

## B. Schenectady - RESTORE III - ALCO Industrial Site (W821)

December 14, 2011

### General Project Plan

- Grantee:** City of Schenectady (“Schenectady” or the “City”)
- Beneficiary Companies:** Maxon Alco Holdings, LLC (the “Developer”), an affiliated entity of the Galesi Group  
Schenectady Metroplex Development Authority (“Metroplex”)
- ESD Investment:** A grant of up to \$4,000,000 to be used for a portion of the cost to demolish buildings, remove asbestos and construction a 60,000-square-foot commercial building
- Project Location:** 301 Nott Street, Schenectady, Schenectady County
- Project Completion:** August 2013
- Grantee Contact:** Steven Strichman, Zoning Administrator  
105 Jay Street – City Hall  
Schenectady, NY 12305  
Phone: (518) 382-5049
- Beneficiary Contact:** Gerald Hennigan, Vice President, Finance  
P.O. Box 98  
Guilderland Center, NY 12085  
Phone: (518) 356-4445
- Project Team:**
- |                       |               |
|-----------------------|---------------|
| Project Management    | Linda Dillon  |
| Affirmative Action    | Helen Daniels |
| Environmental         | Soo Kang      |
| Design & Construction | Scott Renzi   |
- Regional Council:** The Capital Regional Council has been made aware of this item.

### **Project Description:**

#### Background

The City of Schenectady is located in eastern New York near the confluence of the Mohawk and Hudson Rivers. In the 19<sup>th</sup> century after construction of the Erie Canal, Schenectady became an important transportation and trade center, as it connected the Hudson River to the Mohawk Valley and the Great Lakes.

## **B. Schenectady - RESTORE III - ALCO Industrial Site (W821)**

December 14, 2011

The City became the headquarters of the General Electric Company (“GE”) in 1892 and the American Locomotive Company (“ALCO”) in 1901. At its height, these two companies employed 60,000 people. Following World War II, locomotive manufacturing began to decline and ALCO ceased its domestic operations in 1969. While GE still has major operations in the City, the company employs 4,000, down from 28,000 four decades ago. This profound loss of employment opportunities caused the City to lose nearly a third of its population and much of its tax base.

Today, the remaining 60 acre ALCO site is a vacant, blighted, brown field site along the Mohawk River near downtown Schenectady. With over 15 dilapidated buildings containing 560,000 square feet of obsolete industrial space, the site is a major eyesore and detriment to the economic recovery of the City. The attraction of private-sector investment along the Mohawk River waterfront presents a significant opportunity for the City to revitalize one of the oldest industrial sites in New York State. Its transformation is a cornerstone piece of *Schenectady 2020*, the City’s recently completed comprehensive plan. Sufficient funds cannot be obtained from other sources to redevelop the ALCO site without ESD’s Restore NY assistance.

The City of Schenectady is one of two Urban Area Central Places in the Albany, NY Urbanized Area as defined by the Census Bureau. The City is a highly distressed community with a 2010 population of over 66,000 and an unemployment rate of 9.5%.

The City of Schenectady has been the recipient of over \$4.7 million in previous ESD funding including two previous RESTORE grants, both of which have been completed.

### The Project

The project involves the acquisition of the 60-acre ALCO site, removal of asbestos, demolition of 560,000 square feet of vacant, obsolete industrial space and the construction of a 60,000-square-foot commercial building. RESTORE funds will be used to support a portion of demolition costs (up to 325,500 square feet), asbestos removal, and construction costs. The new multi-story building will be constructed of steel and masonry and will be located on or very close to the site of the former building #332.

The project partners include the Galesi Group through its affiliate, Maxon Alco Holdings, LLC as the project Developer, and the Schenectady Metroplex Development Authority. The Galesi Group offers real estate development, industrial/office leasing and property management services, and owns 11 million-square-feet of space in the Capital Region including four industrial parks and numerous commercial buildings in the City of Schenectady. The Galesi Group will oversee all demolition, remediation and site construction work and manage future operations and site build-out. Metroplex was

## B. Schenectady - RESTORE III - ALCO Industrial Site (W821)

December 14, 2011

established in 1998 to enhance the long-term economic vitality and quality of life in Schenectady County. Metroplex is a public benefit corporation created pursuant to the New York State Public Authorities Law. Metroplex undertakes and implements a comprehensive program of economic development activities in the Route 5 and Route 7 corridors of Schenectady County, New York, with special emphasis on downtown Schenectady.

In April 2010, the Developer acquired the property and began demolition and asbestos removal in October 2010. A site remediation plan that includes a site assessment/evaluation has been submitted to the NYS Department of Environmental Conservation and approval of the clean-up plan is anticipated in June 2012. Construction of the new building is expected to begin in September 2012 and be completed by July 2013.

This project will have a major impact on the City of Schenectady. The cleanup of this blighted industrial park and the construction of a new commercial building is viewed as the first phase of what will be an attractive and desirable waterfront location for future business, retail and residential development. It represents the rebirth and reuse of one of the oldest brown field sites in the country, transforming a long-standing eyesore into a mixed use commercial and residential project with opportunities for further growth and job creation.

Financing Uses	Amount	Financing Sources	Amount	Percent
Acquisition	\$1,524,620	ESD Grant	\$4,000,000	33%
Construction	6,000,000	City Equity*	7,750,000	65%
Infrastructure / Site	3,800,000	Schenectady Metroplex Development Authority	250,000	2%
Indirect / Soft Costs	675,380			
Total Project Costs	\$12,000,000	Total Project Financing	\$12,000,000	100%

\*Source of equity is from the Developer.

### Financial Terms and Conditions:

1. Upon execution of the grant disbursement agreement, the City will reimburse ESD for all out-of-pocket expenses incurred in connection with the project.
2. The City will be obligated to advise ESD of any material or adverse changes in its financial condition prior to disbursement.

## B. Schenectady - RESTORE III - ALCO Industrial Site (W821)

December 14, 2011

3. The City will ensure the contribution of at least a 10% match of the grant amount to the Project.

4. Up to \$4,000,000 will be disbursed to Grantee as follows:

Up to \$1,800,000 will be disbursed to the Grantee, no more frequently than quarterly and in proportion to ESD's funding share as reimbursement for eligible site work costs, in compliance with ESD's Design and Construction requirements, assuming all project approvals have been completed and funds are available, and provided the Grantee is otherwise in compliance with the terms and conditions of this Agreement.

Up to \$1,800,000 will be disbursed to the Grantee, no more frequently than quarterly and in proportion to ESD's funding share as reimbursement for eligible construction costs associated the construction of a 60,000 SF commercial building located at or very close to the site of the building formerly known as #332, in compliance with ESD's Design and Construction requirements, assuming all project approvals have been completed and funds are available, and provided the Grantee is otherwise in compliance with the terms and conditions of this Agreement.

The final disbursement, which shall be at least 10% of the grant amount, shall be made to the Grantee upon completion of the project, and in compliance with ESD's Design and Construction requirements, assuming that all project approvals have been completed and funds are available, and provided the Grantee is otherwise in compliance with the terms and conditions of this Agreement.

Payments will be made upon presentation to ESDC of an invoice and such other documentation as ESDC may reasonably require. Expenses must be incurred on or after May 4, 2009 to be considered reimbursable project costs. Previously expended funds may be applied toward match requirements retroactive to June 23, 2006, when the Restore New York Legislation was enacted.

5. ESD may reallocate the project funds to another form of assistance, at an amount no greater than \$4,000,000, for this project if ESD determines that the reallocation of the assistance would better serve the needs of the City and the State of New York. In no event shall the total amount of any assistance to be so reallocated exceed the total amount of assistance approved by the Directors.
6. If the Grantee is not the owner of the Project, then the Grantee shall prohibit, for five years from the date of the initial disbursement of Grant funds, any transfer of the Project in whole or in part, by sale, lease, or conveyance of any interest in or with respect to the Project except (a) transfers of minor interests in the Project site, such

## **B. Schenectady - RESTORE III - ALCO Industrial Site (W821)**

December 14, 2011

as utility easements and limited rights-of-way, and (b)(i) the arms-length basis sale or lease of individual condominium units in the ordinary course of business for a condominium development and (ii) the arms-length basis residential or commercial lease in the ordinary course of business for a commercial, residential, or mixed-use rental development. In the event that such a prohibited transfer occurs within such five-year period, the Grantee shall pay to ESD, promptly upon ESD's written demand therefore, the applicable amount indicated below.

The Recapture Amount is based on the time that has lapsed between when the Grant funds were disbursed and when the transfer occurred. The Recapture Amount shall be calculated by aggregating the Recapture Amount for each disbursement of the Grant, which in each instance shall be equal to:

- (i) 100% of the disbursed amount if the transfer occurred in the calendar year that the disbursement was made, or in the first full calendar year after the disbursement was made;
- (ii) 80% of the disbursed amount if the transfer occurred in the second full calendar year after the disbursement was made;
- (iii) 60% of the disbursed amount if the transfer occurred in the third full calendar year after the disbursement was made;
- (iv) 40% of the disbursed amount if the transfer occurred in the fourth full calendar year after the disbursement was made;
- (v) 20% of the disbursed amount if the transfer occurred in the fifth full calendar year after the disbursement was made.

### **Design and Construction:**

Design and Construction ("D&C") staff will review the project budget, plans, specifications and at its option visit the Alco site in Schenectady to monitor site work and construction progress for the scoped work. There will be multiple progress payments and each requisition reviewed will be recommended for payment only when D&C requirements have been satisfied. The aforementioned project will be reviewed in conjunction with D&C requirements and forms.

### **Environmental Review:**

ESD (the "Corporation"), pursuant to the State Environmental Quality Review Act ("SEQRA"), Article 8 of the Environmental Conservation Law, and its implementing regulations (6 NYCRR Part 617), ratifies and makes the following findings based on the Final Generic Environmental Impact Statement ("FGEIS") certified as complete on April 28, 2010 by the Schenectady Metroplex Development Authority, as lead agency, in connection with the proposed ALCO Redevelopment Project (the "proposed action").

## **B. Schenectady - RESTORE III - ALCO Industrial Site (W821)**

December 14, 2011

SEQRA requires the adoption of written findings, supported by a statement of relevant facts and conclusions considered, prior to agency decisions on actions that have been the subject of an FGEIS. The Findings Statement, attached as Exhibit A, contains the facts and conclusions in the Draft Generic Environmental Impact Statement (“DGEIS”) and FGEIS relied upon to support the Corporation’s decision on the action that is the subject of the requested authorization.

The findings that the Corporation hereby ratify and make are that:

- The Corporation has given consideration to the DGEIS and FGEIS;
- The requirements of the SEQRA process, including the implementing regulations of the New York State Department of Environmental Conservation, have been met;
- Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the proposed action is one that avoids or minimizes significant adverse environmental effects to the maximum extent practicable, including the effects disclosed in the relevant environmental impact statement;
- Consistent with social, economic and other essential considerations to the maximum extent practicable, any significant adverse environmental effects revealed in the environmental impact statement process as a result of the proposed action will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures which were identified as practicable;
- The proposed action is in compliance with Section 14.09 of the State Historic Preservation Act.

Therefore it is recommended that the Corporation ratify and adopt the SEQRA Findings Statement attached as Exhibit A.

### **Affirmative Action:**

ESD’s Non-discrimination and Affirmative Action policy will apply. The Client encouraged to use its best efforts to achieve a Minority Business Enterprise participation goal of 7% and a Women Business Enterprise participation goal of 3% of the total dollar value of work performed pursuant to contracts or purchase orders entered into in connection with the construction work related to the project and to include minorities and women in any job opportunities created by the project.

## B. Schenectady - RESTORE III - ALCO Industrial Site (W821)

December 14, 2011

### Statutory Basis – Restore NY Communities:

#### Land Use Improvement Project Findings

1. The area in which the project is to be located is a substandard or insanitary area, or is in danger of becoming a substandard or insanitary area and tends to impair or arrest sound growth and development of the municipality.  
The project involves the demolition of vacant, abandoned industrial buildings, which has been deemed by the City to arrest sound growth and development in the area, and reconstruction of a new building at the project location.
2. The project consists of a plan or undertaking for the clearance, replanning, reconstruction and rehabilitation of such area and for recreational and other facilities incidental or appurtenant thereto.  
The project involves the demolition and reconstruction of a site that the City has included in its overall master development plan. *Schenectady 2020* places a major emphasis on redevelopment of the ALCO site as being essential to the City's future.
3. The plan or undertaking affords maximum opportunity for participation by private enterprise, consistent with the sound needs of the municipality as a whole.  
The City published a property assessment list and held a public hearing on the project at the time of application. The City will ensure compliance with all applicable local laws and regulations.
4. The requirements of Section 10(g) of the Act are satisfied.  
There are no families or individuals displaced from the Project area.

#### Additional Submissions to Directors

Exhibit A - SEQRA Findings Statement

December 14, 2011

Schenectady (Capital Region – Schenectady County) – Schenectady – RESTORE III - ALCO Industrial Site – Restore NY Communities 08-09 – Adoption of Findings Pursuant to the State Environmental Quality Review Act

---

RESOLVED, that with respect to the ALCO Industrial Site Project, the Corporation hereby makes and adopts pursuant to the State Environmental Quality Review Act (“SEQRA”) the following findings and determinations, which findings and determinations are made after full consideration of the Findings Statement attached as Exhibit A hereto, which Exhibit A is hereby adopted by the Corporation and copies of which document are hereby filed with the records of the Corporation.

- The Corporation has given consideration to the Draft and Final Generic Environmental Impact Statement (“DGEIS” and “FGEIS”, respectively) prepared for the proposed ALCO Redevelopment Project;
- The requirements of the SEQRA process, including the implementing regulations of the New York State Department of Environmental Conservation, have been met;
- Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the Project is one that avoids or minimizes adverse environmental effects to the maximum extent practicable, including the effects disclosed in the FGEIS and the Findings Statement;
- Consistent with social, economic and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the environmental impact statement process will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigation measures described in the FGEIS and the Findings Statement; and
- The Project is in compliance with Section 14.09 of the State Historic Preservation Act;

and be it further

RESOLVED, that the President and Chief Executive Officer or his designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to comply with the requirements of SEQRA in connection with the Project.

\* \* \*

## EXHIBIT A

### STATE ENVIRONMENTAL QUALITY REVIEW FINDINGS STATEMENT

#### THE ALCO REDEVELOPMENT PROJECT

NEW YORK STATE URBAN DEVELOPMENT CORPORATION  
D/B/A EMPIRE STATE DEVELOPMENT

DECEMBER 14, 2011

The New York State Urban Development Corporation, doing business as Empire State Development (“ESD”), as an involved agency in the environmental review conducted pursuant to the State Environmental Quality Review Act (“SEQRA”), Article 8 of the Environmental Conservation Law, and its implementing regulations (6 NYCRR Part 617), makes the following Findings based on the Final Generic Environmental Impact Statement dated April 28, 2010 prepared by the lead agency, the Schenectady Metroplex Development Authority (“Metroplex”), in connection with the proposed ALCO Redevelopment Project (the “Project”) in the City of Schenectady, Schenectady County, New York.

**Name of Action:** The ALCO Redevelopment Project

**Description of Action:** The Schenectady Metroplex Development Authority initiated the SEQRA process and commissioned the preparation of a Generic Environmental Impact Statement (“GEIS”) to address the potential redevelopment of the former American Locomotive Company (“ALCO”) site, also known as the Nott Street Industrial Park (the “Study Area”) for a mixed use commercial and residential project. ESD’s action involves the provision of funding under the Restore New York Program to the City of Schenectady to be used for a portion of the cost for buildings demolition, asbestos removal and the construction of a 60,000-square-foot commercial building.

The Study Area covers approximately 60 acres and consists of former industrial buildings and large warehouse buildings many of which are dated, dilapidated and/or underutilized. Future development is envisioned to include the construction of new residential units, retail, office, and commercial space. Potential future land uses for the Study Area include 50 townhomes, 50 condos, and 100 apartments; a 125 room, 5-6 story hotel; 450,000 SF of commercial development including office and research development uses; and 75,000 SF of retail development including restaurants.

Future development within the Study Area will require improvements to the intersections at

Nott Street & Erie Boulevard, Maxon Road Extension & Erie Boulevard, and Freemans Bridge Road & Sunnyside Road. Mitigation measures include realignment, reconstruction, left-turn only lanes, and signal timing adjustments. Such future projects will be coordinated with NYSDOT during site planning for review of traffic impacts and mitigation needs.

Within the Study Area, over time it is expected that all of the existing structures will be demolished as part of the brownfield cleanup and will make way for new buildings. As such, non-conforming industrial space will be replaced by new buildings and uses that would be consistent with the City's Comprehensive Plan and recently updated zoning code. The timeframe for the new construction will be highly dependent on economic conditions, however it is expected that build out would occur over the next 10 years. Some existing light industrial uses within the ALCO Study Area may continue to exist as non-conforming uses. Such uses will need to address brownfield issues and enhance their appearance through the use of landscaping and other measures.

A community center may be developed along with floating docks to encourage waterfront access. It is also anticipated that the Hudson-Mohawk River Bike Trail will be extended through the Study Area along the Mohawk River. The bike path will continue adjacent to the Mohawk River and connect to East Front Street.

**Location:** 301 Nott Street, Schenectady, including parcels adjoining 301 Nott Street. The Project site is bounded by Erie Boulevard, the Mohawk River, the Stockade section of Schenectady, and the Front Street Neighborhood.

**Date Final Generic Environmental Impact Statement Accepted:** April 28, 2010

## **FACTS AND CONCLUSIONS IN THE FGEIS RELIED UPON TO SUPPORT THE DECISION**

### **SEQRA Process**

September 13, 2006 – Metroplex adopted a resolution declaring its intent to act as lead agency for the Project and on September 19, 2006 distributed the EAF and Project materials to all identified involved agencies and expressing Metroplex's intent to act as lead agency.

February 26, 2007 – Metroplex assumed lead agency status for purposes of SEQRA review of the Project, issued a Positive Declaration with respect to the Project, requiring that a Draft Generic Environmental Impact Statement ("DGEIS") be prepared.

March 14, 2007 – Metroplex held a public scoping meeting regarding the Draft Scoping Outline of issues to be addressed in the DGEIS.

April 11, 2007 – Metroplex adopted a Final Scoping Outline.

March 1, 2010 – Metroplex held a public hearing on the DGEIS. The public comment period ended on March 12, 2010.

April 28, 2010 – Metroplex accepted the Final Generic Environmental Impact Statement (“FGEIS”) as complete and providing a full and comprehensive evaluation of the Project and its potential adverse environmental impacts and addressing all comments received by Metroplex.

May 26, 2010 – Metroplex adopted its Statement of Findings.

## **Transportation**

The Study Area has several key intersections, which form the basis of the impact analysis. Key intersections include: Erie Boulevard & State Street; Erie Boulevard & Liberty Street; Erie Boulevard & Union Street; Erie Boulevard & Nott Street; Erie Boulevard/Freemans Bridge Road & Maxon Road Extension; and Freemans Bridge Road & Sunnyside Road.

Traffic was evaluated for the existing conditions, future conditions without site development and future conditions with the redevelopment of the ALCO site for the proposed mix of residential, commercial and light industrial uses.

The potential traffic generated by the development will change the levels of service during peak hours at all of the study intersections. Several of the intersections within the study area are included in projects that are already programmed for improvements in the regional Transportation Improvement Program: namely the Erie Boulevard Corridor Project, which extends from I-890 to Liberty Street, includes the section of Erie Boulevard from State Street to Union Street, and a future project for intersection improvements at Erie Boulevard and Nott Street. Because of these ongoing and/or pending projects, additional improvements at these locations are not recommended at this time.

Mitigation measures proposed to address the potential traffic impacts include:

**Erie Boulevard at Nott Street** - Site planning and design for the Study Area should be consistent with the concepts for future intersection improvements at this location and should not constrain, to the extent possible, the options for future improvements.

**Erie Boulevard/Freemans Bridge Road at Maxon Road Extension** – Construction of a separate right-turn lane on the Erie Boulevard northbound approach to the intersection and adjustment of signal timings to optimize the peak hour operations are recommended. This physical improvement at the intersection may also require replacement of the existing signal system.

**Freemans Bridge Road at Sunnyside Road** – Optimization of the traffic signal timing to reflect the future changes in traffic volumes and patterns.

**Erie Boulevard at Site Access** – A new site driveway should be provided on Erie Boulevard,

north of the intersection at Nott Street, located a minimum distance of ¼ mile from existing adjacent traffic signals (Nott Street and Maxon Road Extension). It is recommended that a traffic signal be installed at this intersection when site development progresses to a point where the warranting criteria for signal control will be satisfied. The construction of a site access on Erie Boulevard in this area may involve FHWA action and approval in addition to the permitting requirements of NYSDOT.

The site's internal transportation system shall be designed to promote walking by providing sidewalks on all roadways and pedestrian connectivity between the land uses, parking locations, and transit stops within the Study Area. Narrow roadway widths and curb-side treatments can also promote a safe walking environment similar to surrounding neighborhood streets. Finally, the design of pedestrian and bicycle accommodations should provide connections to the residential areas to the west.

### **Cultural Resources**

As part of the Restore NY Grant process, Metroplex consulted with the NYS Office of Parks Recreation and Historic Preservation (OPRHP) including the submission of a Phase 1A Study and documentation of the extensive fill at the Study Area. As a result, a Letter of Resolution (LOR) has been executed among OPRHP, ESD, the City of Schenectady and Maxon Alco Holdings, LLC.

Based on the results of the Phase 1A Cultural Resources Study, there are 40 archaeological sites within one-mile and 23 National Register sites within one-half mile of the Study Area boundaries. In addition, considering that the Study Area is within the bounds of reported precontact sites and is in close proximity to nineteen other precontact sites, there is a moderate to high sensitivity for pre contact resources. Based on the proximity of reported sites and the physiographic characteristics, the Study Area would be considered to be highly sensitive for precontact archeological sites. The likelihood of identifying intact precontact resources is reduced however due to the extensive development and occupation during the 19th and 20th- centuries. Additionally, a 1978 USDA soil survey indicates that the entire Study Area has been filled.

To ensure no impacts occur, demolition and construction will occur on top of existing fill deposits. As indicated in the LOR, future remediation or construction plans requiring any excavation work that will reach below the current fill levels and impact original soils will be reviewed by the OPRHP Field Service Bureau to determine if archaeological testing is appropriate. Utility work will, if practicable, utilize existing areas of prior disturbance or use methods to minimize disturbance. However, the installation of underground utilities and the use of piles for future site development will not require additional testing.

Furthermore, the Study Area includes a number of structures that are eligible for listing on the State and National Register, including the ALCO "West Side" complex. These structures are likely eligible because of their association with a nationally-important transportation industry,

and because of the important role that ALCO played in local history. Unfortunately, a substantial impediment to the use of the property for historic purposes related to train manufacturing at the site is the complete absence of any rail lines on the property.

As previously discussed, buildings within the Study Area will be demolished as part of the redevelopment. The demolition will include buildings that are eligible for listing on the State and National Register. To mitigate the loss of these buildings, they were the subject of a detailed photo documentation effort that included exterior and interior views and elevations as well as capturing artistic details and historic elements contained within each individual structure. (See FGEIS Appendix D, Photographic Record). As an additional mitigation measure, as per the LOR, a donation of \$5,000 will be provided to the Schenectady Museum to help offset costs associated with an exhibit on the ALCO site. In addition, contaminated architectural salvage materials such as bluestone or decorative elements will be stored on site and evaluated for reuse in the redevelopment.

### **Visual Resources**

A Visual Resource Assessment (VRA) was performed in accordance with NYSDEC Visual Assessment Policy to identify the potential impact of the proposed development scenario on the visual character of surrounding neighborhoods, transportation corridors, and visual resources. The majority of the land within the Study Area is developed and comprised of former industrial buildings and large warehouse buildings. While there are still a few tenants in the Study Area, the majority of the site contains vacant or underutilized industrial vestiges that have decayed beyond use or repair.

The Erie Boulevard corridor supports more than 22,000 vehicles a day, is not pedestrian friendly, and lacks a consistent visual identity. The Mohawk River borders the Study Area to the north. Its south shore is urbanized, with the former ALCO buildings creating notable waterfront blight. The north shore opposite the Study Area (in the Village of Scotia) is largely undeveloped, with a naturally vegetated shoreline and a regional electric transmission corridor approximately 200 to 300 feet inland. The Study Area is directly visible along Erie Boulevard between the CSX railroad overpass to Freeman's Bridge. It is also visible from the Mohawk River and shoreline areas in the Village of Scotia.

Since the Study Area is a blighted waterfront, the proposed mixed-use commercial and residential development represents an opportunity for significant aesthetic enhancement. No adverse visual impacts are anticipated to result from the Project. Redevelopment is fully expected to significantly improve the visual quality of the Project area. Thus, no mitigation is necessary to screen or buffer views of the Study Area from any identified aesthetic resource.

The visual quality of the redeveloped Study Area along the riverfront will be an important asset in promoting the Project as a vibrant mixed-use waterfront community. The redevelopment project will include broad design guidelines articulated in the DGEIS that will encourage

“neighborhood-scale” development that adds aesthetic character and broadens the market base while providing desirable amenities and opening up a new area of the City to residents and visitors.

The intent of implementing design guidelines is to expand waterfront-related uses and public access; provide connections to the surrounding neighborhoods; and create a distinct sense of place beyond ALCO’s current industrial character. Within the development area, guidelines are largely based on form and overall character of development, as site specifics are not known at this time.

While it is clear that adding a mixed-use development component will be a departure in look and feel from the Study Area’s existing industrial character, the goal is to improve upon this underutilized area, making it accessible and attractive to a greater segment of the population. The guidelines provide design criteria and suggest development approaches, which will help both the City and future developers consider site organization, site design, public spaces, architecture, and enhanced aesthetic appearance on the surrounding area.

### **Land Use and Zoning**

The envisioned redevelopment encourages land uses that are compatible with existing and envisioned uses as outlined in the City of Schenectady Comprehensive Plan 2020 and the neighboring plans for mixed use waterfront development north of the Mohawk River in the Town of Glenville and the Village of Scotia. A review of existing land uses within a quarter mile indicates that the proposed Project promotes compatible land uses.

### **Site Plan Review**

Although the Project envisions the development of specific land uses, future market conditions will determine the final mix of residential and nonresidential space created as part of the Project. Site plan review by the City Planning Board will ensure compatibility with surrounding land uses and will address issues such as building placement and parking structure/lot placement, building materials, lighting, signage, and buffering. Potential impacts on the surrounding land uses will be considered during the review of future site development plans as part of the City’s Site Plan Review process. The potential impacts to be considered include noise, lighting, aesthetics, and public waterfront access. The Site Plan Review process will mitigate potential impacts through environmentally sensitive design. To the extent practicable, future site plans will work to achieve the mixed use development principles outlined in the Schenectady-Scotia Waterfront and Market Feasibility Study and the City’s Comprehensive Plan.

### **Green Building Design**

The proposed Project presents an opportunity to showcase innovative materials and design

techniques to reduce environmental impacts while simultaneously promoting cost efficiency. Environmentally sound design should be encouraged given the site's location along the Mohawk River. The Project seeks to reconnect Schenectady with a waterway that has played a vital role in local history, and it is sensible for future waterfront development to respect its natural surroundings by adhering to environmentally sound design principles to the greatest extent practicable.

Environmentally sound development considers neighborhood-level factors. As part of the site plan review process, the Study Area will be connected internally and to external districts by networked bicycle and pedestrian pathways as well as public transportation. Housing, work, and support services should be located within a walkable distance in order to reduce traffic and automobile dependency. A cohesive neighborhood design is integral to creating an attractive, sustainable modern community, and whenever practicable the planning process should work toward the achievement of green-oriented goals. Diverse housing options should be available, however, as stated in the FGEIS the proposal does not specifically call for an affordable housing component because the ALCO site is envisioned as an opportunity to maximize job creation and tax benefits.

#### Consistency with Zoning, Planning Documents and Studies

The City of Schenectady has recently updated its zoning code to allow for mixed-use waterfront development. Mixed use waterfront residential and nonresidential land uses are more compatible, feasible, and less land intensive than what was once permitted under the City's previous zoning code. The Study Area is zoned C-3, Waterfront Development District. New development will be consistent with zoning. The C-3 district's incentive zoning addresses opportunities for the developer to obtain higher densities and improve site utilization in exchange for the provision of public access to the waterfront and related amenities such as public spaces, recreational facilities and spaces, streetscaping, and many others.

The City of Schenectady Comprehensive Plan 2020, the City of Schenectady and Village of Scotia Waterfront Market and Feasibility Study (Adopted May 19, 2005), and the Freemans Bridge Road Master Plan (Adopted June 16, 2004) were reviewed to determine consistency and compatibility with proposed and existing land uses. The proposed mixed use waterfront development as currently envisioned is consistent with the goals of all these plans and studies. Specifically, the City of Schenectady Comprehensive Plan 2020, the Downtown Neighborhood Plan and the Stockade Neighborhood Plan acknowledge the importance of redeveloping the Study Area with mixed use waterfront development. In addition, the Northside, Downtown, and Stockade Neighborhood Plans also directly and indirectly support the development of a mixed use waterfront community. Therefore, the proposed Project as currently envisioned is consistent with the goals of all three neighborhood plans.

The Schenectady-Scotia Waterfront and Market Feasibility Study, prepared by the Village of Scotia and the City of Schenectady, was intended to lay the groundwork for festive and

heritage rich waterfront development on both sides of the Mohawk River, creating a destination for Erie Canal boaters, tour bikers, local public, and visitors. The Study suggests that waterfront development would be more compatible with and greatly enhance community-oriented waterfront development opportunities along the Mohawk River. A market analysis prepared as part of the Study indicates that a larger regional draw by visitors and tourists would be required to support waterfront development within the Study's limits. The proposed Project is designed to develop a waterfront community that serves as a regional destination.

The Freemans Bridge Road Master Plan, adopted by the Town of Glenville, makes similar land use recommendations for waterfront development in the Town and recommends that land along the northern bank within the Town be preserved primarily for conservation and active recreational uses. These recommendations are consistent with the goals and intent of the Study Area redevelopment.

### **Community Services**

An increase in development density within the Study Area could create additional demand on community services; however, no significant impacts are anticipated as a result of the demand. Those community services of concern relative to the future land uses envisioned in the DGEIS include police services, fire fighting services, and emergency medical services. Construction of the Project will likely last more than one year and involve phased construction. Developing the Study Area in multiple phases would likely result in less impact than if it was developed in a single phase. Multiple phases allow the supporting municipal services to accommodate and respond to the new development over a longer period of time.

Furthermore, when fully realized the Project will have beneficial economic impacts through increased property values and resulting increased tax revenues for the City and the County. Those increased revenues will help offset increases associated with fire and police protection.

With respect to impacts to police services, the City of Schenectady Police Department was consulted on the proposed Project. The police department indicated that they would most likely need to increase manpower for large events and assign additional personnel to the area on a permanent basis. Additional information and comment would be provided by the Police Department when official plans are proposed during the site plan review process.

With respect to fire services and emergency medical services, the Schenectady Fire Department (SFD) was consulted regarding the Project. The Study Area will continue to be served by all stations as a citywide call for both fire and emergency medical services. During the construction stage, the safety of those on site would be a concern. Weekly meetings with construction teams and the SFD should be scheduled to make the department aware of the occupancy on site.

Some of the fire hydrants within the Study Area have been disconnected. These hydrants should be checked during the construction phase. Discussions with SFD did not reveal any immediate concerns regarding the services provided by SFD.

SFD noted the public's concern with RPI's teaching facility in the Study Area. The SFD has completed tests within the vicinity of the reactor, which indicated there was no radioactivity in the area. Further, as noted in the FGEIS, the facility is operated as a laboratory and training facility for RPI's nuclear engineering students. It does not represent an incompatible land use since the size of the facility is extremely small and it is not useful for any other purpose than training.

## **Utilities**

### Water

Water supply for the Study Area is provided by the City of Schenectady's Water System. Mapping provided by the City's Engineering Department indicates that the Study Area is served by a number of connections to the City's system at various locations. Hydrant flow tests were performed as part of the DGEIS process. These tests confirmed the 100 psi static pressure. No significant system improvements or land use changes have occurred in the area since the 2007 hydrant flow tests were performed. In order to account for system or land use changes that may occur, additional hydrant flow tests are recommended during design phase to confirm available flows and pressure.

Based on the uses proposed, the average daily demand for future build-out would increase the domestic water demands by approximately 98,000 gallons per day. Based on preliminary discussions with the City of Schenectady's Engineering Department there is adequate water supply to meet the domestic water needs of the proposed future build out.

Fire flow requirements would increase locally as well; however, fire flow demands depend on the type of construction and should be evaluated in greater detail as design is progressed. Nonetheless, industry standards dictate that municipal water systems should maintain a minimum pressure of 20 psi at all points in the distribution system under all flow conditions. Furthermore, the Insurance Services Office recommends that under a fire flow condition, a water system must be able to provide for domestic needs. Based on the hydrant flow tests, between 3,400 and 4,860 gpm is available in the vicinity before the residual pressure drops below 20 psi. As a result, the existing system provides for adequate water supply and fire protection for future development.

While a water system exists within the Study Area, it is not likely that future build-out will be developed around the existing infrastructure on the site. Rather, the proposed development will dictate that new local service lines be installed. However, the existing infrastructure should be utilized to the extent practicable. In addition, both existing and additional

connections to the City's system will be evaluated in consideration of the necessary infrastructure improvements for the proposed development.

## Sewer

Sanitary sewer service is provided by the City of Schenectady's sewer system. Mapping indicates a number of sanitary sewers in the vicinity of the Planning Area.

The North Ferry Street Pump Station has a design capacity of 17.84 million gallons per day (MGD) with record data for 2005 through 2006 indicating that it currently operates at approximately 6 MGD. The sanitary sewage from the southernmost portion along Front Street is within the area tributary to this pump station. Sewage is conveyed from this area to the City's Water Pollution Control Plant (WPCP) on Anthony Street through approximately 1.5 miles of parallel interceptors. The capacity of the interceptors is estimated at approximately 40 MGD.

The WPCP is a rotating biological contactor plant that was designed to treat 17.3 MGD and a peak flow of 27.75 MGD. The plant currently operates at approximately 14.5 MGD. College Creek is a rectangular box culvert that transverses the Study Area, conveying stormwater flows to the Mohawk River. There is a connection between the 4'x 6' interceptor sewer and the College Creek outfall that allows sewage overflows to discharge to the river during significant storm events. The bypass regulates flows to the river through the use of a manually operated slide gate and is used approximately 6 times each year.

Total wastewater generation by development of the Study Area is expected to be approximately 98,000 gallons per day. New and renovated facilities are required to utilize water saving plumbing fixtures in accordance with NYS regulations. For such facilities the hydraulic loading may be decreased by 20%. Taking into account this reduction, the expected wastewater generation is expected to be 78,400 gallons per day. Based on initial conversations with representatives' from the City's Engineering Department there is sufficient capacity in the City's collection system and WPCP to accept the wastewater generated from the Study Area.

Similarly to the water system, while a sewer system exists within the Study Area, it is not likely that future build-out will be developed around the existing infrastructure. Rather the proposed development will dictate the necessary infrastructure and connect to the City's system within neighboring streets or easements. However, the existing infrastructure should be utilized to the maximum extent practicable. In addition, the City owned facilities such as College Creek and the 4'x 6' interceptor sewer would remain and need to be protected during design development stages of the Project.

## **Water Quality**

## Surface Water

During future build out of the Study Area, clearing and grading activities could expose soils to erosion. If the soils erode, the sediment-laden stormwater eventually would decrease in velocity and deposit the material (sedimentation) in surface waters. As with any construction activity, sedimentation can occur downstream within the floodplain, wetlands, and other portions of the stream corridor. This could impact the aquatic environment and may also change the physical characteristics of the stream.

Stormwater discharges from construction activities involving one acre or more of land are regulated under NYSDEC SPDES General Permit GP-0-10-001. The discharges authorized under this general permit must neither cause nor contribute to a violation of the water quality standards.

To obtain coverage under this general permit, future development projects must submit a "Notice of Intent" (NOI) to NYSDEC. Prior to submission of the NOI, the project sponsor must prepare a Stormwater Pollution Prevention Plan (SWPPP) that complies with the permit requirements and technical standards. The SWPPP will include the list of prohibited construction materials and construction waste as outlined in the "Intermunicipal Watershed Rules and Regulations Schenectady County, New York." Proposed erosion and sediment control measures for a project would be implemented to reduce the risk of soil loss from disturbed areas and to prevent sedimentation within existing drainage channels. Erosion control measures include, but are not limited to:

- Construction and maintenance of erosion and siltation control measures in accordance with the New York Standards and Specifications for Erosion and Sediment Control;
- Prompt vegetative stabilization of disturbed areas with topsoil, seeding and mulch;
- Use of stone riprap at culvert inlets and outlets ;
- Stabilization of proposed pavement areas by compaction and the application of gravel base as soon as all utilities are installed;
- Excavation work not to be carried out during periods of extreme inclement weather; and
- Protection of all areas disturbed during construction by sediment basins or traps, or other approved temporary structural measures for sediment control.

The required water quality treatment for future projects within the Study Area will be based on the proposed impervious area and how it relates to the existing impervious area according to NYSDEC guidelines (See DGEIS, § 2.7.2).

## Floodplains

Development without the use of appropriate stormwater management techniques may disturb

natural drainage patterns and cause localized flooding problems. Development within the 100-year floodplain or floodway as defined by FEMA is regulated by the City of Schenectady in accordance with the National Flood Insurance Rate Program. A large portion of Study Area is located within the 100-year floodplain. Any development that does occur in the 100-year floodplain must adhere to FEMA regulations and to the City of Schenectady's code.

The application of existing FEMA, NYSDEC, and City of Schenectady regulations regarding floodplains provides protection from flooding on-site and downstream. However, given the importance of floodplains in the process of natural stormwater management, impacts should be minimized within the floodplain areas.

### Groundwater

Shallow aquifer systems associated with sands overlying finer grain material, such as silt or clay have a greater potential for contamination from development than deep aquifers. Poorly drained soils with high water tables are the most easily impacted by contamination.

Within the Study Area, Burdett-Scriba and Nunda soils are poorly drained and have a potential for a high water table. In these soils, efforts should be made to limit construction activities or avoid activities that could result in additional infiltration of pollutants into the water table. The groundwater at the ALCO site has been impacted by past industrial activity and the groundwater will therefore be monitored as part of the brownfield cleanup process.

Mitigation measures for the Study Area should include the items previously identified for surface water. Proper drainage control and consideration of the elimination or reduction of pollutants, such as salts and pesticides, would decrease the potential for contamination.

When potential impacts to groundwater are identified, specific mitigation measures should be employed. These measures may include: slab-on-grade construction in areas of high groundwater; underdrains in appropriate areas to maintain road and parking integrity; and proper containment for contaminants associated with new development during pre- and post-construction periods, (i.e., containment for above ground tanks and proper design for underground tanks in accordance with NYSDEC standards).

Furthermore, the protection of the aquifer is governed by the rules and regulations set forth in the "Intermunicipal Watershed Rules and Regulations (IWRR) Schenectady County, New York," which would be enforced by the City of Schenectady during the Site Plan review process.

### **Natural Resources**

As part of the Ecological Assessment of the Study Area, existing maps and databases were reviewed to gain a preliminary understanding of the Project location, including New York State Freshwater Wetland Maps; NYS Department of Transportation Topographic USGS Maps;

National Wetland Inventory Maps; NYSDEC Natural Heritage Program database; USFWS Endangered Species database; and Schenectady County Soil Survey. A field visit was also conducted to collect information on vegetative plant communities, wetlands, site ecology, wildlife, and threatened and endangered species and habitat.

In general, the Study Area consists of overgrown former industrial areas and existing residential, commercial, and industrial areas. According to the NYSDEC Natural Heritage Program (NHP), there are no records of threatened or endangered species within the Study Area. The field assessment also concluded that there are no significant habitats present within the Study Area.

The USFWS endangered species database indicates that Indiana bat and Karner blue butterfly have been documented in Schenectady County. With respect to Indiana bat, USFWS information indicates that Indiana bats were likely “extirpated or in such small numbers that it is unlikely that they would be present and impacted by any specific proposed projects” in the area. With respect to the Karner blue butterfly, the Study Area does not contain the habitats where the species can be found, and does not contain blue lupine, the sole larval food source. Therefore, neither the Karner blue butterfly nor its habitat should be present in the Study Area or impacted by the Project.

The lower Mohawk River supports an abundance of warm water fish species such as largemouth bass, walleye, tiger muskie, rock bass, yellow perch, bullhead, bluegill and pumpkinseed. Northern pike and chain pickerel are commonly found between Lock 7 and Lock 8, which includes the Study Area.

The bank of the Mohawk River is classified as a riparian area. Vegetation within riparian zones is extremely important to the overall function of the river. Riparian vegetation protects the banks, improves water quality of the river, provides wildlife habitat, thermal cover, and helps to control flooding. The bank is dominated by woody vegetation including boxelder, red maple, common buckthorn, eastern cottonwood, black locust, staghorn sumac, and honeysuckle. These species occur in both the herbaceous, sapling, and juvenile stages. Few mature specimens exist.

Vegetation present within the developed portions of the Study Area is typical of urban disturbed areas and includes black locust, boxelder, eastern cottonwood, willow (*Salix sp.*), buckthorn, honeysuckle, staghorn sumac, dandelion, bedstraw, goldenrod, garlic mustard and other various grasses and forbs. These species have a limited value to wildlife.

With the exception of the Mohawk River and portions of the shoreline, no significant natural communities occur within the Study Area. In its current state the Study Area has limited biological diversity. Therefore, future redevelopment projects occurring within the Study Area should not result in significant adverse impact to wildlife.

However, work along the Mohawk River waterfront should occur in a manner that prevents sediment from reaching the river. Near-shore areas are important fish spawning areas and provide habitat for many aquatic species. Impacts from erosion and sedimentation can be most significant in these shallow, near-shore areas.

Other waterfront development opportunities, such as docks, can have a direct impact on the aquatic ecology of the area. Future river projects will require permits from USACE, NYSDEC and the Canal Corp for docks and other activities within navigable waters, requiring a thorough review of the aquatic ecology to ensure the projects will not result in significant impacts. At the same time, future waterfront projects may provide the opportunity to restore and enhance portions of the riverbank. Restoration activities will have to be compatible with the existing fill found along the banks in order to minimize disturbance of contaminated soils. Revegetation using native species would create bank buffer areas to protect the river, reduce sedimentation and erosion and provide food and habitat for wildlife.

Threatened and endangered species should not be adversely impacted by the Project because the Study Area does not contain significant habitats that would support such species. No such species were identified in the Study Area or expected to occur there.

### **Environmental Health**

The Study Area has documented environmental contaminant conditions that have been or are currently under programs overseen by NYSDEC for remediation. The proposed redevelopment will be accomplished by working closely with NYSDEC under the Brownfield Cleanup Program. This approach is similar or the same as that used to redevelop the other former ALCO sites in the City.

Redevelopment of the Study Area and addressing past contamination will require the demolition of the buildings and structures as the area is remediated and redeveloped. The ALCO site currently contains some pre-existing industrial operations, including STS Steel, that are now nonconforming uses following the City's zoning changes several years ago. STS Steel, as with other property owners in the ALCO site, will need to address existing contamination, such as contaminated groundwater and soils, and will need to enhance landscaping and other aesthetic features.

A Phase I Environmental Site Assessment (ESA) for the Study Area was prepared to document the current and historical usage of the site, and identify the presence or absence of recognized environmental conditions (such as hazardous substance or petroleum contamination). A review of historical and regulatory records showed that a portion of the Study Area was developed in 1849 by the Schenectady Locomotive Engine Manufactory. Most of the original building was subsequently expanded, and was then rebuilt after being destroyed by a fire in 1866. By 1901, the American Locomotive Company (ALCO) was formed by the merger of the Schenectady Locomotive Works and several other companies.

ALCO manufactured steam locomotives until 1946, when manufacturing of diesel-electric locomotives began. During World War II, ALCO also manufactured battlefield tanks, marine boilers, and other war-related equipment. By 1948, ALCO was manufacturing only diesel-electric locomotives, which continued until the plant's closure in 1969. Schenectady Industrial Corporation purchased the industrial park in 1971, and leased space to the General Electric Company from 1971 to 1985.

Current and past tenants throughout the Study Area were identified by review of regulatory databases. These listings include hazardous waste generators, Brownfield and Voluntary Cleanup sites, a solid waste facility, a TRIS facility, spills and LUST sites, and registered storage tanks.

Past occurrences include an off-site release of petroleum product in April 1992 from the Coyne Textile Services. NYSDEC observed petroleum seep areas along the bank of the Mohawk River. Schenectady Industrial Corporation, the primary owner within the Study Area, entered into an Order on Consent, in which they agreed to perform certain investigations and remedial activities.

From 1992 through the early part of 2002, several subsurface investigations, tank closure programs, and remedial programs were conducted at the site. It was determined that the majority of the Study Area (soil and groundwater) is impacted by petroleum contamination, with the constituents of concern being semi volatile compounds and PAHs.

Another property of note is the Rensselaer Polytechnic Institute RCF facility, located along the northern edge of the Study Area. The facility was built in 1956 by ALCO and purchased by Rensselaer in 1963, which has operated it as a teaching center associated with its nuclear engineering curriculum. There are no hazardous chemicals used or stored at the facility.

The ESA identified several neighboring properties for which potential environmental conditions may exist.

Based on the ESA the following actions are recommended in association with continued use and or redevelopment of the Study Area:

- As mitigation for the environmental contamination, the developers will be required to remediate the properties in the Study Area through the NYSDEC Brownfield Cleanup Program;
- Comply with NYSDEC requirements as to the scope and nature of remediation of site conditions;
- Evaluate the potential for vapor intrusion into any existing and/or future structures, and the need for remedial actions and/or mitigating building systems;
- Develop a Site Management Plan (SMP) addressing the proper handling and disposal of contaminated media encountered during excavation/redevelopment of the site;

- Contaminated media excavated and/or encountered may be removed and disposed of off-site or will otherwise be managed in accordance with an SMP and/or NYSDEC direction. Remaining contaminated media should be covered or capped to eliminate potential exposure; and
- An Asbestos and Lead Paint Survey should be completed for all structures scheduled for renovation or demolition prior to such renovation or demolition to determine the presence, if any, of asbestos-containing building materials and/or lead paint.

In addition to the contamination itself, the title history of the ALCO property includes easements and other property interests that may need to be extinguished in order to achieve remediation goals of the Projects.

### **Short Term Construction Impacts**

Redevelopment of the Study Area will likely occur in several separate phases over an extended period of time. Economic conditions and market conditions will likely influence phasing and timing of the redevelopment plan. Nonetheless, the scale and duration of a proposed urban construction such as the redevelopment of the Study Area has the potential to adversely impact the surrounding community if not properly managed.

Temporary impacts related to mobilization, demolition, heavy earthwork, foundations, structural steel, installation of utilities, and slab and pre-cast concrete installation may occur. These potential impacts could include a temporary increase in vehicle (construction) traffic in and around the Study Area, noise, fugitive dust, erosion and sedimentation impacts.

As an important aspect of its approach to minimizing impacts to surrounding areas from construction activities in the Project, Metroplex plans to maintain a website that contains up to date information about construction activities and what residents and local business owners should be aware of regarding construction related impacts.

### **Dust**

Fugitive dust could occur during grading and construction activities. In addition, exposed soils may be susceptible to wind erosion. Depending upon the winds, soil type, and construction conditions, some nearby properties may be affected temporarily. Therefore, during construction, the following dust control measures shall be used to mitigate impacts:

- Minimize the period and extent of area being exposed at any one time;
- Spray construction areas with water;
- Minimize the use of vehicles on unpaved surfaces;
- Cover or spray materials and truck loads; and
- Require contractors to keep public roads clean of any construction related dirt and dust throughout the construction process.

Dust in residential neighborhoods should not be an issue with the possible exception of the residential area near Building 308. However, the use of the techniques listed above should address the issue of fugitive dust for these and other nearby sensitive receptors.

### Noise and Vibration

As with any construction project, construction traffic temporarily generates noise, especially during the early stages of construction. In addition, noise levels and potential adverse effects due to construction activities would vary depending on the type of equipment, the location of the equipment, the duration of operations, and the time of operations.

By way of worst case example, the potential for noise impacts from a driven pile system was examined because the act of driving the piles is anticipated to generate the greatest potential for construction noise and vibration issues. Vibrations with high frequencies would occur during the installation of each driven pile. Depending on soil conditions, these vibrations would be noticeable up to a range of 100 to 250 feet from the source. The vibrations would disperse rapidly at distances above 250 feet with frequencies of vibration reaching zero at 500 to 700 feet depending on adjacent soil conditions. At the moment of impact, noise levels up to 85 to 90 decibels can be produced. If a driven pile system is used additional mitigating measures would be implemented, including but not limited to:

- Limiting the number of piling rigs that operate simultaneously;
- Monitoring vibration and sound transmission during construction;
- Developing possible mitigation plans to address potential and unexpected impacts on adjacent properties; and
- Limiting operation construction as required by the City of Schenectady Code.

Further requirements designed to limit construction noise and vibration would be considered for all Project approvals, especially those affecting sensitive residential areas. These include:

- Limiting operation of construction, demolition equipment and construction delivery as required by the City of Schenectady Code;
- Limiting the use of construction, demolition equipment and construction delivery that would impact residential areas during the regular weekday business hours in order to minimize the impact of noise and vibration on residents;
- Maintaining an informational website regarding construction activities, as discussed above;
- Use of vibratory rather than impact pile drivers where feasible for installation of retaining walls and other structural elements;
- Requiring contractors to provide equipment such as sound deadening devices, shields, and physical barriers, and implement noise-abatement measures which may be

necessary to restrict the transmission of noise. Noise abatement measures may include, but are not limited to, requiring:

- Sound-proof housing or enclosures for stationary noise producing machinery such as drills, augers, cranes, derricks, compactors, pile drivers, etc.
- Efficient silencers on air intakes of equipment.
- Efficient intake and exhaust mufflers on internal combustion engines.
- Proper maintenance on all noise-producing equipment to prevent excessive rattling and vibration of metal surfaces.
- Restrictions on construction operations in the vicinity of noise-sensitive locations to period of the day when excessive noise would be least harmful.
- Other measures necessary to prevent construction noise from becoming a public nuisance or detriment to human health.

#### Construction Period Erosion and Sedimentation

The potential for erosion during construction exists due to soil disturbance from excavation and grading. Erosion and sedimentation of all exposed soils during construction would be minimized by compliance with the SPDES General Construction Permit and the SWPPP. Siltation fence, straw bales, check dams, sedimentation basins, and temporary seeding would be used as temporary erosion control measures during construction grading. Temporary and permanent erosion control plans would be identified in the final site grading and construction plans for each stage as required by the SPDES permitting for construction sites. Particular attention should be given to preventing erosion and sedimentation into residential areas as well as other sensitive receptors such as the Mohawk River.

#### Construction Traffic and Parking

Potential impacts of construction on traffic could occur due to contractors and construction workers accessing the site. However, the site is readily accessible from Erie Boulevard via Route 50, 50S or I-890. Due to the Study Area's location, construction traffic will generally utilize these routes, thus limiting local temporary traffic impacts. The availability of open areas within the Study Area should allow for more than adequate on-site parking of vehicles required by the various contractors.

Additional traffic impacts may be created by the transport of excavation material, construction material and equipment, and construction and demolition debris. To mitigate the impacts of these activities, mitigation requirements will be included in all construction contracts. These requirements could include, but are not limited to:

- Trucks, construction equipment, or other vehicles delivering personnel, materials or other construction related items to the building site shall not be altered, modified or repaired in such a way as to cause the noise emitted from its operation to be increased above that emitted by the equipment as originally equipped by manufacturer.

- All deliveries into or haul outs made by tandem axle trucks, articulated semi trucks or similar high load capacity vehicles could be required to follow specific routes that would be determined during Project approval.

Additional requirements relating to managing traffic movements and parking would be considered for all Project approvals, especially those affecting sensitive residential areas. These include, but are not limited to:

- Prohibiting or restricting use of local roads within neighborhoods, or by schools, churches, etc. by trucks, construction equipment, or other vehicles delivering personnel, materials or other construction related items to the building site.
- Prohibiting parking by construction workers their personal vehicles or construction related equipment on residential streets.

### **Economic Impacts**

A revised economic impact analysis, prepared in response to comments received on the DGEIS, confirmed the significant positive economic impact of the Project, including a Project construction budget of \$152 million which is predicted to generate \$219 million of economic output within Schenectady County, including \$41 million in construction related payrolls for approximately 1,000 one-year full time equivalent (FTE) jobs with an average annual wage of \$42,000. Furthermore, after construction is complete the Project is predicted to generate almost \$800 million in annual economic output for Schenectady County, including over 2,800 FTE jobs with \$132 million in payrolls. Over 120 FTE jobs will be housed on the redeveloped site.

### **Alternatives**

Detailed analysis of alternative site development cannot be completed since there are no site specific development proposals being considered at this time. Therefore, alternatives in the form of land uses that deviate from the current concept for the Study Area and in terms of the magnitude of development (larger or smaller projects) were considered. The No Action Alternative considered the environmental implications of maintaining the Study Area as it currently exists.

#### No Action Alternative

The consequences of the No Action Alternative are the continued, prolonged underutilization and continued deterioration of existing buildings and infrastructure within the Study Area. Further, the remediation of the brownfield within the Study Area would not occur. The Study Area would not realize its full potential for providing tax base and employment opportunities and public access to the Mohawk Riverfront would not be enhanced. The No Action Alternative would eliminate the marketing benefit of the SEQR process, which is to make the Study Area SEQR-compliant. This means that future projects proposed within the Study Area

that meet the thresholds identified in the Findings Statement will be able to proceed directly to Site Plan Review, saving several months to a year of environmental review. This process will also establish development guidelines that will be available to prospective developers up front and provide for a more cohesive development strategy of the Study Area and complement the City's recently adopted comprehensive plan and zoning ordinance.

Since much of the Study Area consists of dated, contaminated and underutilized structures, and contaminated site fill, the No Action Alternative would result in greater adverse environmental effects, continued urban blight and would discourage investment in the City.

#### Lower or Higher Intensity of Mixed Use Alternatives

Several alternative land use concepts and development scenarios were reviewed in the process of establishing a preferred development concept for the Study Area, including alternatives with a lower and higher intensity of mixed uses.

Developing a lower intensity of mixed uses was considered to assess the potential impact of less residential and/or commercial development and more parkland and open space development. A lower intensity of development would result in less traffic and parking impacts since fewer parking spaces and roadway improvements will be required. Fewer roads and parking lots also generate less stormwater runoff which is beneficial to the surrounding environment and the community, including the Mohawk River. A lower intensity of development would also have a lower demand for water and sewer services.

The impacts associated with a lower intensity of mixed uses include a reduction in site density and economies of scale. As a result, site acquisition, remediation and development costs rise as development opportunity decreases. Although it has not been determined at this point, there will be a development density threshold, below which the redevelopment costs will not be sufficiently offset by Project value. A lower intensity of uses would also be less likely to draw visitors from the region and across the State to the Study Area.

In an urban environment, increased density, properly designed, is generally encouraged and is a necessary component of a vibrant urban community. Information regarding the infrastructure and community services provided in the Study Area suggests that the preferred alternative can be accommodated without significant impact to these services.

Alternatively, a higher intensity of uses would incorporate more residential and/or commercial land uses and less open space. Such a scenario may include increased traffic volumes, an increased demand for parking, fewer amenities, and a greater demand for water and sewer

services. A beneficial impact would be an increase in the number of homes and jobs that would be created both during and after construction. A higher density of uses would also increase the City's tax base, which could help offset the cost associated with an increased demand for community services and facilities.

### **Cumulative Impacts**

The DGEIS examined the potential for cumulative impacts resulting from the proposed Project and other projects in the vicinity of the Study Area. No significant adverse impacts from cumulative effects are expected to occur.

### Transportation

With respect to transportation, the evaluation of the transportation impacts of the Project included consideration of cumulative impacts in the Study Area by projecting future background volumes using a growth factor based on trend projections and regional travel demand modeling for the Study Area, and by including the traffic generated by the proposed College Park project (which is now completed). The proposed mitigation addresses the changes in LOS that result from the Project in the context of this cumulative traffic growth.

### Land Use and Zoning

The DGEIS includes an evaluation of existing land uses, planning studies and zoning for the City of Schenectady, Village of Scotia and Town of Glenville. These Studies and the City of Schenectady Comprehensive Plan 2020 in particular have outlined visions for a number of neighborhoods in and around the City, including the Study Area. The concepts under consideration in the DGEIS are in conformance with the Comprehensive Plan. If future development occurs in the Study Area and surrounding areas as outlined in the Comprehensive Plan and other planning studies, the cumulative impacts will be minimal. The implementation of the requirements and recommendations in these documents should allow the City to adequately manage any cumulative impact related to this Project and any other projects in close proximity that may occur during overlapping time frames.

### Water Quality

The cumulative impacts of a number of projects in and around the Study Area are expected to result in an improvement in water quality. In particular, development of portions of this and other nearby areas will require site remediation. All future infill development will also have to meet new impervious surface regulations as well as applicable stormwater regulations, thereby improving stormwater quality flowing into the Mohawk River. As a result, no significant adverse cumulative impacts to water quality are expected.

### **Growth Inducing Impacts**

The potential for redevelopment to produce growth inducing impacts related to economic development during construction and operation, including direct and indirect impacts on the regional economy associated with the change in estimated employment and related wages that might be expected to result from constructing and staffing the new facilities, were examined. As outlined below, the Project will not result in any significant adverse growth inducing impacts and most growth inducing impacts will be beneficial in nature.

The successful development of the Study Area will have implications to growth in the City of Schenectady. The redevelopment will have a beneficial impact on the environment as former industrial land is remediated from a brownfield to residential and commercial uses. In addition, as identified above, all projects must comply with applicable stormwater regulations, thereby improving stormwater quality flowing into the Mohawk River.

The development of the Study Area will link residential neighborhoods to the waterfront by providing public access (via walking and bike trails) and by making the Project a local and regional destination that will attract visitors and support local commerce.

The development and redevelopment of the Study Area will result in new and expanded business opportunities and new housing opportunities. This will also benefit other neighborhoods to the south of the site by helping to enhance property values and providing linkages and public access to the Mohawk River waterfront. This in turn will create additional business and housing opportunities in adjacent neighborhoods and properties.

The potential for growth has been envisioned and is compatible with land uses outlined in the City of Schenectady Comprehensive Plan 2020 as well as the Study Area and the neighboring plans for mixed use waterfront development north of the Mohawk River in the Town of Glenville and the Village of Scotia. The growth inducing aspects of the Study Area redevelopment have been considered in both Planning Studies as well as through a review of site plan requirements and green building practices. The implementation of the requirements and recommendations in these documents should allow the City to adequately manage the growth inducing aspects of this Project.

### **Unavoidable Adverse Environmental Impacts**

Redevelopment is expected to include the demolition of buildings within the Study Area that are eligible for listing on the State and National Registers of Historic Places. The loss of these buildings could be considered an unavoidable adverse environmental impact; however, this loss is being mitigated through the development of a photographic study that will preserve the current existing appearance of the site for future study, as well as other mitigation measures set forth in the LOR.

No adverse impacts that cannot be avoided or mitigated have been identified. Potential

impacts that have been identified have also included mitigation measures as part of the DGEIS and FGEIS. The Project is expected to result in numerous positive impacts such as improved site conditions and visual appearance, and increased site utilization, employment and tax base.

The visual quality of the Study Area will be positively impacted as a result of its redevelopment. Existing structures, many of which are unoccupied and in a significant state of disrepair, will either be removed or rehabilitated, resulting in an overall improvement in visual quality. New buildings and amenities will be part of a unified plan to include existing light industrial space and construction of new residential units, retail and commercial space, resulting in enhanced visual quality for the site and surrounding area.

Redevelopment of the Study Area will result in a land development with uses consistent with its City environs. The increased intensity of uses will be offset by appropriate site design including any necessary upgrades and improvements both on and off site. These changes will result in positive impacts as mixed use waterfront residential and nonresidential land uses are more compatible, feasible and less land intensive than the former heavy industrial uses which characterized the Study Area.

#### CERTIFICATION OF FINDINGS

Having considered the Draft and Final Generic Environmental Impact Statements, including the comments received on the DGEIS, and having considered the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR 617.9, ESD finds and certifies that:

1. The requirements of Article 8 of the New York State Conservation Law and the implementing regulations of the New York State Department of Environmental Conservation, 6 NYCRR Part 617, have been met;
2. Consistent with the social, economic and other essential considerations from among the reasonable alternatives thereto, the proposed action will minimize or avoid, to the maximum extent practicable, the adverse environmental effects including the effects disclosed in the DGEIS and FGEIS and set forth in this Findings Statement;
3. Consistent with the social, economic and other essential considerations described above, the incorporation in the development of this Project of the mitigation measures described in the DGEIS, FGEIS and in this Findings Statement, will minimize or avoid the adverse environmental impacts associated with the development of the Project which were identified in the DGEIS, FGEIS and in this Findings Statement; and
4. The Project is in compliance with Section 14.09 of the State Historic Preservation Act.

Agency: NYS Urban Development Corporation d/b/a  
Empire State Development

Signature of Responsible Officer: \_\_\_\_\_

Name of Responsible Officer: Rachel Shatz

Title of Responsible Officer: Vice President, Planning & Environmental Review

Date: December 14, 2011