.
Neighborhood Impacts		
Noise - Contribution to Community Noise Levels	1	The project will not contribute to community noise levels and will not result in significant levels of traffic (a mobile noise source) or stationary noise sources.

Air Quality - Effects of Ambient Air Quality on Project and Contribution to Community Pollution Levels	1	<p>Projects will not contribute to community air pollution levels due to significant levels of traffic or unusually high concentrations of stationary source emissions (boiler emissions). Seneca County is not in a nonattainment area.</p> <p>Since the project is for residential use there will be no significant increase on traffic.</p>
Environmental Design Visual Quality - Coherence, Diversity, Compatible Use and Scale	1	<p>A letter dated January 27, 2009 from the Mayor of the Village of Interlaken states that "Neither the Village of Interlaken nor the Town of Covert are municipalities with Zoning enforcement. The project conforms to the residential use of the surrounding area". On February 11, 2008, the site was annexed into the Village of Interlaken by a Town Board of the Town of Covert resolution.</p> <p>The project will result in the development of a new residential affordable building. Construction of this senior facility will compliment the Village of Interlaken's goals to foster affordable housing. The Town made infrastructure improvements by extending water and sewer lines to promote development in the area. All necessary services are within 5 miles or less.</p>
Socioeconomic		
Demographic Character Changes	1	The project will not alter the demographic character of the area. The inhabitants of the proposed project have similar demographic characteristics as the population residing in the surrounding neighborhood.
Displacement	1	The project is new construction and will not result in a displacement of any residents.
Employment and Income Patterns	1	The project will provide housing to seniors earning less than 60% or less of the Area Median Income. The project will provide seniors an affordable place to live and may result in more retired persons in the area. However, this is a minor change to the employment and income patterns already expected in the area.
Community Facilities and Services		
Educational Facilities	1	The project is for senior housing and will not place a demand on public schools operated or chartered by the State of New York.
Commercial Facilities	2	The projects will result in a significant positive effect on existing commercial establishments since commercial facilities are within five miles of the site. Project residents may frequent retail establishments in the neighborhood, which can potentially be a benefit to commercial facilities.

Health Care	1	Hospital and emergency services are available at the Cayuga Medical Center in Ithaca which is approximately 16 miles away.
Social Services	1	The project includes supportive services to allow the seniors to comfortably age in place.
Solid Waste	1	The project will not place a significant demand on solid waste disposal services.
Waste Water	1	The project will not place a significant demand on waste water disposal services. Public water and sewer from the Village of Interlaken are available to the site. The Village annexed the project site from the Town of Covert into the Village specifically to provide quality affordable senior housing for its residents and to provide the Project with reduced water and sewer rates.
Storm Water	1	The project will obtain a SPDES permit and implement a surface water management plan that will sufficiently capture storm water runoff on the project site. A Storm Water Pollution Prevention Plan has been completed and a NYSDEC Acknowledgment of Notice of Intent, dated September 10, 2009, has been received.
Water Supply	1	Public water and sewer from the Village of Interlaken are available to the site. The Village annexed the project site from the Town of Covert into the Village specifically to provide quality affordable senior housing for its residents and to provide the Project with reduced water and sewer rates.
Public Safety - Police	1	The project will have little or no impact on police services and local police departments will provide police protection service.
- Fire	1	The projects will have little or no impact on fire protection services provided by local fire departments or districts. The project must be designed and constructed in compliance with the New York State Uniform Fire Prevention and Building Code. Emergency services will be provided by the Interlaken Fire Department and Police Departments.
- Emergency Medical	1	Emergency services will be provided by the Interlaken Fire Department and Police Departments. Hospital and emergency services are available at the Cayuga Medical Center in Ithaca which is approximately 16 miles away.

- Open Space	2	The project site is within the Conifer Village Senior Housing Planned Development District, which consists of 8.25 acres. The project will include on - site patio space and is within 1.5 miles of Cayuga Lake.
- Recreation	1	The project site is within the Conifer Village Senior Housing Planned Development District, which consists of 8.25 acres. The project will include on - site patio space and is within 1.5 miles of Cayuga Lake.
- Cultural Facilities	1	The project will not result in impacts to cultural facilities. The project is located midway between Ithaca and Seneca Falls, where there are an abundance of museums, galleries, theaters and other cultural facilities.
- Transportation	1	The project is not expected to place a significant demand on transportation resources in the area.
Natural Features		
Water Resources	1	<p>The proposed projects would not result in a significant effect on water resources, including groundwater and surface water.</p> <p>The project will obtain a SPDES permit and implement a surface water management plan that will sufficiently capture storm water runoff on the project site. A Storm Water Pollution Prevention Plan has been completed and a NYSDEC Acknowledgment of Notice of Intent, dated June 10, 2009, has been received.</p> <p>The project will not place a significant demand on water supply services. Water shall be provided by the Clifton Park Water Authority. Town of Clifton Park's Local Law No. 1 of 2008, Establishing Conifer Village Senior Housing Planned Development District.</p> <p>The project is not located near a Wild, Scenic or Recreational River.</p> <p>According to a submission from the applicant dated August 20, 2009, no New York State wetlands (or wetlands buffer) are on the site or will be disturbed. Federal wetlands are on the site. However, the site plan has been arranged to induce as little disturbance as possible. According to the site plan dated July 21, 2009, the limits of site disturbance to the Federal wetlands is less than .10 of an acre. The US Army Corp of Engineers issued a letter dated April 29, 2009 stating that none of the proposed work will impact waters of the United States, including wetlands. Proper erosion and sediment control measures must be installed and maintained for the duration of the construction activities on the site.</p>

Surface Water	1	<p>The proposed projects would not result in a significant effect on water resources, including surface water.</p> <p>The project will obtain a SPDES permit and implement a surface water management plan that will sufficiently capture storm water runoff on the project site. A Storm Water Pollution Prevention Plan has been completed and a NYSDEC Acknowledgment of Notice of Intent, dated June 19, 2009, has been received.</p> <p>The project will not place a significant demand on water supply services. Water shall be provided by the Clifton Park Water Authority. Town of Clifton Park's Local Law No. 1 of 2008, Establishing Conifer Village Senior Housing Planned Development District.</p> <p>The project is not located near a Wild, Scenic or Recreational River.</p> <p>According to a submission from the applicant dated August 20, 2009, no New York State wetlands (or wetlands buffer) are on the site or will be disturbed. Federal wetlands are on the site. However, the site plan has been arranged to induce as little disturbance as possible. According to the site plan dated July 21, 2009, the limits of site disturbance to the Federal wetlands is less than .10 of an acre. The US Army Corp of Engineers issued a letter dated April 29, 2009 stating that none of the proposed work will impact waters of the United States, including wetlands. Proper erosion and sediment control measures must be installed and maintained for the duration of the construction activities on the site.</p>
Unique Natural Features and Agricultural Lands	1	<p>The proposed projects would not result in a significant effect on unique natural features or agricultural lands.</p> <p>The application did not state whether the site might contain Prime, Unique or Statewide/Important Farmland. However, the site is currently zoned residential and was previously zoned Corporate Commerce. Accordingly, this site is not covered by the Farmland Protection Policy Act.</p> <p>The site is located in a NYS Agricultural District. The current property owner submitted a NYS Department of Agriculture and Markets (DAM) Waiver, dated August 28, 2009, which waives the current owner's right to require the applicant to file a Notice of Intent with DAM. On September 3, 2009, DAM stated that the DAM file has been closed on this Notice.</p>
Vegetation and Wildlife	1	<p>The proposed projects would not result in a significant effect on vegetation and wildlife.</p> <p>The site consists primarily of undeveloped fields and wetlands.</p> <p>A letter dated July 1, 2009 from the New York State Department of Environmental Conservation Natural Heritage</p>

		<p>Program states that there are no records or known occurrences of rare or state-listed animals or plants on or in the immediate vicinity of the site.</p> <p>According to a submission from the applicated dated August 20, 2009, no New York State wetlands (or wetlands buffer) are on the site or will be disturbed. Federal wetlands are on the site. However, the site plan has been arranged to induce as little disturbance as possible. According to the site plan dated July 21, 2009, the limits of site disturbance to the Federal wetlands is less than .10 of an acre. The US Army Corp of Engineers issued a letter dated April 29, 2009 stating that none of the proposed work will impact waters of the United States, including wetlands. Proper erosion and sediment control measures must be installed and maintained for the duration of the construction activities on the site.</p>
Flood Disaster Protection Act [Flood Insurance]	1	The project site is not in a Special Flood Hazard Area, according to the FIRM Map Panel Number 36091C0655E dated August 16, 1985.
Coastal Barrier Resources Act/ Coastal Barrier Improvement Act [§58.6(c)]	1	According to the New York State Coastal Atlas, the site is not located in a coastal zone.
Airport Runway Clear Zone or Clear Zone Disclosure [§58.6(d)]	1	The site is not located within 2500 feet of any designated commercial service airports or within 15,000 feet of any military airfields.
Other Factors	1	<p>On September 19, 2007, the New York State Housing Trust Fund Corporation consented to the Village Board of Interlaken, to act as Lead Agency for this Type I action under the State Environmental Quality Review Act (SEQRA).</p> <p>On February 14, 2008, the Town Board issued a determination that the "Project will not result in any significant adverse environmental impacts to the Village and that a Negative Declaration be issued pursuant to SEQRA".</p> <p>On September 29, 2009, the NYS HTFC SEQRA Officer, concurred with the findings of the Village of Interlaken's Village Board's SEQRA determination of Type 1, Negative Declaration.</p>

Comments:

Barbara H. Wigzell
Preparer

September 29, 2009
Date

END OF ENVIRONMENTAL ASSESSMENT CHECKLIST