

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 26, 2009

SENT VIA ELECTRONIC AND U.S. MAIL

Ms. Susan Kimmel, Managing General Partner
Two Plus Four Construction Co.
6320 Fly Road
East Syracuse, NY 13057
skimmel@2plus4mgt.com

Re: SHARS Number: 20086016
Pearce Tract Development, L.P. (Homsite Fund, Inc. and Lakewood Development)
355-357 Clark Street and 63-65 Belmont Avenue
City of Auburn, Cayuga County

Dear Ms. Kimmel:

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 23, 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 City of Auburn Zoning Board of Appeals, which conducted a coordinated review for SEQRA, with a determination of Unlisted, Negative Declaration, dated July 28, 2009.

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

Sincerely,

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

Cc: Cathy Frangella, TCAP Program Manager
Kathleen Karpinski, 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 #: 20086016

Project Sponsor: **Homesite Fund, Inc.**

Project Name: **Pearce Tract Development**

Project Site Address: 355-357 Clark Street and 63-65 Belmont Avenue
City of Auburn

Project County: Cayuga

Estimated project costs: \$7,124,218.

Total TCAP Award: \$7,034,218.

Project Sponsor Address: 6320 Fly Road
East Syracuse, NY 13057

Primary Contact's Name: Ms. Susan Kimmel, Managing General Partner

E-Mail address: skimmel@2plus4mgt.com

Telephone Number: (315) 437-1808

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, RA
Title/Agency: Director, Environmental Analysis Unit

Date: October 23, 2009

Project Name: Pearce Tract Development
Project #: 20086016

Environmental Assessment **Site Specific Review**

Project Description:

Homsite Fund, Inc. proposes new construction of 15 semi-detached 2-story units for families for a total of 30 residential units, on an 8.5-acre site 355-357 Clark Street & 63-65 Belmont Avenue in the City of Auburn, Cayuga County. The project will consist of 20 2-bedroom and 10 3-bedroom units. There will be an on-site community building. 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 for 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:

The construction of this project will not cause any significant, adverse environmental impacts. On April 7, 2009, the city of Auburn Planning Board requested Lead Agency designation for an Unlisted, coordinated SEQR review of this project. DHCR consented to the Lead Agency status in a letter dated April 27, 2009 to the City of Auburn for subdivision of the 8.5-acre site and construction of 15 semi-detached 2-story units for families. On July 27, 2009, the Auburn Zoning Board "declared a Negative Declaration on SEQR and approved a use variance of the R1 Single Family Residential District for the purpose of constructing 30 Semidetached, dupley style homes (15 individual structures and a community building per submitted plans."

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]

On August 4, 2009, the Auburn Planning Board approved the site plan for the project. The approval was contingent on submission of a revised planting plan that complies with the buffer requirements of the City Code which requires a minimum 10 feet wide buffer be maintained along the property lines behind the residential homes which must be planted with 40 plant units for each 100 linear feet of property line.

Project Name: Pearce Tract Development
Project #: 20086016

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):

Phase I Environmental Site Assessment (ESA), prepared by Development & Environmental Consultants, Inc. dated February 2009

Thermal/Explosion and Noise Assessment prepared by Environmental Insite, Inc. dated 9/28/09.

EPA Map of Radon Zones for New York State

NYS Office of Parks, Recreation and Historic Preservation impact

NYS DEC Freshwater Wetland Map

U.S. Dept. of Interior National Wetland Inventory Map

NYS DEC Coastal Erosion Hazard Map

Flood Insurance Rate Map Panel Number 36011C0311E, dated August 2, 2007.

APPENDIX A
Statutory Checklist

Site Specific
[24CFR §58.5 and 58.6]

Project #: **20086016**
Project Name: **Pearce Tract Development**
Project Address: 355-357 Clark Street & 63-65 Belmont Avenue
City of Auburn, Cayuga County

Date: October 23, 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 14.09 of the New York Parks, Recreation and Historic Preservation Law. A letter from the NYS Office of Parks, Recreation and Historic Preservation, dated February 25, 2009 indicates that the proposed construction will have "No Impact" upon cultural resources in or eligible for inclusion in the National Registers of Historic Places. A THPO project review request was submitted to Mr. Clint Halftown, National Representative of the Cayuga Nation of New York in Versailles, NY on July 10, 2009. No response has been received from the Nation.
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 36011C0311E dated August 2, 2007.
Wetlands Protection [Executive Order 11990]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	According to a letter written by Ianuzi & Romans Land surveying, P.C. dated October 23, 2009, there are no New York State wetlands (or wetlands buffer) on the site or that will be disturbed. Likewise, U.S. Fish & Wildlife National Wetlands online mapping of the site indicates that there are no Federal wetlands located on the site. A storm water pollution prevention plan (SWPPP) dated 5/7/09 was prepared for the site by RA Engineering, PLLC. An "Acknowledgement of Notice of Intent" letter dated 7/16/09 from DEC states that the project is eligible for coverage under General Permit No. GP-0-08-001 for the project construction activities. 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 April 6, 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"/>	Cayuga 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"/>	The site is located within the city limits of the City of Auburn. 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. Active Conrail railroad tracks are located approximately 1,185 feet south of the project site. A noise assessment was conducted by Environmental InSite, Inc. on October 20, 2009 for railway noise. The assessment determined that DNL of railway activities is less than less than 55 dB; noise attenuation is not required for the building. 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 Development & Environmental Consultants, Inc., dated February, 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 on October 23, 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 a September 28, 2009 report prepared by Environmental InSite, Inc. there is one 275- gallon above ground fuel oil storage tank located next to a barn behind a residence at 1752 Clark Street, located about 936 feet south-southwest of the subject property. While this tank is not within the acceptable separation distance, it is not within the line-of-sight to the project site and are located behind a barn and several residences. No further mitigation will be required.

			The report also states that there were no above ground storage tanks 20,000-gallons in size or greater found within a one-mile radius of the subject property.
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

NOTES:

Barbara H. Wigzell, RA

Preparer

October 23, 2009

Date

APPENDIX B
Environmental Assessment Checklist
Site Specific

SHARS #: **20086016**
 Project Name: **Pearce Tract Development**
 Project Address: 355-357 Clark Street & 63-65 Belmont Avenue
 City of Auburn, Cayuga County

Date: October 23, 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	On July 27, 2009, the Auburn Zoning Board held a public hearing to consider and approve a variance request to allow the construction of 30 semidetached, duplex style homes and a community building in a R1 Single Family Residential District.
Compatibility and Urban Impact	2	On August 4, 2009, the Auburn Planning Board approved the site plan for the project. The approval was contingent on submission of a revised planting plan that complies with the buffer requirements of the City Code that requires a minimum 10 feet wide buffer be maintained along the property lines behind the residential homes that must be planted with 40 plant units for each 100 linear feet of property line.
Slope	1	Slopes on the project site are within acceptable limits.
Erosion	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 7/16/2009, has been received.
Soil Suitability	1	According to a "Subsurface Exploration and Foundation Report" prepared by CME Associates on April 15, 2009, soil borings and testing indicated suitable soil conditions for the construction of the project. The report also provided guidance on foundation design based on soils testing results.

Hazards and Nuisances including Site Safety	1	Typical issues of dust and construction noise will occur during the construction period. These effects will be addressed under existing regulations governing construction activity within the City of Auburn.
Energy Consumption	2	The project design complies with DHCR's Green building Initiative and Energy Efficiency Initiative, which include sustainable building practices, improved energy performance, comfort and simplified maintenance requirements that lead to energy efficiency of 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	2	<p>The project will not contribute to community air pollution levels due to significant levels of traffic or unusually high concentrations of stationary source emissions (boiler emissions). Cayuga County is not in a nonattainment area.</p> <p>Since the project is for residential use there will be no significant increase in traffic.</p> <p>The Green Building and Energy Efficiency Initiatives will promote improved energy performance and environmental practices.</p>
Environmental Design Visual Quality - Coherence, Diversity, Compatible Use and Scale	2	<p>The City of Auburn has a Strategic Plan, which was prepared for HUD for 2005-2009 and a city commissioned housing study, prepared by Novagradic & Company. The Strategic Plan states that according to the 2000 Census, the private market may not be meeting the needs of very low and low-income households including a specific objective of upgrading the quality of substandard rental units.</p> <p>The Novagradic Study concluded that the City underutilized the Tax Credit Program as a means of providing additional funding for multifamily development in Auburn. The Study concluded that providing additional units to low-income renters of one of the high objectives and that developing these units over the next five years, starting in 2007; half of which should be targeted to families. The Auburn city Council adopted a resolution endorsing the findings of the Novagradic Study.</p> <p>The project will result in the development of new residential affordable housing for families. Construction of this facility will compliment the City of Auburn's goals to foster affordable housing.</p>
Socioeconomic		
Demographic Character Changes	2	Occupancy of the proposed project is based on analysis of current

		residents in the market area. The tenants are expected to be for the most part current residents of that market area.
Displacement	1	The project is new construction and will not result in a displacement of any residents.
Employment and Income Patterns	2	Construction of this project will result in temporary construction jobs for the duration of the construction. Upon completion of the project, operations of the project will create two part time permanent positions.
Community Facilities and Services		
Educational Facilities	1	While this is a family project, it is not anticipated to impact the local schools since most of the tenants are expected to already be part of the school district.
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	This proposed 30-unit project will not add a significant demand on health services since most of the tenants are already living in the market area and are current users of the health care system.
Social Services	1	This proposed 30-unit project will not add a significant demand on social services since most of the tenants are already living in the market area and are current users of that system.
Solid Waste	1	The proposed project will not place a significant demand on solid waste disposal services and a private vendor for removal will be utilized.
Waste Water	1	The project will not place a significant demand on wastewater disposal services. Municipal water and sewer services are available to the site.
Storm Water	2	A storm water pollution prevention plan (SWPPP) dated 5/7/09 was prepared for the site by RZ Engineering, PLLC. An "Acknowledgement of Notice of Intent" letter dated 7/16/09 from DEC states that the project is eligible for coverage under General Permit No. GP-0-08-001 for the project construction activities. Proper erosion and sediment control measures must be installed and maintained for the duration of the construction activities on the site. The City of Auburn Engineer reviewed the SWPPP.
Water Supply	1	Water is being provided th the City of Auburn. The project will not place a significant demand on the water supply. The City has indicated that it has capacity for both sewer and water.

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 project is not expected to have any significant impact on the local fire protection services. The fire department participates in the Design Review Committee and has not expressed any concerns about being able to service this facility. There are currently two fire barns servicing the City.
- Emergency Medical	1	The project is not expected to impact the emergency medical facilities, which is provided by TLC Emergency Medical Services, a private contract provider for the City of Auburn. Most tenants will come from the Auburn area, where they are currently able to receive service.
- Open Space	1	The project residents are not expected to place a significant demand on open space and recreation facilities in the City and the proposed layout of the site will enhance open space and recreational opportunities for the tenants and their children.
- Recreation	1	The project residents are not expected to place a significant demand on open space and recreation facilities in the City and the proposed layout of the site will enhance open space and recreational opportunities for the tenants and their children.
- Cultural Facilities	2	The project will not result in a significant impact on cultural resources
- Transportation	1	The project is not expected to place a significant demand on transportation resources in the area.
Natural Features		
Water Resources	1	The project is not expected to place a significant demand on water resources in the area.
Surface Water	1	The project is not expected to place a significant demand on surface water resources in the area.
Unique Natural Features and Agricultural Lands	1	The project is not expected to place a significant demand on unique natural features and agricultural lands in the area.
Vegetation and Wildlife	1	The New York Heritage Program and the U.S. Fish and Wildlife Service have determined that there are no rare, endangered or threatened species in the project area. The project is not expected to place a significant demand on vegetation resources in the area.
Flood Disaster Protection Act [Flood Insurance]	1	The Code Enforcement Officer for the City of Auburn has confirmed that the parcel is not in a flood plain.

Coastal Barrier Resources Act/ Coastal Barrier Improvement Act [§58.6(c)]	1	The site is not located in a coastal area.
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		
Other Factors		
Other Factors		

Comments:

Barbara H. Wigzell, RA
Preparer

October 23, 2009
Date

END OF ENVIRONMENTAL ASSESSMENT CHECKLIST