

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

August 17, 2009

SENT VIA ELECTRONIC AND U.S. MAIL

Len Sedney, Director of Environmental Services
New York State Housing Finance Agency
641 Lexington Avenue,
New York, NY 10022

Re: Stonewood Village LLC
Stonewood Village
200 Myrtlewood Drive, Henrietta, Monroe County

Dear Mr. Sedney:

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 based this 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 August 13, 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 with the New York State Environmental Quality Review Act (SEQRA), concurs with the NYS Housing Finance Agency's SEQR determination of Type II action.

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

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 #: N.A.
Project Sponsor: **Stonewood Village LLC**
Project Name: **Stonewood Village**
Project Site Address: 200 Myrtlewood Drive (A.K.A. 3410 East Henrietta Road
Henrietta, New York 14467
Project County: Monroe
Estimated project costs: \$32,379,492
Total TCAP Award: \$ 5,992,000
Project Sponsor Address: 7 Prince Street
Rochester, NY 14607
Primary Contact's Name: Len Sedney
NYS Housing Finance Agency
E-Mail address: lsedney@nyhomes.org
Telephone Number: 212-872-0468
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 NYS Housing Finance Agency 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: Len Sedney
Title/Agency: Director, Env.Services
New York State Housing Finance Agency

Date: 8/13/09

Project Name: Stonewood Village
SHARS #: N.A.

Environmental Assessment **Site Specific Review**

Project Description:

Funding from HUD's Tax Credit Assistance Program (TCAP) is being sought in connection with a project known as Stonewood Village (the "Project"). The Project consists of the acquisition and rehabilitation of a 188 unit multifamily rental development located at 200 Myrtlewood Drive (also known as 3410 East Henrietta Road) in Henrietta, Monroe County, New York.

The Project is the combination of 31 townhomes for low-income families (which each contain 4 three-bedroom apartments) and two, 2-story apartment buildings which each contain 31, one-bedroom apartments for tenants who are elderly and /or have disabilities. Two additional units are currently used as community and office space and are not revenue producing. 100% of the revenue-generating units, or 187 units, are expected to be set aside for tenants with incomes at or below 60% of the Area Medium Income ("AMI") for the Rochester, NY MSA, adjusted for family size.

The rehabilitation will create a community room and a connection between the two apartment buildings for the elderly and people with disabilities. This addition will free up two apartments, which are currently used as community and office space, allowing 187 units to be rented to tenants and the creation of a one bedroom superintendent's unit. Upon completion of the rehabilitation there would be no change in the number of dwelling units which would remain at 188.

The Borrower proposes a substantial rehabilitation to be undertaken with tenants in place. The proposed scope of work consists of interior and exterior capital improvements and apartment upgrades. Major improvements to the 30-year old complex include new kitchen cabinets and bathroom vanities, elevator upgrades in the two apartment buildings, new security system, new siding, new roofing, new windows, new flooring, and landscaping.

The project is determined to be categorically excluded according to 24 CFR 58.35(a)(3)(ii).

The project has been determined to be a Type II SEQR action.

Summary of Findings and Conclusions

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

(Identify other reasonable courses of action that were considered and not selected, such as other sites, design modifications, or other uses of the subject site. Describe the benefits and adverse impacts to the human environment of each alternative and the reasons for rejecting it.)

No alternatives considered. Project is a substantial rehab of two multi-family residential buildings that were initially constructed in 1977 - 1979.

No Action: Under no-action conditions, the existing buildings on the project site would remain in their current state with building conditions continuing to deteriorate. The residential buildings would lose an opportunity of a funding source for needed improvements.

Action: See "Project Description" above.

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

(Recommend feasible ways in which the proposal or its external factors should be modified in order to minimize adverse environmental impacts and restore or enhance environmental quality.)

A Pre-Renovation Asbestos survey was completed. Asbestos containing materials were found in floor tiles and roofing materials. Asbestos abatement specification have been prepared as part of the work scope. All materials to be removed must be disposed of according to the requirements of the NYS Department of Labor regulations at 12 NYCRR Part 56, as amended.

THE FOLLOWING DOCUMENTS ARE AVAILABLE FOR REVIEW BY REQUEST TO THE HFA CERTIFYING OFFICER at: LSedney@nyhomes.org or (212) 688-4000, ext. 468.

Additional Studies Performed

Phase I Environmental Assessment- Passero Associates- September, 2008
Pre-Renovation Asbestos Survey - Senior Buildings, Building 200 & Common Areas, Delta Engineers, September, 2008
Pre-Renovation Asbestos Survey - Senior Buildings, Building 200 & Common Areas, Delta Engineers, September, 2008
Pre-Renovation Asbestos Survey - Pool Building, Delta Engineers, September, 2008
Pre-Renovation Asbestos Survey - Maintenance Building, Delta Engineers, September, 2008
Pre-Renovation Asbestos Survey - Building 13, Delta Engineers, September, 2008
Suspect Hazardous Material and PCB caulk Survey Report, Delta Engineers, September, 2008
Lead-Based Paint Inspection and Risk Assessment Report - LEW Corp.- 1/27/05
Lead Test Clearance, Elston Hernandez, Risk Assessor, January, 2009
Existing Conditions Report, Delta Engineers, 10/01/2008

List of Attachments

1. Environmental Assessment Checklist Site Specific
2. Statutory Checklist Site Specific
3. No Impact Determination from the NYS Office of Parks, Recreation and Historic Preservation & Documentation of Consultation with THPO
4. Flood Insurance Rate Map; Community Panel # 36055C0361G
5. Phase I Environmental Assessment- Passero Associates- September, 2008
6. Pre-Renovation Asbestos Survey - Senior Housing Buildings, Buildings 100 & 200 & Common Areas, Delta Engineers, September, 2008
Pre-Renovation Asbestos Survey - Pool House, Delta Engineers, September, 2008
Pre-Renovation Asbestos Survey - Maintenance Building, Delta Engineers, September, 2008
Pre-Renovation Asbestos Survey - Building 13, Delta Engineers, September, 2008
7. Asbestos Abatement Specifications
8. Lead-Based Paint Inspection and Risk Assessment Report - LEW Corp.- 1/27/05
9. Lead Test Clearance, Elston Hernandez, Risk Assessor, January, 2009
10. Suspect Hazardous Material and PCB Caulk Survey Report, Delta Engineers, September, 2008
11. Radon Test Results, Paradigm Environmental Services, Inc. August 5, 2009
12. HFA Type II SEQR Determination

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

NYS Office of Parks, Recreation and Historic Preservation (OPRHP);
U.S. Federal Emergency Management Agency (FEMA)
Julie Everitt, Rural Opportunities, Inc.

Statutory Checklist

Site Specific

[24CFR §58.5 and 58.6]

SHARS #: N.A.
 Project Name: Stonewood Village
 Project Address: 200 Myrtlewood Drive
 Henrietta, Ny 14467

Date: August 13, 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 New York State Office of Parks, Recreation and Historic Preservation (NYS OPRHP) was consulted and the proposed project will not have any adverse impacts upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places (See attached letter from NYS OPRHP dated 8/25/08. The Tribal Historic Preservation Office was consulted (See attached Letter to THPO dated 8/11/09)
Floodplain Management [24 CFR 55, Executive Order 11988]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Project not located in "Special Flood Hazard Area". Located in Zone "X" on Flood Insurance Rate Map # 36055 C 0361 G (attached).
Wetlands Protection [Executive Order 11990]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Project is not located within a federally identified wetland. Projects involving rehabilitation of existing structures are not required to be reviewed for consistency with Executive Order 11990.
Coastal Zone Management Act [Sections 307(c),(d)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The proposed project is not located within the boundaries of New York State's Coastal Zone. Projects involving rehabilitation of existing structures (without a change in building footprint or use) do not require review for consistency with the Coastal Zone Management Act (CZMA).
Sole Source Aquifers [40 CFR 149]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The proposed project is not located with an area overlying a sole source aquifer. Projects involving rehabilitation of existing structures are not required to be reviewed for consistency with 40 CFR 149.
Endangered Species Act [50 CFR 402]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Proposed project is a preexisting project. The proposed project will not result in any significant effects related to the Endangered Species Act. Buildings proposed for rehabilitation are not required to be reviewed for consistency with 50 CFR 402.
Wild and Scenic Rivers Act [Sections 7 (b), (c)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Project not in proximity to a Wild, Scenic or Recreational river.
Air Quality [Clean Air Act, Sections 176 (c) and (d), and 40 CFR 6, 51, 93]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The proposed project would not generate significant levels of traffic, therefore no exceedance of the National Ambient Air Quality Standard (NAAQS) associated with criteria contaminants would result. Residential uses are below de minimis air quality impact levels set by U.S. EPA and therefore no significant impacts on air quality will result.
Farmland Protection Policy Act [7 CFR 658]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Project will not impact Prime, Unique or Statewide Important Farmland. Urban land is exempt from 7 CFR 658 if already committed to urban development.
Environmental Justice [Executive Order 12898]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project is intended to serve an existing need for affordable housing. The project will have no adverse health or environmental effects which disproportionately impact a minority or low-income population relative to the community at large.
Noise Abatement and Control [24 CFR 51 B]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project is not located within 15 miles of a functioning military airport, 1000 feet of a major road, 3,000 feet of a rail line or 5 miles of a civil airport. No impact.

Toxic or Hazardous Substances and Radioactive Materials [HUD Notice 79-33]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Phase I Environmental Site Assessment was completed in September, 2008. The Phase I identified Recognized Environmental Conditions (REC's) at the site. The following recommendations were included in the Report to mitigate the impacts of potentials REC's:</p> <p>1.) An asbestos containing material (ACM) survey has been completed. Asbestos abatement is planned at the site. Abatement contract specifications are attached. ACM removal & disposal during rehabilitation will conform to NYS Department of Labor regulations, 12 NYCRR Part 56. Following abatement, final clearance documents from an independent third party will be submitted.</p> <p>2.) A Lead-Based Paint Inspection and Risk Assessment Report was completed. The results of the Inspection and Risk Assessment indicate that no lead in amounts greater than regulatory levels were exceeded, although lead hazards in the form of lead dust were present. Further dust samples were collected at a later date as part of a Lead Test Clearance and dust samples were within acceptable levels. All rehabilitation work will be done in compliance with 24 CFR Part 35 "Lead-based Poisoning Prevention in Certain Residential Structures".</p> <p>3.) Suspect PBC-containing fluorescent ballasts and tubes were identified in Building 200 and the Pool House and maintenance building. The materials will be disposed of in accordance with appropriated federal, state and local regulations.</p> <p>The project is located in Zone 2 for radon indicating the predicted average indoor level in the area is between 2 and 4 pCi/L, below the US EPA guidance level for corrective action of 4,0 pCi/l. In 2007, the NYS DOH conducted a basement radon survey in NYS. The average level of 2.08 pCi/l was measured in the Town of Henrietta. Radon testing was completed on August 5, 2009 with the highest level measured at 1.2 pCi/L.</p> <p>The Physical Needs Assessment (PNA) did not identify mold/moisture as an issue.</p>
Siting of HUD-Assisted Projects near Hazardous Operations [24 CFR 51 C]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Project not located within proximity to a stationary hazardous facility that stores, handles or processes chemicals or petrochemicals of an explosive or flammable nature in above-ground storage tanks. Rehabilitation projects are exempt from separation distance standards, except where unit density is increased.</p>
Airport Clear Zones and Accident Potential Zones [24 CFR 51 D]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Project not located within 3,000 feet of civil airport runway or 15,000 feet of military airfield runway.</p>

NOTES:

Len Sedney, Director, Environmental Services, NYS Housing Finance Agency

Preparer

August 13, 2009

Date

END OF STATUTORY CHECKLIST

Environmental Assessment Checklist Site Specific

SHARS #: **N.A**
 Project Name: **Stonewood Village**
 Project Address: 200 Myrtlewood Drive (A.K.A. 3410 East Henrietta Road
 Henrietta, New York 14467
 Date: August 13, 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	The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Land Development feature of the Environmental Assessment Checklist.
Compatibility and Urban Impact	1	The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Land Development feature of the Environmental Assessment Checklist.
Slope	1	The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Land Development feature of the Environmental Assessment Checklist.
Erosion	1	The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Land Development feature of the Environmental Assessment Checklist.
Soil Suitability	1	The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Land Development feature of the Environmental Assessment Checklist.

Hazards and Nuisances including Site Safety	1	The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Land Development feature of the Environmental Assessment Checklist.
Energy Consumption	1	The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Land Development feature of the Environmental Assessment Checklist. The project will comply with HFA's Green Guidelines which requires rehab projects to provide ENERGY STAR rated appliances and water conservation rated plumbing fixtures.
Neighborhood Impacts		
Noise - Contribution to Community Noise Levels	1	The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Neighborhood Impacts feature of the Environmental Assessment Checklist.
Air Quality - Effects of Ambient Air Quality on Project and Contribution to Community Pollution Levels	1	The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Neighborhood Impacts feature of the Environmental Assessment Checklist.
Environmental Design Visual Quality - Coherence, Diversity, Compatible Use and Scale	1	The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Neighborhood Impacts feature of the Environmental Assessment Checklist.
Socioeconomic		
Demographic Character Changes	1	The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Socioeconomic feature of the Environmental Assessment Checklist.
Displacement	1	The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Socioeconomic feature of the Environmental Assessment Checklist.

Employment and Income Patterns	1	The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Socioeconomic feature of the Environmental Assessment Checklist.
Community Facilities and Services		
Educational Facilities	1	The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Community Facilities and Services feature of the Environmental Assessment Checklist.
Commercial Facilities	1	The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Community Facilities and Services feature of the Environmental Assessment Checklist.
Health Care	1	The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Community Facilities and Services feature of the Environmental Assessment Checklist.
Social Services	1	The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Community Facilities and Services feature of the Environmental Assessment Checklist.
Solid Waste	1	The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Community Facilities and Services feature of the Environmental Assessment Checklist.
Waste Water	1	The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Community Facilities and Services feature of the Environmental Assessment Checklist.
Storm Water	1	The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Community Facilities and Services feature of the Environmental Assessment Checklist.
Water Supply	1	The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Community Facilities and Services feature of the Environmental Assessment Checklist.
Public Safety - Police	1	The proposed rehab project has been determined to be a

		<p>categorical exclusion. Therefore, the project is not required to be assessed for this Community Facilities and Services feature of the Environmental Assessment Checklist.</p>
- Fire	1	<p>The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Community Facilities and Services feature of the Environmental Assessment Checklist.</p>
- Emergency Medical	1	<p>The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Community Facilities and Services feature of the Environmental Assessment Checklist.</p>
- Open Space	1	<p>The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Community Facilities and Services feature of the Environmental Assessment Checklist.</p>
- Recreation	1	<p>The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Community Facilities and Services feature of the Environmental Assessment Checklist.</p>
- Cultural Facilities	1	<p>The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Community Facilities and Services feature of the Environmental Assessment Checklist.</p>
- Transportation	1	<p>The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Community Facilities and Services feature of the Environmental Assessment Checklist.</p>
Natural Features		
Water Resources	1	<p>The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Natural Features component of the Environmental Assessment Checklist.</p>
Surface Water	1	<p>The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Natural Features component of the Environmental Assessment Checklist.</p>

Unique Natural Features and Agricultural Lands	1	The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Natural Features component of the Environmental Assessment Checklist.
Vegetation and Wildlife	1	The proposed rehab project has been determined to be a categorical exclusion. Therefore, the project is not required to be assessed for this Natural Features component of the Environmental Assessment Checklist.
Flood Disaster Protection Act [Flood Insurance]	1	Project not located in "Special Flood Hazard Area". Located in Zone "X" on Flood Insurance Rate Map # 36055 C 0361 G.
Coastal Barrier Resources Act/ Coastal Barrier Improvement Act [§58.6(c)]	1	No impact. Project is not within the Coastal Barrier Resources System (U.S. FWS) or a Coastal Erosion Hazard Area (NYS DEC)
Airport Runway Clear Zone or Clear Zone Disclosure [§58.6(d)]	1	No impact. The proposed Project is not located within a airport runway clear zone.
Other Factors		
Other Factors		
Other Factors		

Comments:

Len Sedney, Director, Environmental Services, NYS Housing Finance Agency
Preparer

August 13, 2009
Date

END OF ENVIRONMENTAL ASSESSMENT CHECKLIST