JOINT
STATEMENT OF FINDINGS

TOWN OF COLONIE
COUNTY OF ALBANY

FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT
AIRPORT AREA
ALBANY COUNTY, NEW YORK

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GENERAL

The Town of Colonie, Village of Colonie, and County of Albany authorized the preparation of a Generic Environmental Impact Statement (GEIS) to address both the short- and long-term growth trends within an approximately 8,500-acre area surrounding the Albany County Airport. The Study Area is bounded on the north by the Mohawk River, on the west by New Karner Road (County Route 157) and Denison Road, on the south by the municipal boundaries of the Town and Village of Colonie, Sand Creek Road, I–87, and Central Avenue, and on the east by Wertman Lane, Albany Shaker Road (County Route 155), I-87, and Forts Ferry Road (see Exhibit I–A–1). Existing land use within the Study Area includes institutional, residential, commercial, industrial, and agricultural uses. Wolf Road, British American Boulevard, Northway Lane, and Avis Drive are predominantly developed as commercial, office park, or light industrial uses. Large areas of residential development are located north of NY Route 7, east of Forts Ferry Road, and to a lesser extent on both sides of Vly and Denison Roads.

Albany County institutional facilities include the County Jail, County Nursing Home, and Ann Lee Home. The County also owns and operates the Albany County Airport, and along with the Town of Colonie, jointly operates the Heritage Park Sports Facility. Several large parcels of undeveloped and preserve land proximate to these facilities are also under County ownership.

Immediately west and south of the Airport is the Ann Lee Pond Nature and Historic Preserve. This unique natural and historic resource consisting of 170.2 acres of public land is owned and has been dedicated as a preserve by Albany County. A portion of the preserve lies within the Watervliet Shaker Historic District. The preserve provides important educational and recreational opportunities for people living and/or working in or near this rapidly developing area.

Active agricultural lands, which total approximately 810 acres, exist within the Study Area and include the Wertman, Engel, and Coleman farms located along Albany Shaker Road. Other farms located south of NY Route 7 near Wade Road are in areas that have experienced some development pressure. Additional large agricultural parcels are located north and south of Watervliet Shaker Road at South Family Drive, east and west of Old Niskayuna Road, west of Vly Road, and west of Buhrmaster Road.

The Town of Colonie, Village of Colonie, and County of Albany directed Clough, Harbour and Associates to prepare both the Draft and Final GEIS. After thorough review by representatives from each respective jurisdiction, the Town of Colonie Planning Board, as lead agency under State Environmental Quality Review (SEQR), determined that the Draft Generic Environmental Impact Statement (DGEIS) was complete on September 4, 1990. The involved agencies, interested agencies, and the general public were encouraged to submit written comments during the comment period (September 4 through October 19, 1990) and verbal comments at the Public Informational Meeting (October 2, 1990) on the DGEIS. All substantive comments received, both written and verbal, were addressed in the Final Generic Environmental Impact Statement (FGEIS), which was determined as complete by the Town of Colonie Planning Board on March 5, 1991.

It is the intent of the Town Planning Board as lead agency, and the Town of Colonie Town Board and Albany County Legislature as involved agencies, to issue this joint Statement of Findings pursuant to 6 NYCRR Part 617.9 of SEQR. Specifically, these agencies hereby issue the following findings with respect to the evaluation of impacts and mitigation measures related to projected development in the Study Area as outlined in the FGEIS:

- consistent with social, economic, and other essential considerations from among the reasonable alternatives thereto, the action to be carried out is one which minimizes or avoids adverse environmental effects to the maximum extent practicable, including the effects disclosed in the relevant GEIS;

- consistent with social, economic, and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the GEIS process will be minimized or avoided by incorporating as conditions to the decision those mitigative measures which were identified as practicable; and,

- the GEIS is reasonably comprehensive and contains the facts and conclusions relied upon to support the Town and County's findings and indicates the social, economic, and other factors and standards which formed the basis of their findings.

The GEIS was prepared in response to current and projected development pressures in the Study Area, especially in light of existing deficiencies currently being experienced. Additionally, the GEIS reflects the recognition by the Town, Village, and County of the need to develop a comprehensive policy for future growth in the Study Area. The GEIS was developed to analyze future growth trends, associated impacts, and appropriate mitigation for a 15-year planning period. At the time this study was initiated, it was determined by the Town, Village, and County that the aforementioned planning period was a reasonable time frame for addressing the short- and long-term development and associated impacts in the Airport Area. Nevertheless, the Town and County now believe that a 20-year planning period is a more realistic and practical time frame in which to expect the projected level of growth and the magnitude of infrastructure improvements which are required to keep pace with anticipated development in the Study Area.

Pursuant to the regulatory requirements of SEQR for Generic Environmental Impact Statements (6 NYCRR Part 617.15), the Airport Area GEIS assesses both primary and secondary environmental impacts which are likely to result from projected growth within the Study Area. To the extent that certain impacts may require further analysis, it is recognized that the FGEIS may be supplemented pursuant to the governing regulations (6 NYCRR 617.3(k)(2); 617.15(b)).

A. DEMOGRAPHICS:

It was projected in the FGEIS that under the Cumulative Growth Scenario, the Study Area population would increase by approximately 51 percent during the planning period; however, as detailed in CDTC's Threshold Analysis for highway improvements in the Study Area (see Appendix A), it may be necessary to limit growth to about half of the Cumulative Growth projections thus yielding a population increase of approximately 25 percent. In either scenario, such increases in Study Area population will result in greater demands on infrastructure and community services which include utilities, municipal services, transportation systems, school systems, fire protection, and emergency rescue services.

Implementation of the short- and long-term planning strategies specified in Section B. Land Use and Zoning of this findings statement will mitigate potential impacts associated with projected growth in the Study Area. In order to support this level of growth, it is anticipated that various levels of government and parties responsible for new development will jointly fund capital improvements related to community services and infrastructure. This will serve to lessen the burden on Town, Village, and County resources while meeting the needs of residents and those employed in, shopping in, or otherwise making use of the Study Area.

B. LAND USE AND ZONING:

Preliminarily, it should be clarified that based on CDTC's Threshold Analysis for highway improvements in the Study Area (see Appendix A), as summarized in Section H. Transportation of this findings statement, future land use characteristics will reflect substantially less development than the forecast level of growth projected in the FGEIS's Cumulative Growth Scenario. It is nonetheless anticipated that projected growth trends in the Study Area will significantly change current land use characteristics. To address these changes in land use adequately, the following findings shall be considered:

B1. The Town and County recognize that land use in the Study Area must be tailored to a policy of "concurrency" between the funding of infrastructure/transportation improvements and implementation of the 1988 Land Use Management Program Technical Report prepared by the Town's Land Use Management Advisory Council (LUMAC). Assuming this premise, then most of the recommendations regarding land use management alternatives set forth in the LUMAC Technical Report should be formally adopted with the following exceptions:

a. the proposed down-zoning of lands between River Road and NY Route 7 to large lot residential is unacceptable in the area within the 65 ldn noise contour of Runway 1 of the Albany County Airport and should be rezoned for office, commercial, and/or light industrial uses; and,

b. the proposed rezoning of lands in the area of Sand Creek Road from an Undeveloped to Commercial district shall include measures such as buffering to enhance the compatibility of land uses adjacent to the Village and Town boundary.

B2. The pace of development specified in the FGEIS under the Cumulative Growth Scenario included development of 1,583 dwelling units, 4,836,802 square feet of office space, 726,806 square feet of retail space, 1,094,966 square feet of warehouse space, 600,000 square feet of industrial park development, and 130,100 square feet of manufacturing space. It was subsequently determined, however, that while transportation planning in response to this scenario may be feasible, the necessary roadway improvements are neither desirable nor affordable. Following a detailed analysis performed by CDTC, it was recommended that the traffic generated by approximately 50 percent of the Cumulative Growth Scenario in addition to the Airport could reasonably be accommodated. If at any time proposed development exceeds the capacity of associated infrastructure and other community facilities and services, then regulatory agencies of the Town and County shall and the Village should consider the institution of appropriate growth control measures to limit further development. If infrastructure and/or community facilities cannot be constructed, then the Town and County shall and the Village should consider controlling development densities in appropriate areas.

B3. It is anticipated that commercial development will continue throughout the Study Area. Residential development will be concentrated in the Study Area north of NY Route 7, east of Wolf Road between Albany Shaker and Sand Creek Roads, and in the Vly Road/Denison Road area; however, residential development and other noise sensitive uses shall be directed by the appropriate local land use controls away from noise impacted areas associated with the Airport.

B4. If future development in the Study Area is limited to 50 percent of the Cumulative Growth Scenario presented in the FGEIS, then approximately 21 percent of the agricultural lands in the Study Area may be developed by the end of the planning period. These lands are located entirely within the Town outside of the Village boundary. To achieve a balance between development and preservation of agricultural lands, the Town has authorized the voluntary preferential assessment of farmland. This practice should be continued and is adequate to meet the needs of agricultural business which farm lands within the Study Area.

B5. The Updated Airport Layout Plan and Land Use Study (hereinafter referred to as the "ALP") for the Albany County Airport identifies a phased implementation plan which outlines capital improvements to be undertaken at the Airport over a 20-year period. As a threshold point, it must be recognized that County Airport development is exempt from local zoning mandates as a public benefit project and pursuant to statutory authority (NYS General Municipal Law Section 350). Generally, this exemption extends to airport terminals, parking facilities, air freight facilities, and other uses incidental to airport operations. Despite the exempt status of County Airport improvement projects as delineated in the aforementioned ALP, any and all such projects are nonetheless subject to State and Federal environmental regulatory compliance. While the FGEIS has evaluated the generic ramifications of these proposed improvements, the specific impacts associated with implementation of individual ALP projects were not evaluated. Accordingly, Albany County recognizes the need for further environmental review under SEQR and NEPA.

C. TOPOGRAPHY, GEOLOGY, AND SOILS:

The Study Area includes a diversity of soil types and geologic conditions. The Town and County shall and the Village should establish guidelines to ensure, to the greatest extent practical, protection of soil from erosion and unnecessary loss of the natural vegetative cover due to anticipated development projected in the Study Area. To mitigate potential impacts related to the aforementioned resources, the following actions shall be implemented:

C1. Encourage cluster development and passive recreation in areas where the topography and/or soils present severe limitations.

C2. When blasting of bedrock is necessary, require all developers to adhere to the United States Bureau of Mine Blasting Procedures, as specified in the FGEIS.

C3. Require the submission of erosion control plans which conform to the requirements in New York State Guidelines for Urban Erosion and Sediment Control during the subdivision and site plan review process.

C4. Prohibit the installation of individual septic systems in areas with high groundwater and/or severe soil limitations.

C5. Require slope stability analyses prior to approval of development in areas that have a high potential for slope failure as shown on Exhibit II–C–5 in the FGEIS. A slope stability analysis generally should include test borings and/or test pits as required to define site specific soil conditions, possible additional field inspection, laboratory testing as required to determine the necessary soil parameters, and a calculation of the factor of safety against slope failure. Upon completion of such a slope stability analysis, a summary of recommendations shall be prepared to outline limitations for site development on or near critical slopes.

C6. Prohibit development on unstable slopes.

C7. Require that no earth embankments be constructed closer than 25 feet from the top of a slope found to be potentially unstable.

C8. Minimize clearing of existing vegetation within 10 feet of the top of unstable slopes, and prohibit the removal of existing ground cover below the top of any slope found to be potentially unstable. Care must be taken in the development of lawn areas to prevent conditions at the top of slope which might lead to concentration of drainage and development of erosion rills.

C9. Require that site grading be accomplished in such a manner to prevent the concentration of site drainage at the top of any potentially unstable slope.

C10. Require that all collected storm or foundation drainage be directed to the bottom of all slopes in adequately designed structures. In most cases, ditches or swales should be lined with crushed stone and/or rip rap.

C11. Site grading should be designed such that it promotes positive drainage to prevent the undesirable impoundment or ponding of stormwater runoff. If recharge basins are found to be required for a specific site, then a detailed analysis of groundwater seepage from such structures as well as any impacts on adjacent slopes should be required.

C12. Earth fills should generally be limited to those for landscaping purposes only. Typically, earth fill should only be permitted to within 10 feet of the top of a slope. Fill grading beyond this point should usually be limited to gently sloping grades away from the top of a slope. Maximum fill heights should be determined based upon additional analysis as previously described.

D. VEGETATION, WILDLIFE, AND AQUATIC ECOLOGY:

A mixture of forest, wetlands, pasture, farmland, and stream systems provide a wide diversity of plant and animal habitats. The Cumulative Growth Scenario will have an impact on both vegetation and wildlife. The removal of vegetative cover will reduce the habitat available to support wildlife. To address the aforementioned impacts to the natural habitat in the Study Area adequately, the following mitigation measures are recommended for projects reviewed or undertaken by the Town, Village, or County:

D1. Significant vegetative communities and significant habitats should be protected directly through actions by the Town, Village, and County as specified in this section of the findings statement. These communities and habitats are found associated with Ann Lee Pond, Stump Pond, and the Mohawk River.

D2. Development proposals in the vicinity of wild lupine sites (sites 1, 2, and 3 shown on Exhibit II–D–3 of the FGEIS) should be evaluated through on–site investigation relative to potential occupation by the Karner blue butterfly.

D3. Development proposals in areas of potential significant wildlife habitat, as specified in D1 above, should be required to include an evaluation of potential adverse impacts to those resources based on detailed on-site field investigations.

D4. The following mitigation measures as identified in Section II.D of the FGEIS shall be considered by the Town and Village for minimizing impacts to wetlands within the Study Area:

a. requiring site specific wetland surveys where appropriate;

b. adopting a policy of no uncompensated net loss of wetlands; and,

c. establishing conservation districts, easements, and greenbelts where appropriate.

D5. Vegetation and wildlife impacts from potential development may be minimized through the establishment of zoning overlay districts consistent with the greenbelts specified on Exhibit II–D–5 of the FGEIS. Any development proposals in the greenbelt overlay districts shall be required to incorporate the greenbelt into the project design. The Town and Village may adopt specific design guidelines for such an overlay district which should include a minimum (e.g. 50 percent) open space requirement.

D6. Establishment of greenbelt areas may also be accomplished through selective public acquisition of property. Monies for acquisition may be raised from future subdivisions through the collection of money in lieu of parkland. Without this or a similar funding mechanism to offset acquisition costs, outright acquisition would likely constitute a prohibitive fiscal burden to local government.

D7. Transfer of Development Rights may also be considered for establishment of greenbelt areas; however, as with outright acquisition, this method of greenbelt establishment would require a significant and potentially unacceptable commitment of municipal resources.

D8. Conservation Easements represent a viable and comparatively cost-effective means for establishing identified greenbelts. This could be accomplished under the provisions of Section 247 of New York State General Municipal Law whereby a municipality can acquire by grant, the easement to land for the preservation of open space which would "maintain or enhance the conservation of natural or scenic resources."

E. GROUNDWATER:

It is recognized that groundwater is an important resource that must be protected. Groundwater within the Study Area is found in two sources; the shallow deposits of windblown lake sand and the deep, unconsolidated deposits of stratified drift. The Study Area also contains widespread deposits of underlying clay which create seasonally high groundwater conditions. In an effort to reduce impacts to groundwater, the following measures shall be considered for projects proposed in areas which may result in impacts to groundwater supply and/or quality:

E1. Where foundations may intersect the groundwater table, the following or substantially comparable measures shall be required:

a. at a minimum, an exterior 4-inch ADS foundation drain shall be installed for basement foundations and shall be backfilled with #2 stone and connected to the interior perimeter drain and interior sump pump; and,

b. waterproofing of foundation walls shall be required.

E2. Every effort shall be made to extend public sewer systems to all new areas which are developed. Where public sewer is not available or reasonably accessible, all new septic systems in the Study Area shall be required to meet Albany County Department of Health standards.

E3. Every effort shall be made to extend public water systems to all new areas which are developed. Where public water is not available or reasonably accessible, all new private groundwater supplies in the Study Area shall undergo water quality and quantity testing in accordance with Albany County Department of Health standards.

E4. Underdrains shall be required for roadway construction in areas of high groundwater.

E5. Proper containment shall be required for potential contaminants associated with any new development, e.g. containment for above ground tanks and proper design for underground tanks in accordance with NYSDEC standards.

E6. Floor drains should be prohibited in newly developed buildings unless contained or provided with pre-treatment and connection to public sewer.

E7. Although emergency Latham Water District wells in the Study Area have been scheduled for abandonment due to treatability and insufficient groundwater sources, the Town should nonetheless implement measures to protect the groundwater underlying the Loudonville esker. These could include an Aquifer Overlay Protection Zone or implementation of NYSDOH model Watershed Rules and Regulations.

F. HYDROLOGY, DRAINAGE, AND WATER QUALITY:

It is recognized that future development will have an impact on stormwater drainage characteristics in the Study Area. To minimize impacts to the hydrology, drainage, and water quality, the following actions shall be implemented:

F1. Peak runoff rates from project sites after development shall not exceed rates prior to development by more than 10 percent or 1 cubic foot per second (cfs), whichever is less, based on a 10–year storm frequency.

F2. Storage capacity shall be provided on project sites for excess flows resulting from development based on a 25–year storm frequency.

F3. Provisions for overflow of stormwater for all stormwater management facilities shall be made to prevent loss of life and damage to personal property for storms of up to 100-year frequency.

F4. Provisions must be made for continued conveyance of drainage entering a project site from upland watershed areas.

F5. Provisions must be made for positive drainage from project sites to an existing storm sewer system or drainage course.

F6. The following stormwater management measures shall be implemented to reduce flooding potential in the Shaker Creek watershed:

a. limit the 10–year post–development peak flow to the 10–year predevelopment level;

b. limit the 25–year post–development discharge to the 25–year predevelopment level;

c. limit the 50–year post–development discharge to the 50–year predevelopment level;

d. ensure that overflow design capacities of all stormwater retention/detention basins meet NYSDEC Dam Safety Regulations; and,

e. incorporate New York Guidelines for Urban Erosion and Sediment Control into existing stormwater management regulations.

F7. Albany County shall continue efforts to meet stream standards for the discharge of propylene glycol into Shaker Creek and thus reaffirm its commitment to the protection of the Latham Water District's raw water intake located downstream from the Creek in the Mohawk River. Additionally, if future events should warrant, the County will participate in a cooperative effort with the District to identify alternatives to drawing raw water from the Mohawk River.

G. UTILITIES:

The Town and County recognize that projected development within the Study Area will require the extension and improvement of the infrastructure system. The conditions of County and Village utilization of Town-owned utilities will be established by negotiated contract. The following findings relate to ensuring the provision of adequate service to support proposed private development in the Study Area:

G1. The Niagara Mohawk Power Corporation has indicated that they are able to provide adequate electric and natural gas service to support projected development in the Study Area; however, improvements to the electric and gas distribution systems will be required. It is understood that developers and Niagara Mohawk Power Corporation will be responsible for all capital improvement costs, including connection costs, associated with the expansion of these utilities.

G2. New York Telephone has indicated that they are able to meet the communications needs of its customers as required. The cost of any communications improvements undertaken to support projected development,including connection costs, will be the responsibility of developers and New York Telephone.

G3. The principal public water supply system serving the Study Area is owned and operated by the Latham Water District (LWD). The Village of Colonie purchases water from the LWD and administers its distribution within the Village. For the purposes of the FGEIS, however, the issue of water supply is discussed under one entity, the LWD. The LWD filtration plant currently provides an average of 10.5 MGD and has a design peak capacity of 22.5 MGD. If future development in the Study Area is limited to 50 percent of the Cumulative Growth Scenario, then additional average daily water demand in the Study Area will be approximately 0.6 MGD at the end of the planning period.

G4. The LWD has identified the need to provide more water to meet future needs. The additional source of supply may include expansion of the Mohawk View Filtration Plant, groundwater sources, and/or purchase of water from other municipal sources. Accordingly, to meet future projected water demands, the LWD may have to secure approval from the NYSDEC to draw additional water from the Mohawk River, undertake improvements at the filtration plant, and/or develop intermunicipal service connections with neighboring water systems.

G5. The following findings pertain to the water system pumping improvements which must be undertaken by the end of the planning period:

a. modify and upgrade the existing Mohawk View Low Lift Pump Station;

b. modify and upgrade the existing Mohawk View High Lift Pump Station, including an addition to the existing building, new pumps, electrical improvements, and instrumentation work;

c. construct a new High Pressure Zone Pumping Station serving the Denison Road area above the elevation of 410 feet; and,

d. construct a new booster station on the existing Vly Road 24–inch main to provide better distribution in the Airport Area, Village of Colonie, and areas to the west of the Study Area.

G6. As regards water system storage improvements which must be undertaken by the end of the planning period, it will be necessary to construct a new 400,000 to

500,000-gallon storage tank west of Denison Road to provide service to areas over elevation 410.

G7. The following findings pertain to the water system transmission improvements which must be undertaken by the end of the planning period:

a. concurrent with the planned reconstruction of NY Route 7 by the NYSDOT, construct a new 12–inch main along the north side of NY Route 7 from Wade Road to the Niskayuna Town line;

b. install 400 LF of new 16–inch main to connect the existing 16–inch main on Forts Ferry Road with the new 12–inch main on NY Route 7 described above;

c. construct 4,400 LF of new 16–inch main to connect the Denison Road Storage Reservoir with the proposed storage tank to provide service to areas above elevation 410 feet and provide an emergency connection for the west portion of the Town;

d. construct 2,400 LF of new 12–inch main along Sand Creek Road from Watervliet Shaker Road to the Colonie Village line; and,

e. install 4,800 LF of new 4–inch transmission main from the Mohawk View Treatment Plant to the distribution system to allow additional finished water to enter the distribution system and avoid high discharge pressures.

G8. The following findings pertain to the water system distribution improvements which must be undertaken by the end of the Planning period:

a. Vly Road/Denison Road: necessary interconnections with high pressure system (pumping station, storage tank, etc.) primarily to service areas over elevation 410 and provide an emergency back–up supply for the Study Area;

b. Airport Area/Sicker Road: construct a new 12–inch main to connect with an existing 12–inch main on Albany Shaker Road;

c. Mill Road: connect an existing 20–inch main at Vandenburg Lane with a new 2O-inch main on NY Route 7;

d. Old Niskayuna Road: replace existing 1O–inch main under Old Niskayuna Road with new 16–inch main from NY Route 7 to Watervliet Shaker Road;

e. Old Wolf Road: replace existing 10–inch main with a new 16–inch main on Old Niskayuna Road from Watervliet Shaker Road to Albany Shaker Road. This line would continue east on Albany Shaker Road to connect with the existing 10–inch main on Wolf Road;

f. Rensselaer Avenue: construct a new 8–inch main along Rensselaer Avenue to connect existing lines on NY Route 7 to Avis Drive;

g. South Family Drive: at present no water service is available in this area with the exception of a 2–inch service for existing buildings. Therefore, a new 8–inch water line should be installed to connect existing water lines on Watervliet Shaker and Sand Creek Roads;

h. Sicker Road: replace the existing 6- and 8–inch mains with a new 8–inch main from Albany Shaker Road to the end of Sicker Road;

i. Wade Road: replace existing 8–inch main with a new 16–inch main from NY Route 7 to Old Niskayuna Road; and,

j. Airline Drive: construct a new 12–inch main to interconnect with new or existing water lines on South Family Drive or Sand Creek Road.

G9. The public sewer systems in the Study Area are controlled by three separate sewer agencies: the Albany County Sewer District (ACSD), the Town of Colonie Pure Waters Department, and the Village of Colonie. Sewage collected in the Village of Colonie is conveyed to the ACSD for treatment. Sewage collected from the Sand Creek Road and Wolf Road portion of the Study Area lie within the ACSD. Remaining sewerage facilities within the Study Area are owned and maintained by the Town of Colonie Pure Waters Department.

If future development in the Study Area is limited to 50 percent of the Cumulative Growth Scenario, then additional average daily sewage flows from projected development in the Study Area at the end of the planning period will be 119,025 GPD for the ACSD, 33,000 GPD for the Village of Colonie, and 420,708 GPD for the Town of Colonie Pure Waters Department. Based on projected future flows, no improvements to the sanitary sewer systems owned and maintained by the ACSD or Village of Colonie are required. With respect to the Town of Colonie Pure Waters Department, projected future flows are in keeping with their comprehensive sewer plan and all costs required to construct sanitary sewers to a site shall be borne by the developer.

H. TRANSPORTATION:

After detailed analysis of projected development under the Cumulative Growth Scenario presented in the FGEIS, it was demonstrated that resulting traffic conditions will exceed the design capacity of State, County, and local roadways in the Study Area without appropriate improvements. Operational deficiencies can also be anticipated to occur at key highway intersections in the Study Area. Following careful consideration, it has been determined that while transportation planning in response to the Cumulative Growth Scenario may be feasible, the necessary roadway improvements are neither desirable nor affordable. It is therefore recommended that an alternative scenario developed by the Capital District Transportation Committee (CDTC) (see Appendix A) and premised on conditions set forth below in finding H7, be adopted for the purpose of this findings statement.

The findings outlined below are related specifically to the transportation scenario proposed by CDTC for the Study Area. It should be emphasized, however, that acceptance and adoption of such a proposal by the Town and County is conditioned upon the provisions set forth in finding H7.

H1. Mitigation of traffic impacts discussed in the FGEIS for either the Cumulative Growth Scenario or High Growth Scenario through transportation actions alone would inevitably result in an inequitable and unacceptably high cost to developers or property owners; an unacceptably high dedication of limited public resources to this one specific geographic area; premature functional obsolescence of the existing transportation system, including the current $25 million improvements along NY Route 7; severe traffic congestion and residual air quality problems; difficult and expensive efforts to mitigate the environmental and social impacts of the mitigating highway improvements; and probable significant traffic problems on the Northway and facilities outside the Study Area not examined within the FGEIS.

H2. Given finding H1 above, then a combination of less intensive land use development and less extensive transportation actions must be considered; these actions should be characterized as being affordable to developers or property owners; requiring a dedication of public resources that is appropriate to the size and importance of the Study Area; making maximum use of existing public investment both within and outside the study area; and minimizing environmental and social impacts caused by transportation actions.

H3. It is recognized that existing development patterns in the Study Area represent a mix of land uses ranging from single family houses to the Capital District's regional commercial airport; from light industrial activities to major retail shopping areas; from nature and historic preserve land to active recreational and sports facilities. Transportation and land use actions must seek to preserve the quality of life and economic viability of the Study Area, including provision of adequate access to and from the Albany County Airport to support economic development needs of the region. Further development in the Study Area should be accommodated only to the extent that livability and economic viability can be protected.

H4. It is recognized that the costs of a transportation system failure in the Study Area (i.e. congestion, air quality problems, accident potential, decreased accessibility, and decreased economic vitality) would affect all users of the Study Area's transportation system, including existing developments, new developments, and through traffic. Similarly, benefits of improved facilities and services would accrue to all three user groups. It is therefore reasonable to share transportation improvement costs equitably across all three user groups.

H5. A transportation action plan consisting of the following elements shall be implemented:

a. Continued NYSDOT reconstruction of NY Route 7 between Wade Road and St. David's Lane, including provision of flush medians, additional turn lanes, and signal replacements per NYSDOT PIN 1306.36.

b. Creation of a Transportation Development District (TDD) through special State legislation, allowing the collection of special assessments from properties in the Study Area to address existing deficiencies and mitigate future problems by supporting a fair share of the cost of implementing additional appropriate transportation improvements. Such assessments shall be based on an equitable distribution formula which shall consider each property's contribution to peak hour traffic demand.

c. Development of a comprehensive travel demand management program for the Study Area. Such a program shall be developed by the Town and County and should be considered by the Village in conjunction with Airport Management, CDTC, NYSDOT, and CDTA, and shall have the result of reducing peak hour vehicle trip rates at existing and new commercial (particularly office) developments by 10 to 25 percent from current levels. The program shall encourage or require employer-based actions such as staggered work hours, financial incentives for ridesharing, financial support for supplemental transit services, and site design standards that support transit operations. Documented reduction in trip rates as a result of demand management shall be reflected in comparable reductions in TDD assessments. If such voluntary programs are not successful after a reasonable period of time, then the Town, Village, and County should consider enacting a "trip reduction ordinance", modelled after similar ordinances in many communities across the nation, to ensure an adequate reduction in peak hour vehicular demand on the highway system. If appropriate, the administrative and operating costs of the program may be covered by annual assessments. Travel demand management efforts can be expected to be productive under current conditions and all future development scenarios. They will be essential elements during major construction periods (e.g. construction of I-87 Exit 3/4 improvements). A successful program will also be prerequisite to accommodating any significant development.

d. Completion of remedial intersection actions to address existing traffic operational and capacity deficiencies. While this should be undertaken as soon as practicable, it is nonetheless subject to the availability of public resources and generation of resources through TDD assessments. These actions are prerequisite to the accommodation of any new traffic in the Study Area.

e. Identification and implementation of necessary capacity improvements along NY Route 7 between Wade Road and I-87 Exit 6 such as the possible extension of Wade Road to intersect with Sparrowbush Road. Equitable cost distribution shall consider the contribution of traffic by major traffic generators located outside, but proximate to the Study Area.

f. Development of an access management plan for NY Route 7. The current reconstruction project can be expected to provide sufficient mainline capacity to handle a majority of the traffic forecast in the Cumulative Development Scenario if the number, location, and design of driveways and streets along NY Route 7 are carefully controlled. Such a plan is currently under development by the CDTC; the Town and County should work closely with CDTC and NYSDOT and be prepared to require compliance with the plan by any new development that occurs along the highway.

g. Completion of engineering and environmental analyses of alternative methods of implementing improved capacity between the Northway and major trip destinations in the Study Area. Specifically, the I-87 Exit 3/Airport connector concept shall be examined alongside less environmentally-sensitive alternatives such as a partial Exit 3 and reconstruction of Exit 4. An appropriate location and design alternative of the I-87 Exit 3/4 concept shall be selected through procedures consistent with SEQR and NYSDOT's Environmental Action Plan.

h. Implementation of the selected I-87 Exit 3/4 alternative as soon as practical. These improvements are prerequisite to accommodating even minimal amounts of continued development and conservative estimates of increases in Airport-related traffic. This action will require securing commitment of State and/or Federal funding for an equitable share of the chosen Exit 3/Airport connector improvements.

i. Completion of engineering and environmental analyses of alternatives for implementing improved capacity between the Airport area and NY Route 7, and between the Airport area and Karner Road. Specifically, the widening of Albany Shaker Road between the Airport and NY Route 7, and the widening of Watervliet Shaker Road between the Airport and Karner Road should be examined alongside other options (such as alternative alignments) which may cause less significant impact on existing development, historic sites, and environmentally-sensitive areas.

j. Implementation of the selected improvements along Albany Shaker Road and Watervliet Shaker Road. Improvements in these areas are prerequisite to accommodating even minimal amounts of continued development and conservative estimates of increases in Airport-related traffic.

k. Implementation of widening of New Karner Road between Watervliet Shaker Road and Consaul Road. (Widening from Consaul to NY Route 5 is included in remedial actions.) This improvement is less critical than those listed above, but will be required to accommodate the planned level of development in the Study Area.

The aforementioned transportation action plan can be expected to accommodate the forecast level of growth in Airport-related traffic and approximately 50 percent of other development included in the Cumulative Growth Scenario. Accommodation of further development would require extensive, disruptive, and inefficient transportation actions such as further widening of NY Route 7 and additional arterials between the Airport and the Northway (provided by tunneling under the main north-south runway or by similar means). These actions are deemed inappropriate and unacceptable.

As a result, the land use actions cited for the Study Area emphasize development of Airport-dependent and noise-compatible land uses in the Study Area, discourage continued residential development in the vicinity of the Airport, and ensure that

overall development levels will remain within the manageable levels accommodated by the transportation action plan.
Further actions shall include continued monitoring of traffic conditions throughout the Study Area and early identification of the need to either refine land use policies to reflect actual traffic growth or revise the transportation action plan.

Details of these actions, including their mobility benefits and costs, are provided in Appendix A.

H6. The Town and County recognize that impact or mitigation fees alone cannot raise the funds identified in the FGEIS for necessary transportation improvements without placing an unacceptable burden on new development relative to existing development. It is also clear that such improvements are beyond the fiscal means of local government in light of reduced Federal and State appropriations for transportation projects. It is therefore necessary that the following measures and considerations be incorporated into a multifaceted funding approach that is both reasonable and equitable:

a. Pursue an annualized assessment process instead of a one-time impact fee to provide the flexibility needed to accommodate the fact that specific designs, costs, and schedules of improvements are not known.

b. Share the cost of addressing deficiencies and providing new capacity across all user groups (i.e. existing and new through traffic, existing development traffic, and new development traffic).

c. Set the public share of costs proportional to the sum of the following components:

   1. existing and new through traffic;
   2. existing traffic to/from residential locations in the Study Area;
   3. existing and new traffic to/from public institutions (Airport, County Nursing Home, County Jail, NYS Division of Military and Naval Affairs, etc.) in the Study Area; and,
   4. the amount of additional reserve capacity created. (Reserve capacity remaining at the end of the planning period can be expected to be minimal, even after implementation of planned improvements.

d. Set the private share of costs proportional to the sum of the following components:

   1. existing and new traffic to/from commercial properties in the Study Area; and,
   2. new residential traffic in the Study Area.

   In order to represent the fact that it is new development that causes the need for transportation improvements and thus, such development should not be approved without appropriate mitigation, the annual assessment rate per peak hour trip for new development should be set at twice the rate of that for existing development.

e. Use available land use planning tools to reduce the amount of non-critical development allowable in the Study Area to a level sustainable by the proposed transportation action plan detailed in these findings.

f. Assume that the public share of costs will be provided as follows:

1. State or Federal funds for the I-87 Exit 3/4 concept;
2. State or Federal funds for improvements on NY Route 7 between Wade Road and I-87 Exit 6 (unless offset by developer contributions generated outside the Study Area);
3. County funds for Albany Shaker Road, Watervliet Shaker Road, and New Karner Road improvements, including intersection improvements with State highways; and,
4. Town and Village funds for completion of the Wolf Road service road system.

g. If public and private costs are distributed evenly over the entire Study Area, then an approximate sharing may be as follows, assuming that future traffic in the Cumulative Growth Scenario is approximately two and one-half times current traffic levels (an increase of 150 percent):

Public Share (all values are presented as an approximate percentage of total existing traffic):

Existing through traffic	20
Existing residential traffic	5
Existing Airport traffic	6
Existing other public facility traffic	10
Additional through traffic	10
Additional Airport traffic	25
Additional other public facility traffic	5
New reserve capacity	0
Total Public Contribution	81

Private Share (all values are presented as an approximate percentage of total existing traffic):

Existing commercial development traffic	59
Total new development traffic in Cumulative Growth Scenario	110
-50 percent development reduction	-55
Total Private Contribution	114

Public and private contributions would have summed to 250 (76 + 164), representing a 150 percent increase in traffic over base conditions, except for the reduction in development levels.

Assuming a 50 percent reduction in private development and using the sharing procedure cited earlier, the transportation system (with improvements) is assumed to be able to accommodate the remainder, totaling a 95 percent increase over 1990 traffic levels. The public share would equal 81/195 or roughly 42 percent of total costs; the private share would equal 114/195 or roughly 58 percent of total costs.

Using approximate project costs for key elements of the transportation improvement work, cost shares might be as shown in Table A-1 of Appendix A. Total improvement costs of up to $80 million translate into annual assessments (at eventual build-out of 50 percent of the Cumulative Growth Scenario) of $5 million annually. New private development would be required to assume a more reasonable burden of the improvement costs than under an impact fee process. Furthermore, spreading the costs to an annual basis would mean that new private development would be charged an annual assessment approximately equal to 5.5 percent of the one-time transportation impact fees suggested in the FGEIS.

The rough annual assessment structure could be expected to be as follows, using an approximate value of $300 per year per new trip (by the year 2000) for new development and $150 per year per existing commercial trip in place of a one-time impact fee of $4,372 per new trip:

	1991	1995	2000
Existing			
Office Bldgs ($/sq ft)	$0.08	$0.18	$0.28
Retail ($/sq ft)	0.10	0.22	0.35
Ind/Warehouse/Manuf ($/sq ft)	0.04	0.08	0.13
New			
Single Fam. Res. ($/per unit)	46.00	141.00	208.00
Office Bldgs ($/sq ft)	0.16	0.36	0.56
Retail ($/sq ft)	0.20	0.45	0.71
Ind/Warehouse/Manuf ($/sq ft)	0.08	0.17	0.27

These annual fees, at a buildout of 50 percent of the Cumulative Growth Scenario, would raise annual resources sufficient to cover 58 percent of the bond expenses of the transportation improvement program. These rates are based on the mitigation fee schedule presented in the FGEIS and assume successful travel demand management actions. Specific rates could be tailored to each property based on documented peak hour traffic load. These values assume that 1991 funding requirements are for remedial action only; that half of the costs of the long-term improvements are incurred by 1995; and that all the long-term improvement costs are incurred by the year 2000.

H7. As previously stated relative to approval and adoption of the CDTC proposal by the Town and County, acceptance of the above findings is premised on the following conditions:

a. State and/or Federal funding commitment for I-87 Exit 3/4 improvements as discussed in the FGEIS must be in place or attainable;

b. State legislative enabling authority for the creation of a Transportation Development District (TDD) must be in place or attainable whereby the County or a separate authority would implement the infrastructure improvement plan;

c. a policy of "concurrency" must be established whereby planning and funding for infrastructure and transportation improvements keep pace with anticipated levels of development, and conversely, the pace of project approvals and actions to implement LUMAC recommendations are limited to reflect reasonable expectations for infrastructure and highway improvements; and,

d. the "public share" of infrastructure improvements must be re-defined so as not to be based in terms of jurisdiction, which as originally proposed by CDTC, ignores the unique situation of a major regional airport facility being serviced primarily by County-owned roads, and furthermore, fails to acknowledge that the Airport expansion serves as a regional public benefit project. Thus, a readjustment of the public share of costs as set forth in Table A-1 of Appendix A of the CDTC study is mandatory to ensure an equitable allocation of costs between the participating entities, e.g. the State, County, Town, and Village.

H8. Currently the intersection at I–87 Exit 6 and NY Route 2 operates at an unacceptable level of service. Improvements to fully resolve operational deficiencies on I–87 and at this interchange will require further analysis.

H9. It is recognized that I–87, between Exits 6 and 8, is currently approaching capacity during peak hours and, in the future, levels of service on this interstate highway can be expected to decline due to development within the Capital District.

H10. It is recognized that the Albany County Airport and other commercial and industrial enterprises in the Study Area serve the needs of the residents of Albany, Schenectady, Rensselaer, and Saratoga Counties and beyond. As a result, some of the costs associated with roadway improvements should be borne on a regional basis. Therefore, supplemental study should be undertaken to identify regional sources of funding for identified transportation capital improvements.

I. AIR QUALITY:

Air quality concerns in the Study Area mainly relate to the emissions generated by increased traffic associated with future development. The following findings relate to air quality within the Study Area:

I1. Carbon monoxide Hot Spot Verification Model was used to evaluate 11 intersections within the Study Area. Based on traffic conditions projected at the end of the planning period, six of the 11 intersections exceeded acceptable carbon monoxide thresholds. These intersections include:

a. NY Route 7/Vly Road/Rosendale Road;

b. NY Route 7/Albany Shaker Road;

c. Albany Shaker Road/Wolf Road;

d. NY Route 7/Wade Road;

e. New Karner Road/Central Avenue; and,

f. Wolf Road/Central Avenue.

If future traffic levels in the Study Area reflect a 50 percent reduction in development from that projected under the Cumulative Growth Scenario, then reduced carbon monoxide levels can be expected at the aforementioned intersections. Nevertheless, when intersection designs are progressed for individual development proposals, more detailed modeling should be performed to evaluate potential air quality impacts.

I2. If more detailed air analyses indicate impacts to air quality, various mitigation measures are available as outlined below:

a. signalization at intersections should be evaluated and adjusted to promote sufficient traffic flows;

b. roadway improvements which will result in more efficient traffic movements should reduce carbon monoxide emissions; and,

c. the implementation of Transportation Systems Management techniques will reduce traffic level and thus reduce air quality impacts.

I3. Projecting future air quality based on increased vehicular traffic is a complicated task which requires the use of a computer model which has been developed by the Federal Highway Administration (FHWA). Unfortunately, generally accepted computer models have not been developed to estimate future air quality beyond projected carbon monoxide levels.

I4. New York State currently conducts air monitoring for the following pollutants: sulfer dioxide, carbon monoxide, ozone, hydrocarbons, nitrogen dioxide, lead, inhalable particulates, and total suspended particulates. No air monitoring stations are located in the Study Area.

I5. Based on the future use and intensity of development in the Study Area, it may be necessary to conduct additional computer modeling for other pollutants to evaluate potential air quality impacts.

J. NOISE:

The Town and County recognize that noise generated by aircraft operations at Albany County Airport may have an impact on existing and future development within the Study Area. In general the assumptions made in the 1981 ANCLUC study appear accurate, and based on present operations at the Airport, the noise contours projected for 1995 can be considered a realistic view of the noise which will be generated at Albany County Airport in the future. To address Study Area impacts related to aircraft noise at the Airport adequately, the following mitigation measures are required:

J1. The rezoning of those underdeveloped areas which were identified as containing incompatible land uses in the 1981 ANCLUC study (see FGEIS Exhibit II–J–2) shall be progressed to permit the development of more compatible land uses. The creation of special use districts may be the most appropriate mechanism to ensure compatible development in high noise exposure areas. Alternatively, comprehensive overlay zoning could be established for the specific purpose of ensuring compatible development in noise impacted areas.

J2. Certain modifications to local building and fire codes shall be adopted by the Town and should be considered by the Village to require the installation of additional insulation in new construction to reduce noise impacts on residential and other noise sensitive uses which are located in marginally noise impacted areas (between the 60-65 ldn noise contours). Model regulations are included in the 1981 ANCLUC study.

J3. The Town shall and the Village should give immediate consideration to the enactment of a municipal ordinance which will require that potential buyers of homes within the 65 ldn noise contour be advised of the potential noise impacts associated with the neighborhood. The ordinance to require disclosure should require the descriptions of noise impacts to be inserted into the deeds to subdivided tracts.

J4. The County agrees to pursue effective measures to control noise generated by aircraft utilizing the Airport facility.

J5. Where appropriate and practical, Albany County shall continue to comply with FAA policy and mandate for implementation on acquisition of incompatibly used lands proximate to the Airport.

J6. Albany County Airport officials shall consider the establishment of capacity limits for the Airport based on aircraft noise. Some of the forms that such restrictions may take include:

a. restrictions based on cumulative impact, whereby a maximum cumulative impact (such as the total area within the 75 ldn noise contour) is established and Airport operations are adjusted so as not to exceed that maximum. This is done through capacity limitations, e.g. limiting either aircraft types based on their noise impact or the number and mix of aircraft so as to operate within their established cumulative noise exposure restriction; and,

b. restrictions based upon FAA certified noise levels which have been assigned to aircraft which currently operate at Albany County Airport. Such limitations might take the form of threshold noise levels for Albany County Airport or different levels for day and night operations.

J7. Albany County Airport officials may consider the restructuring of landing fees based on the noise generated by individual aircraft. This strategy encourages airlines to use quieter aircraft, while producing additional revenue for the Airport to offset noise-related expenses. For maximum benefit, noise fees should be used in concert with the other mitigation measures presented herein. Fees which escalate sharply for noisier aircraft will provide an additional disincentive for their continued use. To avoid discrimination, the noise fee for each aircraft should be based upon standard single event noise ratings for the aircraft such as those published by the FAA. The reverse strategy could also be applied. Instead of assessing a fee, officials at Albany County Airport could reward air carriers who go to extra lengths to reduce noise generated by their aircraft by providing discounted landing fees. This could encourage the accelerated replacement of noisier aircraft which is already occurring at the Airport.

J8. The County shall consider establishing an ongoing noise monitoring program so that the noise levels of increased air traffic operations can be tracked and noise exposure areas can be updated.

J9. During the initial phases of the current Airport Development Project, the County has programmed an update of the Airport noise contours from those reflected in the 1981 ANCLUC study. Once completed, the County shall promulgate and administer a formal Noise Abatement Policy and Program of Compliance consistent with the updated contours. This program shall be administered by a Noise Abatement Committee which shall meet at least annually to review and make recommendations regarding the Noise Abatement Policy and Program of Compliance.

K. HISTORIC AND ARCHAEOLOGICAL CONSIDERATIONS:

The Study Area contains some of the most significant historic and archaeological resources in the Town of Colonie. These include 29 historic structures, four cemeteries, and the Watervliet Shaker Historic District including a portion of Albany County's Ann Lee Pond Nature and Historic Preserve. The following findings are provided to minimize the impacts to historic and archaeological resources:

K1. The Town and County shall and the Village should continue to recognize historic structures, sites, and districts which have been officially designated by the State and/or Federal government.

K2. The Town shall consider applying for funding that may become available through the NYS Urban Cultural Parks Program administered by the NYSOPRHP for protecting historic resources.

K3. The State and National Register boundary of the Watervliet Shaker Historic District shall be verified in accordance with the official mapped and narrative boundary definition on file with the New York State Historic Preservation Office. The resulting official delineation shall be distributed to all pertinent agencies and organizations to eliminate inconsistencies between existing municipal and New York State mapping.

K4. Past recommendations made by Peter Wolf, NYS Council on the Arts, Shaker Central Trust Fund, and the Historical Society of the Town of Colonie for the South Family Site regarding acquisition, preservation, and stabilization shall be considered.

K5. Establishment of a greenbelt through the Watervliet Shaker Historic District as depicted on Exhibit II–D–5 of the FGEIS is an important step in preserving the open space necessary to preserve the Historic District's physical context.

K6. The Town shall consider the use of transfer of development rights, conservation easements, or other suitable mechanism to secure the open space around Stump Pond and the groups of structures and open space associated with the West Family and South Family Farms.

K7. Other protective measures that may be considered to minimize impacts to the Watervliet Shaker Historic District include, but are not necessarily limited to:

a. limiting the height of any new structures within the District to a maximum of 40 feet, except where such limitation would adversely affect public safety, as in the operation of the Albany County Airport.

b. taking into consideration the campus-like arrangement of Shaker buildings and their relationship to the surrounding non–formalized landscape; and,

c. incorporating orchard-type plantings, free–form meadow, wildflower gardens, and bermed and screened parking lots into proposed site improvement or landscaping plans.

K8. The County shall continue to maintain the Ann Lee Home complex with particular attention to building exterior maintenance to ensure the long–term protection of individual structures and overall enhancement of the complex.

K9. The Town shall promote the provisions of the National 1986 Tax Reform Act which offers tax credits for historic properties rehabilitated in conformance with Secretary of Interior Standards. This alternative can often provide owners with a viable alternative to demolition and new construction.

K10. The New York State Museum has determined that portions of the Study Area are located within a highly sensitive archaeological area with known prehistoric and historic sites. It is noted that these known sites have not been subjected to a systematic archaeological survey and have a higher than average probability of producing prehistoric and/or archaeological data. A site–specific Stage IA, and if necessary, Stage IB Cultural Resources Survey, conducted by a professional archaeologist, shall be required for all development proposals within the Study Area that are located in or adjacent to known areas of archaeological sensitivity according to State Museum documentation.

K11. The following mitigation measures shall be considered for any identified transportation improvement projects within the Study Area:

a. an archaeological reconnaissance level survey should be conducted and, if required, road realignment and/or avoidance of cuts should be considered;

b. the 19th century family cemetery shall be avoided to the greatest extent practicable;

c. linear berms parallel to the proposed roadway shall be considered where appropriate to screen traffic from view;

d. if a linear berm interrupts distant views across open fields, then below-grade construction shall be considered, if practicable;

e. roadway alignments shall be kept as far as possible from known historic structures; and,

f. the acquisition of historic properties along South Family Drive shall be considered if necessary to assure the long–term protection of properties which may be impacted depending on final roadway alignment.

L. RECREATION:

The following findings relate to public recreation resources located within or serving residents of the Study Area; these include the Colonie Town Park, Municipal Golf Course, Town Community Center, Town pocket park facilities, Mohawk-Hudson Bikeway, Heritage Park, Albany County Ice Hockey Training Facility, and the Ann Lee Pond Nature and Historic Preserve:

L1. The Town of Colonie Park (160 acres) is slightly more than one-half the National Recreational Parks Association standard. If future development in the Study Area is limited to 50 percent of the Cumulative Growth Scenario, then by the end of the planning period, the Park will represent only 43 percent of this standard.

L2. Rather than centralizing all facilities at the Town Park, the Town will continue the current trend of creating pocket parks to meet recreation demands.

L3. An additional 27 acres of pocket park lands will be required to alleviate both existing and future recreational deficiencies. Pocket parks as shown in Exhibit II–L–1 and described in the text of the FGEIS should be considered by the Town.

L4. Assuming a 50 percent reduction in Cumulative Growth Scenario development projections, then only 2 acres of the 27 acres of recreation land identified in finding L3 above are attributable to projected residential development within the Study Area.

L5. Bike trails/pedestrian walkways shall be incorporated into the design of new commercial or residential development as appropriate.

L6. Bike trails shall be designed as Class 2 trails, which are an extension of the paved shoulders of roadways for bike/pedestrian access. These trails shall be placed on both sides of roadways where appropriate and be 3 to 4 feet wide. Bike trail routes should be properly signed to alert motorists of this use. For bike trails which cannot be placed adjacent to existing roadways, stone dust or an appropriate substitute shall be used as a base for new pathways which are constructed for this use.

L7. By the end of the planning period, the population of the Town, including villages, is expected to reach 97,645 persons given 50 percent less development than that projected in the FGEIS. Under Federal recreation standards, the Town will be at the threshold where a total of 36 holes of golf will be required to support a population of 100,000 persons.

L8. The Town may give future consideration to the construction of an additional nine holes adjacent to the existing Town Golf Course if projected demand is realized. However, the total estimated construction cost of $1,022,000 for the new course would represent a significant fiscal burden on Town resources. If such an expenditure is deemed warranted, it is assumed that funding could involve a combination of general tax base, recreation user fees, and other mechanisms at the discretion of Town officials.

L9. It appears that the cross country ski trails at the golf course will adequately meet projected demands throughout the planning period. If these trails become over–utilized as a result of population growth, then the Town shall consider extending the trails over the course. In light of the anticipated growth in the Study Area, it may benefit the Town to consider developing and maintaining new trails at an alternate site such as the Town Park.

L10. Community Center officials have indicated that the current facility is utilized at full capacity in the evenings and near capacity during the day. There is also an existing need for a new gymnasium and swimming facilities. It is anticipated that future growth will increase the demand for additional community center facilities.

L11. The County and the Town shall continue their cooperative agreement to provide a winter ice skating program at Ann Lee Pond. Additionally, the availability of the County Ice Hockey Training Facility extends public ice skating opportunities throughout the year, regardless of season, inclement weather, or ice conditions.

L12. The County shall continue management and maintenance activities at the Ann Lee Pond Nature and Historic Preserve that directly or indirectly contribute to public recreation; these activities shall include, but not necessarily be limited to, annual aquatic weed control to improve shoreline fishing opportunities and trail maintenance to support hiking, cross country skiing, bird watching, etc.

L13. As per the provisions of Section 270 of Town Law, the Town shall prepare, adopt, and file in the County Clerk's Office an Official Map which will show the future location of designated parklands as identified in the GEIS and this findings statement.

M. MUNICIPAL SERVICES:

The Village, Town, and County provide a variety of public services to Study Area residents and businesses including police protection, fire protection, emergency medical services, public education, and solid waste disposal, among others. Outlined below are findings relating to municipal services:

M1. The following findings relate to Town Police Department services in the Study Area under the Cumulative Growth Scenario presented in the FGEIS:

a. Through the use of a formula developed by the International Association of Chiefs of Police, the Town of Colonie Police Department has estimated that an additional six patrol officers, one traffic safety investigator, and one supervisory person (sergeant level) will be required to maintain the present level of service within the Study Area; and,

b. The addition of eight police officers will result in an increased expenditure to the department of $50,000 per year per officer. This figure represents the officer's salary, benefits, and equipment used (i.e. patrol cars). Therefore, as a result of projected development within the Study Area, the Town of Colonie Police Department can anticipate an additional expenditure of $400,000 annually.

If future development in the Study Area is limited to 50 percent of the Cumulative Growth Scenario, then the Town Police Department should re-evaluate their estimates for additional police officers to maintain current levels of service in the Study Area.

M2. The following findings relate to the North Colonie School District:

a. Based on a 50 percent reduction in development from that projected for the Study Area under the Cumulative Growth Scenario, the North Colonie School District can anticipate up to 173 additional public school students at the end of the planning period. This increase generally would not result in significant overcrowded conditions for the District. However, coupled with the projections developed by the School District for the Boght Road-Columbia Street FGEIS prepared in 1989, serious student overcrowding could occur by the year 1999. The School District does not prepare projections beyond a 10-year period.

b. Current School District projections, which do not consider projections under this FGEIS or the Boght Road–Columbia Street FGEIS, indicate that 788 additional students may be expected by the year 1999. If future development in the Study Area is limited to 50 percent of the Cumulative Growth Scenario, then the combined Boght Road and Airport Study Area projections indicate an increased enrollment of 1,617 students or 829 more students than projected by the School District.

c. The additional students projected from the three sources listed above will require an increase in school capacity. Therefore, the North Colonie School District should re-evaluate their estimates for additional facilities and personnel to meet projected demands.

M3. The following findings relate to the South Colonie School District:

a. If future development in the Study Area is limited to 50 percent of the Cumulative Growth Scenario, then up to 325 additional students could enter schools in the District by the end of the planning period.

b. The additional students projected above may require an increase in school capacity, especially in grade levels Kindergarten through 8. Therefore, the South Colonie School District should re-evaluate their estimates for additional facilities and personnel to meet projected demands.

c. Since there is currently excess capacity of approximately 300 students at the high school level, there should be minimal expenses incurred at this level due to projected growth resulting from development during the planning period.

M4. It appears that there will be no significant impacts on the Niskayuna School District during the planning period.

M5. The following findings relate to fire protection in the Study Area:

a. It was determined that within the Shaker Road/Loudonville Fire Protection District, the following equipment will be required as a result of projected development in the Study Area under the Cumulative Growth Scenario:

1 fire engine	$250,000
6 sets of turnout gear for above	8,220
6 self–contained breathing apparatus	9,000
tools, hose, nozzles, lights	8,000
Total Cost	$275,220

Following consideration of a 50 percent reduction in future development in the Study Area from that projected under the Cumulative Growth Scenario, the Chief of the Shaker Road/Loudonville Fire Protection District has determined that a new fire engine will no longer be required. Therefore, no new capital expenditures will be incurred as a result of proposed development within the Study Area.

b. It was determined that the following equipment will be required within the Midway Fire District as a result of projected development under the Cumulative Growth Scenario in the Study Area:

1 fire engine @ 50% of cost	$125,000
1 ladder truck @ 50% of cost	200,000
20 sets of turn out gear	45,000
training	30,000
EMS vehicle	10,000
maintenance	20,000
hand tools	20,000
Total Cost	$450.000

Since the Town does not have the authority under New York State Law to collect funds for distribution to fire districts, the above expenditures for equipment cannot be offset by mitigation costs charged to proposed development within the Midway Fire District. In addition, should future development in the Study Area be limited to 50 percent of the Cumulative Growth Scenario, then the Midway Fire District should re-evaluate these equipment needs relative to maintaining present service levels.

c. The Verdoy, Latham, and Fuller Road Fire Departments did not indicate that additional manpower or equipment would be required to maintain existing levels of fire protection. Therefore, it is assumed that each of these three departments will have the ability to respond to fire emergencies through the planning period.

d. The Village of Colonie Fire Department has determined that projected development in the Village under the Cumulative Growth Scenario will not impact their ability to respond to fire emergencies.

M6. The following findings relate to emergency medical services in the Study Area:

a. If future development in the Study Area is limited to 50 percent of the Cumulative Growth Scenario, then the resident population in the Study Area will increase by 2,036 persons. In addition, a daily influx of 14,300 new employees will work in the Study Area by the end of the planning period. Based on this information, an increase of two emergency service calls per 24-hour period can be expected, with the majority occurring between the hours of 6:00 am and 6:00 pm.

b. Due to anticipated growth it may be necessary to increase the number of paid emergency service staff from 90 percent to 100 percent.

c. Under the Cumulative Growth Scenario, the Town of Colonie Emergency Medical Service Department determined that due to the anticipated increased number of day-time calls, it will be necessary to add a paid emergency staff unit during the day at a cost of $60 per unit hour, whereas one additional volunteer emergency staff unit would suffice during the night at $22 per unit hour. As a result, the combined cost would be $41 per unit hour or approximately $360,000 annually based on 1990 dollars. If future development is limited to 50 percent of the Cumulative Growth Scenario, then the Town Emergency Medical Service Department should re-evaluate these estimates to maintain present service levels.

M7. The following findings relate to solid waste disposal within the Study Area:

a. If future development in the Study Area is limited to 50 percent of the Cumulative Growth Scenario, then approximately 2,036 additional tons of solid waste are projected to be generated annually from new residential development in the Study Area by the end of the planning period. Non-residential uses in the Study Area will generate approximately 8,474 tons of solid waste annually. Therefore, the total projected additional waste generated at the end of the planning period from all sources is approximately 10,510 tons annually.

b. Based on discussions with the Town Environmental Services Department, it is difficult to estimate the life of the current landfill cell due to the unknown impact of newly instituted waste reduction programs in the Town. While recycling efforts may extend the closure date of the current landfill cell, the cost savings will be offset by increased recycling costs. Therefore, the Town shall institute a mitigation cost for solid waste based on the solid waste generation rates presented in the FGEIS.

c. If future development in the Study Area is limited to 50 percent of the Cumulative Growth Scenario, then by the end of the planning period, approximately 0.07 and 0.30 acres of additional landfill space for residential and commercial/industrial waste, respectively, will be required in the Town. Current landfill construction costs for a state-of-the-art facility are approximately $750,000 per acre. Based on these figures, landfill construction costs for residential waste is estimated to be $66 per residential unit during the planning period. Landfill construction costs for commercial/industrial wastes is estimated to be $0.05 per square foot of building area for office space, $0.06 per square foot of building area for retail space, and $0.10 per square foot of building space for industrial manufacturing/warehouse space.

d. To ensure that the development mitigation costs for solid waste disposal remain accurate, building trends and expenditures related to the collection, recycling, and disposal of solid waste shall be monitored at least once every 5 years by the Town.

N. VISUAL RESOURCES:

Based on aesthetic classifications, the Study Area can be considered a mixture of open fields and wooded areas with both residential and commercial development along the major highway corridors. The following findings relate to visual resources within the Study Area:

N1. The following unique viewsheds have been identified within the Study Area:

a. lands east of Wolf Road & south of Albany Shaker Road;

b. Ann Lee Pond;

c. Route 155 corridor and Sand Creek Road corridor;

d. River Road corridor;

e. Mill Road Public Golf Course; and,

f. Albany Shaker Road corridor.

N2. The following general mitigation measures relating to visual resources shall be implemented in the Study Area:

a. limit the number of curb cuts along major highway corridors;

b. encourage proper circulation of interior subdivision roads which permits the design of residential lots that are sensitive to existing drainage patterns, minimizes disturbance to existing vegetation and buffer zones, and maximizes existing topographic conditions to create a more imaginative design;

c. encourage circulation of interior subdivision roads that avoids typical grid-pattern layouts;

d. encourage cluster development where appropriate so as to protect existing vegetation, scenic views, and natural drainage courses;

e. encourage the use of buffer zones between incompatible land uses, and maintain existing vegetative cover;

f. require all new development to include underground installation of electric, telephone, and cable TV utility lines;

g. encourage parking areas to be located behind commercial and retail buildings and to include proper screening (i.e. berms, landscape, fencing); and,

h. require a specific setback in commercially zoned corridors so as to maintain the openness of the road while reducing the number of roadside distractions.

N3. Specific mitigation for views east of Wolf Road and south of Albany Shaker Road includes careful consideration to building height and scale for all development.

N4. Specific mitigation for views in the vicinity of Ann Lee Pond includes:

a. development must be sensitive to the historic and architectural character of existing structures;

b. new buildings shall be designed in a compatible manner; and,

c. appropriate building setbacks shall be provided for new construction.

N5. Specific mitigation for views along the Route 155 and Sand Creek Road corridors includes:

a. the height and scale of new buildings shall be compatible with adjacent uses;

b. cluster development shall be considered for these corridors; and,

c. vegetative and/or earthen berms shall be considered to buffer new development.

N6. Specific mitigation for the River Road corridor includes:

a. new residential development shall be compatible with the height and scale of existing structures; and,

b. the local topography shall be utilized to screen proposed structures from roadways, the Mohawk-Hudson Bikeway and the Mohawk River.

N7. Specific mitigation for views in the vicinity of the Mill Road Public Golf Course includes:

a. building placement shall be encouraged along the fringes of the golf course;

b. cluster housing shall be considered in this area; and,

c. landscaping shall be compatible with existing vegetation.

N8. Specific mitigation for views along the Albany Shaker Road corridor includes:

a. increased building setbacks in conjunction with vegetative buffers will minimize visual impacts; and,

b. curb cuts shall be limited which will also enhance traffic circulation in the corridor.

O. ECONOMICS:

The Town and County recognize that projected development within the Study Area will have an impact on the economic climate of the Capital District. To achieve a fiscally responsible policy, the Town and County have developed the following findings:

O1. The 1989 Town of Colonie tax rate, excluding special districts, was $46.1703/$1,000 assessed valuation. The 1989 Village of Colonie tax rate was $40.00/$1,000 of assessed valuation. These rates apply to both residential and non–residential uses. The 1989–1990 tax rate for each of the three school districts is as follows: North Colonie School District – $192.74/$1,000; South Colonie School District - $214.61/$1,000; and Niskayuna School District – $304.00/$1,000.

O2. Sources of funding for capital improvements (i.e. transportation, utilities, municipal services, and recreational facilities) necessary to support development may include implementation of SEQR mitigation costs; developer contributions; local, State, and Federal taxes; and utility company capital investments. Developers generally fund improvements proximate to a particular development. A lack of cumulative analysis to apportion the cost of off–site improvements necessitated by development often places financial burden upon the Town, Village, and/or County. The use of local, State, and Federal tax revenues to fund capital improvements has become increasingly difficult due to the reduction of State and Federal funding. Primary utility service costs are generally funded by utility companies, with specific connection costs borne by developers.

O3. Several innovative financing techniques, including impact fees, development excise taxes, Transportation Development Districts, and negotiated developer contributions, have been identified as potential mechanisms to fund capital improvements, particularly in light of the lack of State and Federal support.

a. Impact fees are charges imposed by local governments to recoup a proportionate share of capital improvements costs associated with a development. Once State legislation is adopted which permits local governments to implement impact fees, they can be utilized for various public facility improvements, including water, sanitary sewers, solid waste, drainage, roads, parks, public buildings, emergency medical, police, and fire services, schools, libraries, and cemeteries. However, recent New York State Court of Appeals findings in the Town of Guilderland have indicated that local governments currently do not have authority to impose impact fees. Thus, this mechanism is dismissed by the Town and County as a viable financing alternative at this time.

b. Implementation of excise taxes also requires New York State enabling legislation, but the provision of a rational nexus is not required. These monies do not have to relate to a specific development need or be earmarked, and thus are used strictly to raise revenues. Excise taxes currently appear to be legal in New York State. However, their use is limited to municipalities with populations over 1 million such as New York City. For this reason, this mechanism is dismissed by the Town and County as a viable financing alternative at this time.

c. Transportation Development Districts (TDDs) are similar to special assessment districts in that owners of property which will benefit from a public improvement will bear the cost of that improvement. New York State currently does not have any statewide enabling legislation for the establishment of TDDs. Without the enactment of statewide enabling

legislation, municipalities must establish local legislation to establish TDDs in their jurisdiction. Several local laws of this nature have been successful in the past according to the NYSDOT. As with impact fees, the issue of geographic distribution of the costs and benefits is important. Districts must be structured in such a way that costs approximate the benefits within a defined area. The Town and County shall and the Village should further explore their options for creating such a district to finance transportation improvements in the Study Area. Such a measure is particularly appropriate for generating the necessary funding to implement those short–term improvements to alleviate existing roadway deficiencies in the Study Area as outlined in finding H1 of this findings statement.

d. Negotiated developer contributions represent a traditional method of collecting monies and are analyzed on a case–by–case basis. However, this method does not realize potential cumulative off-site impacts as do the previous three methodologies or the following SEQR development mitigation costs. However, in certain circumstances, the Town and/or County may use negotiated developer contributions in lieu of development mitigation costs.

O4. The Town and Village may use their authority under SEQR to collect money for development mitigation costs from future projects within the Study Area as specified in Table 1; however, such fees shall not be applicable to the County Airport Development Project or other County, Town, and Village projects that serve a public benefit function. For illustrative purposes, examples of development mitigation costs have been calculated for hypothetical commercial and residential projects and are included as Appendix B of this Statement of Findings.

It should be noted that neither the Town, Village, nor the County have the legislative authority under New York State Law to collect monies for distribution to other agencies (e.g. local school districts, NYSDOT, and local fire districts). If any of the school or fire districts identifies the need in the future for additional land as a result of projected development during the planning period, then the appropriate municipality could acquire land through the plan review process as individual projects are presented to local planning boards for necessary approvals. Appropriate development mitigation costs shall be borne by persons proposing new private development.

TABLE NO. 1

AIRPORT AREA ESTIMATED DEVELOPMENT MITIGATION COSTS

IMPROVEMENT	UNIT MEASURE	COST[1]	COMMENT
Water-non residential	Sq.ft.bldg.space	$ 1.35[2]	See cost apportionment in Table No. 2
Water - residential	Dwelling Unit	$3,470	See cost apportionment in Table No. 2
Solid Waste - Residential	Dwelling Unit	$ 66	No land costs included; assume that land is available at existing landfill.
Solid Waste - Office	Sq.ft.bldg.space	$ 0.05	See Above
Solid Waste - Retail	Sq.ft.bldg.space	$ 0.06	See Above
Solid Waste - Industrial/ Manufacturing/Warehousing	Sq.ft.bldg.space	$ 0.10	See Above
Recreation	Dwelling Unit	$ 101	Cost for acquisition of 2 acres of land for pocket parks and site development.
Golf Course	Acre	$ 150	Cost for additional 9 hole golf course. Commercial/ Industrial development included due to demand by businesses and employees.
GEIS Preparation	Acre	$ 253	Only acreage projected for development by the end of planning period used to calculate cost.

1 Costs do not include administrative costs, legal costs or debt service retirement associated with potential bonding.

2 Mitigation costs for nonresidential water usage impacts are based on an average estimated usage of 0.1 gallons per sq. ft. per day. Proposed nonresidential facilities whose estimated usage is substantially higher than the estimated average shall be assessed at a rate of $13.50 per gallon of estimated average daily usage. If the Latham Water District determines that such facility will exceed the capacity of the necessary improvements identified in this Findings Statement, a supplemental E.I.S. will be required to identify the impact of the facility and to determine necessary mitigation.

TABLE 2
SUMMARY OF WATER IMPROVEMENT COSTS
APPORTIONMENT

WATER IMPROVEMENT	TOTAL CONSTRUCTION COST (1990 DOLLARS)	SHARED COST (EQUITY SHARING COST WITH LWD) (1990 DOLLARS)	TOTAL COST TO THE LWD (1990 DOLLARS)	APPORTIONMENT FACTOR	TOTAL COST TO BE APPORTIONED TO THIS STUDY AREA (1990 DOLLARS)
SUPPLY, TREATMENT AND FILTRATION	17,400,000	0	17,400,000	0.107	1,861,800
MOUNTAIN-VIEW LOW LIFT AND MAIN-LIFT PUMP STATION UPGRADING	1,320,000	0	1,320,000	0.107	141,240
HIGH PRESSURE ZONE (DENISON ROAD) PUMP STATION	360,000	0	360,000	1.0	360,000
AIRPORT WEST BOOSTER PUMP STATION	540,000	0	540,000	0.33	178,200
STORAGE	720,000	0	720,000	1.0	720,000
12" ROUTE 7 MAIN	1,800,000	900,000 (NYSDOT)	900,000	1.0	900,000
16" FORTS FERRY ROAD MAIN	33,600	0	33,600	1.0	33,600
16" DENISON ROAD MAIN	369,600	0	369,600	1.0	369,600
12" SAND CREEK ROAD MAIN	167,040	0	167,040	0.50	83,520
24" MOHAWK-VIEW TREATMENT PLANT TRANS. MAIN	518,400	0	518,400	0.107	55,470
12" VLY ROAD/DENNISON ROAD MAIN	292,320	0	292,320	1.0	292,320
12" AIRPORT AREA/SICKER RD. MAIN	288,840	288,840 (AIRPORT TENANTS)	0	N/A	N/A
20" MILL ROAD MAIN	252,000	0	252,000	1.0	252,000
16" OLD NISKAYUNA ROAD MAIN	999,600	0	999,600	1.0	999,600
16" OLD WOLF ROAD MAIN	420,000	0	420,000	1.0	420,000
8" RENSSELAER AVE. MAIN	100,800	0	100,800	1.0	100,800
8" SOUTH FAMILY DR. MAIN	157,248	0	157,248	1.0	157,248
8" SICKER ROAD MAIN	153,720	0	153,720	1.0	153,720
16" WADE ROAD MAIN	550,200	0	550,200	1.0	550,200
12" AIRLINE DRIVE MAIN	105,792	0	105,792	1.0	105,792
TOTAL	26,549,160	1,188,840	25,360,320		7,735,110

05. The Study Area will require a complex set of highway improvements and a coordinated approach must be taken to determine the phasing of improvements based on where and when future growth occurs. Therefore, the Town and County shall and the Village should work cooperatively to administer a transportation improvement program for all proposed roadway projects within the Study Area. The municipalities shall develop a detailed intermunicipal agreement which will clearly delineate the responsibilities, duties, and obligations of each municipality. This intermunicipal agreement shall be in place prior to the development of any Transportation Capital Improvement Plans, and it shall resolve by mutual concurrence the jurisdictional responsibility for the following areas of administration and implementation:

a. administration of all Transportation Mitigation Costs from new development within the Study Area;

b. development of a capital improvement program for all required roadway projects; this program must be flexible to respond to actual development and location of specific needs in the Study Area;

c. performance of additional site–specific environmental studies, as may be required;

d. development and maintenance of a uniform system of accounts to collect and maintain all funds received;

e. acquisition of (and holding title to) all land secured for right–of–way;

f. administration of design and construction contracts for roadway improvements;

g. collection of revenues from the Town and Village for the cost of roadway improvements not attributable to new development during the planning period (i.e. background traffic which has been estimated at 5 percent); and,

h. collection of the local share of any State roadway improvements within the Study Area.

06. Capital improvement plans shall be developed by the Town of Colonie and the County and should be developed by the Village of Colonie for all infrastructure and municipal services, including transportation, water system, recreational and solid waste improvements, to ensure that there is a balance between infrastructure, future development and available funding. The Town and County shall and the Village should evaluate growth at least once every 5 years to ensure that development progresses as projected in the CDTC Threshold Analysis (see Appendix A). If there is significant deviation from development levels established for the purpose of these findings, then respective capital improvement plans will be revised to maintain an equitable balance between infrastructure, future development, and available funding. Similarly, all capital improvement plans should be reviewed, and if necessary, revised to reflect any growth controls that may be implemented by the Town, Village, or County.

07. The Town and County shall and the Village should collect development mitigation costs for capital expenditures related to all infrastructure and municipal service improvements in the Study Area including costs which are levied against proposed projects in the Study Area which are located inside the Village boundary. The collection of development mitigation costs for projects will require an intermunicipal agreement between participating municipalities.

08. Development mitigation costs must be updated every 2 years to adjust for inflation.

09. Development mitigation costs shall be collected by the appropriate Town agency from developers/applicants based on the following schedule:

RESIDENTIAL PROJECTS

Prior to final approval	33 1/3 percent
Prior to pre-construction meeting	33 1/3 percent
Prior to issuance of first building permit	33 1/3 percent

COMMERCIAL/INDUSTRIAL PROJECTS

Prior to final approval	33 1/3 percent
Prior to building permit	33 1/3 percent
Prior to issuance of temporary or final CO	33 1/3 percent

P. ALTERNATIVES:

Through the preparation of the FGEIS, the Town, Village, and County have considered a range of reasonable alternatives including varying development densities, the no growth and no action alternatives, and alternatives to limit and/or control growth in the Study Area. Alternative measures to alleviate intergovernmental conflicts and to balance regional versus local needs have been identified. The description and evaluation of these alternatives have been discussed at a level of detail which the Town Planning Board, as Lead Agency, considered sufficient to permit a comparative assessment.

HIGH GROWTH FUTURE DEVELOPMENT SCENARIO:

P1. The development potential of land within the Study Area was initially evaluated based on what was termed the High Growth Future Development Scenario. This growth scenario considered a level of development which included the construction of the following by the end of the planning period: 2,080 housing units; 8,611,562 square feet of office space; 1,212,052 square feet of retail space; 1,784,066 square feet of warehouse space; 938,100 square feet of industrial park development; and 190,100 square feet of warehouse space.

This initial analysis assumed optimal economic conditions during the planning period which anticipated that businesses within the Capital District and the Study Area would expand at a rapid rate of growth. The impacts associated with this development scenario at the end of the planning period would include: 68 percent increase in the number of school age children when compared to 1989 figures; the potential loss of 52 percent of existing agricultural lands and 38 percent of existing open space; the construction of significant commercial and residential land uses on undeveloped land within the Watervliet Shaker Historic District; a need for $1,120,000 to purchase additional park land; the generation of an additional 34,118 tons of solid waste annually; impacts to unique viewsheds which, due to the intensity of projected development, could not be successfully mitigated; and traffic impacts which would require roadway improvements within the Study Area at a cost in excess of $190 million.

Significant widening of existing roadways would be required to accommodate traffic generated by this level of development and this would have a major impact on adjacent land uses. The number of lanes required at most roadway intersections in the Study Area would disrupt and/or force the relocation of numerous high volume, traffic dependent businesses. Virtually all through residential collector streets within the Study Area and adjacent neighborhoods would require improvements to accommodate the estimated increase in traffic. All of these impacts would result in major economic consequences for the Town, Village, and County and would adversely impact the quality of life in the Study Area and on surrounding municipalities.

Based on the extreme impacts resulting from the High Growth Future Development Scenario, the Town and County determined that this development scenario is not realistic from an environmental or socioeconomic standpoint. Therefore, this alternative for the Study Area is dismissed.

NO GROWTH ALTERNATIVE:

P2. The no growth alternative would severely impact future economic growth within the Town of Colonie as well as the Capital District Region. Existing property values would be impacted and municipalities would experience a reduction in the local tax base. It should be clarified, however, that this alternative would not necessarily preclude development of the Albany County Airport, since the majority of Airport expansion is planned to meet future demands based on regional growth significantly beyond the bounds of the Study Area. Nonetheless, for the reasons stated above, the Town and County determined that the no growth alternative is unrealistic and economically unsound and therefore dismissed it from further consideration.

NO ACTION ALTERNATIVE:

P3. By implementing the no action alternative, the Airport Area GEIS would not have been prepared. This would eliminate the discussion of development-related impacts and mitigation measures for the planning period. Those individuals who proposed development would be required to evaluate impacts on a project-by-project basis and, as a result, there would be no means to determine the cumulative impacts and required mitigation measures of all development proposals as a group. Furthermore, cost estimates and funding mechanisms for certain mitigation measures would not be developed. Without the cost sharing techniques identified in this findings statement, some improvements associated with new development would continue to be funded on a project–by–project basis. In this age of diminishing Federal and State funding, it is likely that necessary infrastructure improvements would have to be financed to a large extent by local governments. For these reasons, the Town and County considered the no action alternative to be environmentally and economically unsound and therefore dismissed it from further consideration.

Q. CUMULATIVE AND GROWTH INDUCING IMPACTS:

The Cumulative Growth Scenario is expected to generate cumulative and growth inducing impacts, as outlined below:

Q1. Residential and commercial development within the Study Area will have cumulative impacts on transportation and traffic, development densities, stormwater runoff, groundwater quality, vegetation, wildlife, cultural resources, and demand for public utilities and municipal services.

Q2. The degree to which resources in finding Q1 will be impacted will depend on where development occurs and to what extent identified mitigation measures are employed.

Q3. The establishment of funding mechanisms to allow the Town and County to generate revenues to offset the cost of various municipal projects will help to reduce the cumulative impacts of development. This is particularly true for necessary improvements to highways, utilities, and municipal services.

Q4. Impacts such as those affecting historic, archaeological, and visual resources will be more difficult to mitigate.

Q5. Certain positive impacts will be associated with development within the Study Area, including the following:

a. the growth in the Town and County tax base will help defray the cost of necessary government services to support local residents and businesses;

b. increased area spending will generate more sales tax revenues for the State and local governments;

c. the expanding area population will attract more outside investment resulting in new job opportunities for residents and expansion of the region's overall economic diversity; and,

d. the expansion of Albany County Airport will better serve the future transportation needs of the region's population and will encourage continued investment in the Capital District economy.

Q6. Growth within the Study Area is expected to generate growth inducing impacts that include the following:

a. commercial growth should create a demand for new businesses which can supply supporting goods and services;

b. new job opportunities and related population increases may create a need for new housing which will contribute to the overall growth of the area; and,

c. as the demand for new housing, goods, and services creates favorable market conditions, both private and public financing resources will become available to support development. These revenues are then available for reinvestment into the community in the form of improved public facilities and services.

R. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES:

The construction of approximately 3.7 million square feet of commercial and industrial space and approximately 800 new residential dwelling units that will be realized from development of 50 percent of the Cumulative Growth Scenario will result in the irreversible and irretrievable commitment of a variety of resources, as outlined below:

R1. The greatest commitment of natural resources will involve the transformation of vacant or underutilized land to a developed state for residential, commercial, or industrial uses. Assuming 50 percent of the development projected under the Cumulative Growth Scenario, then over 634 acres of existing open space will be converted to other uses.

R2. The development of vacant or underutilized land will result in the permanent loss of woodland, brushland, open fields, and related wildlife habitat.

R3. Construction of new buildings and related site improvements will require building materials, equipment. energy, and human resources. During and after construction, these new developments will require utilities, such as water, sewer, electricity, natural gas, and telecommunications. They will also require services such as solid waste disposal, police and fire protection, and emergency medical service. These resources committed to new developments will be unavailable for other uses.

R4. Development will also have an impact on public or private financial resources which will be expended to construct new projects and will therefore be unavailable for other uses. However, the expenditure of money to build and/or operate these new ventures should generate revenue for owners and employees, as well as the municipalities (e.g. property and sales taxes). In addition, developers will be required to pay their proportionate share for infrastructure and municipal services to support this new development.

S. UNAVOIDABLE ADVERSE ENVIRONMENTAL IMPACTS:

The analysis of potential environmental impacts associated with projected future development during the planning period indicates that certain impacts may not be avoided regardless of proposed mitigation measures. Outlined below are the findings related to unavoidable adverse environmental impacts:

S1. The following findings relate to land use:

a. large tracts of vacant open space, including active and inactive agricultural land, will be altered as a result of projected future development; and,

b. agricultural production on affected land will be lost.

S2. The following findings relate to vegetation and wildlife:

a. future development in the Study Area will require the removal of existing vegetation which in turn may displace wildlife; and,

b. development in the Study Area may result in increased mortality of certain wildlife, particularly among small and relatively immobile species.

S3. As regards transportation, while roadway improvements as proposed will reduce associated impacts, significant increases in traffic are expected in the Study Area as a result of future development.

S4. As regards air quality, based on the Carbon Monoxide Hot Spot Verification Model, the estimated carbon monoxide levels which are produced by gasoline and diesel emissions from vehicles are expected to increase during the planning period.

S5. As regards visual resources, future development of currently undeveloped lands will permanently alter the aesthetic character of the landscape within the Study Area.

T. FUTURE SEQR ACTIONS IN THE STUDY AREA:

According to 6 NYCRR 617.15(b) of SEQR, "Generic EIS's and their findings should set forth specific conditions or criteria under which future actions will be undertaken or approved, and shall include procedures and criteria for supplements to reflect impacts, such as site specific impacts, which have not been adequately addressed or analyzed in the generic EIS." Outlined below are findings pertaining to future SEQR actions in the Study Area.

T1. The Town and County recognize, as per Section 617.15(c)(1) of SEQR, that no further SEQR compliance is required if a proposed action is carried out in conformance with the conditions and thresholds established for such actions in the finding statement for the FGEIS. Future development should generally be consistent with criteria established in this findings statement.

T2. In accordance with 6 NYCRR 617.15 of SEQR, if a future development proposal is not consistent with the timing, scale, and distribution for future development projected in the FGEIS and this findings statement, and the action involves one or more significant environmental effects, a supplement to the FGEIS must be prepared. If the development proposal is not consistent with the timing, scale, and distribution of future development project in the FGEIS and findings statement, and the subsequent action will not result in any significant environmental effects, then a negative declaration must be prepared. In the case where a proposed future development was adequately addressed in the FGEIS, but was not adequately addressed or overlooked in the findings statement, then a supplemental findings statement must be prepared.

T3. As future development is proposed within the Study Area, the lead agency (if one is designated) and each involved agency for each proposed action will be responsible for carrying out the requirements of 6 NYCRR 617.15 of SEQR. This will require interpretation of this findings statement and the documentation presented in the FGEIS prepared for the Study Area as it specifically relates to the development project being proposed. As with all Type I actions and for coordinated review of unlisted actions involving more than one agency under SEQR, a lead agency must be established prior to a determination of significance.

U. MAJOR CONCLUSIONS:

U1. The preparation of the subject FGEIS is an action which has been jointly funded and undertaken by the Town, Village, and County to ensure that a suitable balance of social, economic, and environmental factors is incorporated into the planning and decision–making process of State, regional, and local agencies.

U2. At the time the GEIS was initiated, the Town, Village, and County established a 15–year planning period as a reasonable time frame for addressing the short- and long-term development trends and associated impacts in the Study Area. Nevertheless, the Town and County now believe that a 20–year planning period is a more realistic and practical time frame in which to expect the projected level of growth and the magnitude of infrastructure improvements which are required to keep pace with anticipated development in the Study Area.

U3. The pace of development in the Study Area during the 20-year planning period shall not exceed the rates specified in CDTC's Threshold Analysis for highway improvements in the Study Area (see Appendix A) as summarized in Section H. Transportation of this findings statement. Specifically, it must be recognized that the CDTC transportation action plan is intended to accommodate the forecast level of growth in Airport-related traffic for projects identified in the updated Airport Layout Plan and approximately 50 percent of other development included in the Cumulative Growth Scenario.

U4. If at any time proposed development exceeds the capacity of associated infrastructure and other community activities and services, then regulatory agencies of the Town and County shall and the Village should consider appropriate growth control measures to limit further development.

U5. The Town and County shall and the Village should work cooperatively to administer a comprehensive capital improvement program to implement all infrastructure and municipal service improvements identified in the FGEIS as necessary to support projected development. The municipalities shall develop a detailed intermunicipal agreement which will clearly delineate the responsibilities and obligations of each municipality.

U6. It is important to recognize that both private development and public benefit projects within the Study Area serve the regional needs of the entire Capital District, and in the case of the Airport, serves the needs of several upstate counties and portions of two neighboring states. Therefore, neither local government nor private land owners and developers within the Study Area should be required to shoulder the full burden of supporting anticipated development. Supplemental study should be undertaken to seek out solutions beyond those presented in the FGEIS and this findings statement to identify means to include the region in paying for its proportionate share of costs associated with future development within the Study Area. Similarly, an effort should be advanced to examine the feasibility of the State assuming jurisdiction over Albany County routes currently serving Airport access and regional commutation needs.