

# Project Summary Sheet

Crystal Pointe Apartments

Project No: 4603-26-03

February 18, 2026

## Project Description

The proposed project is a 90-unit multi-family development located at the intersection of Aurene Drive and Robert Dann in the Town of Erwin, NY. The project will include nine 10-unit buildings and clubhouse and amenity space for residents of the apartment community. The apartment buildings are townhome style. Each apartment unit has a private entryway and enclosed garage. Each unit has its own patio or balcony. The project will have on-site amenities including, dog park, exercise facility, pool, and pickleball court. The apartments will be market-rate apartments. Monthly rental rates are estimated to range from \$1,800-\$2,500 which is commensurate with comparable market rate properties in the area with similar level of finish and amenity package as the development. IDA assistance is being requested to help offset development costs to improve the economics of developing this expansion in NY as opposed to other out of state growth options.

While the Project will not provide onsite childcare, there is a licensed childcare facility, Corning Children Center, located approximately 200 feet from the property. This proximity provides residents with convenient access to established childcare services within walking distance for families living at the property.

<b>Total Project Investment</b>	\$30,345,290
<b>Benefited Project Amount</b>	\$25,545,000

<b>Jobs Retained</b>	2FT
<b>Job Created</b>	0

<b>Benefit to Cost Ratio</b>	2:1
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<b>Estimated PILOT Benefit</b>	\$1,323,244
<b>Estimated Sales Tax Savings</b>	\$809,760
<b>Mortgage Tax Benefit</b>	\$287,500
<b>Total Savings</b>	\$2,420,484

<b>Comments</b>	IDA assistance at the proposed level is critical to the financial feasibility of the Project and without incentives, the project cannot be undertaken. Due to rising construction costs, interest rates, and material pricing volatility, the Project's development costs have continued to increase and is still facing a significant budget shortfall. Without IDA support, the Project does not meet the banks and investor's required financing thresholds.
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<b>Estimated Project Start Date</b>	April 2026
<b>Estimated Project Completion Date</b>	May 2028

## Evaluative Criteria for Residential/Housing

### 1. Private Sector Investment

The proposed project will leverage \$30.4 million in private sector investment to meet an identified housing need in the community.



### Application for Financial Assistance

Please complete the application and mail the *original, signed copy*, along with the **\$1,000 application fee**, to:

Steuben County IDA  
PO Box 393  
7234 State Route 54  
Bath, NY 14810

Information in the application is subject to public review under the New York State Freedom of Information Law. Please contact the IDA with any questions at 607-776-3316.

#### Section 1: Applicant Information (company receiving benefit)

**Applicant Name:** Crystal Pointe Apartments (Legal name to be provided)

**Applicant Address:** 46 Prince Street, Suite 2003, Rochester, NY 14607

**Phone:** 585-435-4766

**Federal Tax ID:** Type here to enter text.

**NAICS Code:** Type here to enter text.

**Will a real estate holding company be used to own the property?** Yes  No

**Name of real estate holding company:** Type here to enter text

**Federal Tax ID:** Type here to enter text

**Type of Entity:** Choose an item.

**Year Established:** Type here to enter text

**State in which entity is established:** Type here to enter text.

**Stockholders, members, or partners with 20% or more in ownership:**

Name	% Ownership
Park Grove Realty, LLC	100%
Type here to enter text.	Type here to enter text.
Type here to enter text.	Type here to enter text.

**Is the Applicant or any of its owners involved in any lawsuits which could have a financial impact on the company?**

Yes  No

**Has the Applicant or any of its owners ever been involved in a bankruptcy?** Yes  No

**Are all owners noted above citizens of the United States?** Yes  No

**Provide a brief history of the Applicant, including operations, operating performance, changes in operations, current size and locations, products and/or services, major accounts, principal competitors, and major events affecting sales/services.**

Park Grove Realty owns and manages more than 2,000 apartment homes and 250,000 square feet of commercial space across New York, New Jersey, and North Carolina, with a strong concentration in Upstate New York and the Southern Tier, including the Elmira and Hornell markets, as well as nearby Ithaca.

Backed by a dedicated team of over 50 employees and more than 50 years of combined experience, the firm is deeply committed to community-driven development. Park Grove Realty works closely with local municipalities to support responsible growth initiatives, strengthen neighborhood infrastructure, and deliver high-quality housing that creates lasting value for residents and the broader community.

**Estimated % of sales (equal to 100%):**

**Within Steuben County:** N/A

**Outside Steuben County but in NY State:** N/A

**Outside New York but in U.S.:** N/A

**Outside U.S.:** N/A

**What % of annual supplies, raw materials, and vendor services are purchased from firms in Steuben County?**

N/A

**Authorized Signatory Name:** Andrew Bodewes

**Title:** Partner

**Phone:** 585-435-4766

**Email:** abodewes@parkgrovellc.com

**Name of Corporate Contact (if different from Authorized Signatory):** Timothy Crilly

**Title:** Senior Vice President of Development

**Phone:** 585-435-4766

**Email:** tcrilly@parkgrovellc.com

**Name of Attorney:** Chris Danaher

**Firm Name:** Hancock Estabrook

**Phone:** 315-565-4575

**Email:** cdanaher@hancocklaw.com

## Section 2: Project Description and Details

**Municipality(s) of current operations:**

Town of Erwin

**Will the Project result in the abandonment of one or more plants/facilities of the Applicant located in New York?**

Yes  No

**If Yes, explain how, notwithstanding the aforementioned closing or activity reduction, the IDA's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Applicant's competitive position in its respective industry.**

See attached project description.

**Property address(es) of Project location:**

150 Canada Road, Town of Erwin, NY

**Tax map number(s) of Project location:**

298.00-01-003.111

**Town/Village/City taxes are paid to:**

Erwin

**School district taxes are paid to:**

Corning/Painted Post

**Are property tax payments current?** Yes  No

**If no, please explain:** Type here to enter text.

**Does Applicant or any related party currently hold fee title to the Project property?**

Yes  No

**If no, provide the name of the current owner:** Corning Property Management Corp.

**If no, does Applicant or any related party have an option to purchase the Project property?**

Yes  No

**What is the present use of the property?** Vacant Land

**What is the present zoning/land use?** High Density R-72

**Description of the project:** (check all that apply)

<input checked="" type="checkbox"/> New construction	<input type="checkbox"/> Acquisition of existing building
<input type="checkbox"/> Addition to existing building	<input type="checkbox"/> Purchase of machinery and/or equipment
<input type="checkbox"/> Renovation of existing building	<input type="checkbox"/> Other

**Please provide a narrative description of the project, including specific uses and activities that will occur at the site, products to be made or services to be offered, as well as markets for the goods/services. Please include the impact of this project on Applicant in terms of operations and profitability, or other factors affecting operations.**

See attached project description.

Select the project type for all end users at the site; you may check more than one box:

<input type="checkbox"/> Industrial	<input type="checkbox"/> Multi-tenant
<input type="checkbox"/> Commercial	<input type="checkbox"/> Not-for-profit
<input type="checkbox"/> Back Office	<input type="checkbox"/> Healthcare
<input type="checkbox"/> Retail	<input type="checkbox"/> Other: Type here to enter text.
<input checked="" type="checkbox"/> Housing	<input type="checkbox"/> Other: Type here to enter text.
<input type="checkbox"/> Mixed Use	<input type="checkbox"/> Other: Type here to enter text.

Has or will Applicant enter into any tenant leases for this Project? Yes  No

If yes, please complete the chart below:

Tenant Name	Current Location	# sq. ft.	% of total sq. ft.	Business type
Name	Address	Type here to enter text.	Type here to enter text.	Type
Name	Address	Type here to enter text.	Type here to enter text.	Type
Name	Address	Type here to enter text.	Type here to enter text.	Type

Will the project operator, owner, and/or tenant provide onsite employee childcare or other benefit to support employee childcare needs? If so, please explain.

While the Project will not provide onsite childcare, there is a licensed childcare facility, Corning Children Center, located approximately 200 feet from the property. This proximity provides residents with convenient access to established childcare services within walking distance for families living at the property.

What is the Project’s start date when equipment will be ordered or construction begins?

April 2026

**What is the Project's estimated completion?**

May 2028

**When will operations commence?**

May 2028

**Have construction contracts been signed?** Yes  No

**Has financing been finalized?** Yes  No

**Is this part of a multi-phase project?** Yes  No

**If Yes, please explain:** Type here to enter text.

**Have site plans been submitted to the appropriate planning board?** Yes  No

**If Yes, has the Project received site plan approval?** Yes  No

If the Project has received site plan approval, please provide a copy of the Environmental Assessment Form including the Negative Declaration.

**Please provide the IDA with the status of any other required approvals:**

Type here to enter text.

**Will customers personally visit the Project site for Retail Sales or Services? The terms refer to (a) sales by a registered vendor under Article 28 (Section 1101(b)(4)(i)) of the Tax Law of the State of New York primarily engaged in the retail sale of tangible personal property or (b) sales of a service to customers who personally visit the Project site.**

**Retail Sales** Yes  No

**Services** Yes  No

**If either question above is answered Yes, please complete the questions below. If not, please move on to the Financial Assistance and Project Budget section.**

**Retail/Service Industry-Only Questions**

**What percentage of the cost of the Project can be tied to the retail or service portion of the business?**

Type here to enter text.

**If the answer is less than 33%, do not complete the remainder of this section and move on to Section 3: Financial Assistance and Project Budget.**

For Projects where 33% or more is tied to retail sales or service:

**1. Will the Project be operated by a not-for-profit corporation?**

Yes  No

**2. Is the Project location or facility likely to attract a significant number of visitors from outside the economic development region in which the project will be located?**

Yes\*  No

**3. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonably accessible to the residents of the municipality within which the Project is to be located because of a lack of reasonably accessible retail trade facilities offering such goods or services?**

Yes\*  No

**4. Will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York?**

Yes  No

**5. Is the Project located in a highly distressed area, as defined by the US Census Bureau?**

Yes  No

\*If the answer to question 2 or 3 is **Yes**, please provide a third-party market analysis or other documentation supporting the response.

**Section 3: Financial Assistance and Project Budget**

**Choose the type of assistance being requested:** (check all that apply)

Sales Tax Exemption Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Property Tax Exemption Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Mortgage Tax Exemption Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Tax Exempt IR Bond Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

**Describe the reasons why the IDA’s assistance is necessary, and the effect the Project will have on Applicant’s operations. Focus on competitiveness issues, Project shortfalls, etc.**

IDA assistance is critical to the financial feasibility of the Project and without incentives, the project cannot be undertaken. The project received a \$1 Million ESD grant in early 2025, however, due to rising construction costs, interest rates, and material pricing volatility, the Project’s development costs have continued to increase and is still facing a significant budget shortfall. Without IDA support, the Project does not meet the bank’s and investor’s required financing thresholds.

The assistance will allow the Applicant to bridge the financing gap, secure construction and permanent financing, and proceed with development. The Project will deliver much-needed, high-quality housing to the Town of Erwin and

Steuben County, helping to address limited housing supply and supporting continued economic growth and investment in the region.

**Is there likelihood that the Project would not be undertaken but for the financial assistance provided by the IDA?**

Yes  No

**If the Project could be undertaken without financial assistance provided by the IDA, explain below why the Project should be provided financial assistance.**

N/A

**What would be the impact on the Applicant and the associated municipalities if the IDA does not provide financial assistance?**

If IDA financial assistance is not provided, the Project will not be developed. This would result in:

- Loss of new high quality, amenity rich, housing inventory in a supply-constrained market
- Lost construction employment and associated economic activity
- Reduced long-term property tax base growth
- Missed opportunities to attract and retain workforce and employers in Steuben County
- Continued pressure on existing housing stock

The Project will generate construction jobs, permanent economic activity, and long-term tax revenue while enhancing the quality of housing options in the municipality. IDA assistance is therefore essential to ensuring the Project’s viability and delivering these economic and community benefits.

**List below the Sources and Uses of funds for the Project:**

<u>Use of Funds</u>	<u>Amount</u>
Land Acquisition:	\$240,000
Building Purchase:	\$0
Construction or Renovation – <b>Labor</b> :	\$11,208,000
Construction or Renovation – <b>Materials</b> :	\$10,122,000
Site Work/Infrastructure:	\$3,975,000
Machinery, Equipment, Fixtures – <b>Taxable</b> :	\$0
Machinery, Equipment, Fixtures – <b>Non-Taxable</b> :	\$0
Soft Costs, Professional Fees:	\$4,800,290

Refinance of existing debt:	\$0
Other: Type here to enter text.	\$0
<b>Total Uses:</b>	\$30,345,290
<b><u>Source of Funds</u></b>	<b><u>Amount</u></b>
Equity:	\$7,345,290
Financial Institution:	\$22,000,000
Public Sector Assistance:	\$1,000,000
Other: Type here to enter text.	\$0
Other: Type here to enter text.	\$0
Other: Type here to enter text.	\$0
<b>Total Sources:</b>	\$30,345,290
<b>% Public Sources Used to Finance Project:</b>	

Have any of the above costs been paid or incurred as of the date of this application? Yes  No

If Yes, please describe: Architect, Engineering, Attorney and Geotechnical Engineering Fees

If applying for a **Mortgage Recording Tax Exemption**, please list:

**Mortgage Amount:** \$23,000,000

**Mortgage Recording Tax Exemption requested (multiply mortgage amount by 1.25%):** \$287,500

If applying for a **Sales Tax Exemption\***, please list:

<b>Total cost of goods and services that are subject to NY State and Local Sales Tax:</b>	\$10,122,000
<b>Sales Tax Exemption requested (multiply total cost by 8%):</b>	\$809,760

\*The estimated sales tax amount listed above will be provided to the New York State Department of Taxation and Finance. Applicant acknowledges that the transaction documents may include a covenant by the Applicant to undertake the total amount of investment as proposed within this Application, and that the estimate, above, represents the maximum amount of sales and use tax benefit that the IDA may authorize with respect to this Application. The IDA may utilize the estimate, above, as well as the proposed total Project Costs as contained within this Application, to determine the Financial Assistance that will be offered.

If applying for a **Property Tax Exemption**, IDA staff will use the information contained in this application to create an estimate of real property tax abatement, based on current property tax rates and assessed values, which will be provided to the Applicant and attached to this application.

### Section 4: Project Employment

Is the Project necessary to retain existing employment? Yes  No

Is the Project necessary to expand employment? Yes  No

**Please complete the following chart with new and retained jobs using the definitions below:**

- A** – Retained Jobs are those that exist at the time of application.
- B** – Jobs Created are those that will be created as a result of the Project in the first year
- C** – Jobs Created are those that will be created as a result of the Project in the second year
- D** – Jobs Created are those that will be created as a result of the Project in the third year
- E** – The sum of jobs to be created during the first three years of the Project.
- F** – The average wage of those existing and created jobs for each Job Type.
- G** – The average cost of benefits offered for existing and created jobs for each Job Type.

**Full Time** – Any regularly-scheduled employee who works 30 hours or more each week.  
**Part Time** – Any employee who works less than 30 hours per week or who is employed on a temporary basis.

	A	B	C	D	E	F	G
Job Type	Retained Jobs	# Jobs Created Year 1	# Jobs Created Year 2	# Jobs Created Year 3	Total New Jobs Created	Average Annual Wage	Average Annual Benefit Cost
<b>Full Time</b>							
Management	0	2	0	0	2	\$65,000	\$27,300
Professional	0	0	0	0	0	\$0	\$0
Administrative	0	0	0	0	0	\$0	\$0
Production	0	0	0	0	0	\$0	\$0
Independent Contractor	0	0	0	0	0	\$0	\$0
Other: Type here to enter text.	0	0	0	0	0	\$0	\$0
<b>Total FT</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>\$65,000</b>	<b>\$27,300</b>
<b>Part Time</b>							
Management	0	0	0	0	0	\$0	\$0
Professional	0	0	0	0	0	\$0	\$0
Administrative	0	0	0	0	0	\$0	\$0
Production	0	0	0	0	0	\$0	\$0
Independent Contractor	0	0	0	0	0	\$0	\$0
Other: Type here to enter text.	0	0	0	0	0	\$0	\$0
<b>Total PT</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>\$0</b>	<b>\$0</b>
<b>Total FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>\$65,000</b>	<b>\$27,300</b>

**How many of the new, FTE jobs to be created within three years will be filled by residents of the Labor Market Area that includes Steuben, Schuyler, Chemung, Yates, Allegany, and Livingston Counties?**

2

*The IDA may utilize the foregoing employment projections, among other items, to determine the Financial Assistance that will be offered by the IDA to the Applicant. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to retain the number of jobs and create the number of jobs with respect to the Project as set forth in this Application.*

Please complete the chart below if Applicant provides employment at other sites in New York State:

	Address: Type here to enter text.	Address: Type here to enter text.	Address: Type here to enter text.
<b>Total FTEs</b>	0	0	0

**Section 5: Representations, Certifications, and Indemnification**

Before completing this section, has IDA staff reviewed all previous sections of the Application and acknowledged that they are complete?    Yes     No

As an authorized representative of Applicant, **Add authorized rep name** confirms that he/she is the **Authorized rep’s title** of **Applicant name** named in the Application, and that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the IDA, also known as the “Agency,” and as follows:

1. Job Listings: In accordance with Section 858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the “DOL”) and with the administrative entity (collectively with the DOL, the “JTPA Entities”) of the service delivery area created by the federal job training partnership act (Public Law 97-300) (“JTPA”) in which the Project is located.
  
2. First Consideration for Employment: In accordance with Section 858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.
  
3. Annual Sales Tax Filings: In accordance with Section 874(8) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant. Copies of all filings shall be provided to the Agency.

4. Employment Reports: The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency, at least annually or as otherwise required by the Agency, reports regarding the number of people employed at the project site, salary levels, contractor utilization and such other information (collectively, "Employment Reports") that may be required from time to time on such appropriate forms as designated by the Agency. Failure to provide Employment Reports within 30 days of an Agency request shall be an Event of Default under the PILOT Agreement between the Agency and Applicant and, if applicable, an Event of Default under the Agent Agreement between the Agency and Applicant. In addition, a Notice of Failure to provide the Agency with an Employment Report may be reported to Agency board members, said report being an agenda item subject to the Open Meetings Law.
5. The Applicant acknowledges that certain environmental representations will be required at closing. The Applicant shall provide with this Representation, Certification, and Indemnification Form copies of any known environmental reports, including any existing Phase I Environmental Site Assessment Report(s) and/or Phase II Environmental Investigations. The Agency may require the Company and/or owner of the premises to prepare and submit an environmental assessment and audit report, including but not necessarily limited to, a Phase I Environmental Site Assessment Report and a Phase II Environmental Investigation, with respect to the Premises at the sole cost and expense of the owner and/or the Applicant. All environmental assessment and audit reports shall be completed in accordance with ASTM Standard Practice E1527-05, and shall be conformed over to the Agency so that the Agency is authorized to use and rely on the reports. The Agency, however, does not adopt, ratify, confirm, or assume any representation made within reports required herein.
6. The Applicant and/or the owner, and their successors and assigns, hereby release, defend and indemnify the Agency from any and all suits, causes of action, litigations, damages, losses, liabilities, obligations, penalties, claims, demands, judgments, costs, disbursements, fees or expenses of any kind or nature whatsoever (including, without limitation, attorneys', consultants' and experts' fees) which may at any time be imposed upon, incurred by or asserted or awarded against the Agency, resulting from or arising out of any inquiries and/or environmental assessments, investigations and audits performed on behalf of the Applicant and/or the owner pursuant hereto, including the scope, level of detail, contents or accuracy of any environmental assessment, audit, inspection or investigation report completed hereunder and/or the selection of the environmental consultant, engineer or other qualified person to perform such assessments, investigations, and audits.
7. Hold Harmless Provision: The Applicant acknowledges and agrees that the Applicant shall be and is responsible for all costs of the Agency incurred in connection with any actions required to be taken by the Agency in furtherance of the Application including the Agency's costs of general counsel and/or the Agency's bond/transaction counsel whether or not the Application, the proposed Project it describes, the attendant negotiations, or the issue of bonds or other transaction or agreement are ultimately ever carried to successful conclusion and agrees that the Agency shall not be liable for and agrees to indemnify, defend, and hold the Agency harmless from and against any and all liability arising from or expense incurred by: (i) the Agency's examination and processing of, and action pursuant to or upon, the Application, regardless of whether or not the Application or the proposed Project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Agency; (ii) the Agency's acquisition, construction and/or installation of the proposed Project described herein;

and (iii) any further action taken by the Agency with respect to the proposed Project including, without limiting the generality of the foregoing, all causes of action and attorney's fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law and the policies of the Agency that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency, any mortgage recording tax exemption claimed by the Applicant and approved by the Agency, and/or any real property tax abatement claimed by the Applicant and approved by the Agency, in connection with the Project, may be subject to recapture and/or termination by the Agency under such terms and conditions as will be established by the Agency and set forth in transaction documents to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this Application, including without limitation information regarding the amount of the New York State and local sales and use tax exemption benefit, the amount of the mortgage recording tax exemption benefit, and the amount of the real property tax abatement, if and as applicable, to the best of the Applicant's knowledge, is true, accurate and complete.

8. This obligation includes an obligation to submit an Agency Fee Payment to the Agency in accordance with the Agency Fee policy effective as of the date of this Application.
9. By executing and submitting this Application, the Applicant covenants and agrees to pay the following fees to the Agency and the Agency's general counsel and/or the Agency's bond/transaction counsel, the same to be paid at the times indicated:
  - a. a non-refundable \$1,000 application and publication fee (the "Application Fee");
  - b. an amount equal to one percent (1%) of the total project costs, unless otherwise agreed to by the Agency; and
  - c. all fees, costs and expenses incurred by the Agency for (1) legal services, including but not limited to those provided by the Agency's general counsel and/or the Agency's bond/transaction counsel, thus note that the Applicant is entitled to receive a written estimate of fees and costs of the Agency's general counsel and the Agency's bond/transaction counsel; and (2) other consultants retained by the Agency in connection with the proposed project, with all such charges to be paid by the Applicant at the closing.
10. If the Applicant fails to conclude or consummate the necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable proper or requested action, or withdraws, abandons, cancels, or neglects the Application, or if the Applicant is unable to find buyers willing to purchase the bond issue requested, or if the Applicant is unable to facilitate the sale/leaseback or lease/leaseback transaction, then, upon the presentation of an invoice, Applicant shall pay to the Agency, its agents, or assigns all actual costs incurred by the Agency in furtherance of the Application, up to that date and time, including but not necessarily limited to, fees of the Agency's general counsel and/or the Agency's bond/transaction counsel.
11. The Applicant acknowledges and agrees that all payment liabilities to the Agency and the Agency's general counsel and/or the Agency's bond and/or transaction counsel as expressed in Sections 8 and 9 are obligations that are not dependent on final documentation of the transaction contemplated by this Application.

12. The cost incurred by the Agency and paid by the Applicant, the Agency's general counsel and/or bond/transaction counsel fees and the processing fees, may be considered as a cost of the Project and included in the financing of costs of the proposed Project, except as limited by the applicable provisions of the Internal Revenue Code with respect to tax-exempt bond financing.
13. The Applicant acknowledges that the Agency is subject to New York State's Freedom of Information Law (FOIL). **Applicant understands that all Project information and records related to this application are potentially subject to disclosure under FOIL subject to limited statutory exclusions.**
14. The Applicant acknowledges that it has been provided a copy of the Agency's Policy for Termination of Agency Benefits and Recapture of Agency Benefits Previously Granted (the "Termination and Recapture Policy"). The Applicant covenants and agrees that it fully understands that the Termination and Recapture Policy is applicable to the Project that is the subject of this Application, and that the Agency will implement the Termination and Recapture Policy if and when it is so required to do so. The Applicant further covenants and agrees that its Project is potentially subject to termination of Agency financial assistance and/or recapture of Agency financial assistance so provided and/or previously granted.
15. The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:

§ 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.
16. The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
17. The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project, as well as may lead to other possible enforcement actions.
18. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.
19. In the event that (a) the Company does not proceed to final IDA approval within six (6) months of the date of the initial resolution and/or (b) close with the IDA on the proposed Financial Assistance within

twelve (12) months of the date of the initial resolution, the IDA reserves the right to rescind and cancel all approvals provided.

20. The Applicant and the individual executing this Application on behalf of Applicant acknowledge that the Agency and its counsel will rely on the representations and covenants made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statements contained herein not misleading.

21. The Applicant and the individual executing this Application on behalf of Applicant acknowledge receipt of notice from the Agency pursuant to Section 224-a(8)(d) of the New York Labor Law that the estimated mortgage recording tax exemption benefit amount, the estimated sales and use tax exemption benefit amount, and the estimated real property tax abatement benefit amount as so identified within this Application are "public funds" and not otherwise excluded under Section 224-a(3) of the New York Labor Law. Applicant further acknowledges and understands that it has certain obligations as related thereto pursuant to Section 224-a(8)(a) of the New York Labor Law.

STATE OF NEW YORK )  
COUNTY OF Monroe ) ss.:

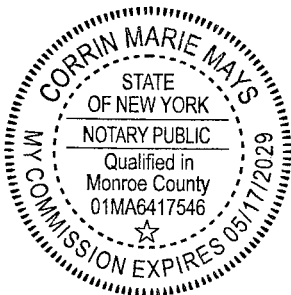
Timothy Crilly \_\_\_\_\_, being first duly sworn, deposes and says:

1. That I am the SVP of Development (Corporate Office) of DARK GROVE REALTY (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete.

[Signature]  
\_\_\_\_\_  
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury  
this 17<sup>th</sup> day of February, 2026

[Signature]  
\_\_\_\_\_  
(Notary Public)



2. Create or Retain Jobs

The project will create 2FT jobs and will also help promote talent attraction efforts of area businesses. The lack of housing to support talent attraction which is an identified demand in the region.

3. Demand Analysis

In addition to County wide housing analysis referenced in the application packet, the project has provided third party demand data to support the need for the project which also supports New York State efforts to develop more housing in the State.

# Steuben County Industrial Development Agency

## MRB Cost Benefit Calculator

Date February 18, 2026  
 Project Title Crystal Pointe Apartments  
 Project Location 150 Canada Road, Erwin NY



### Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

**Project Total Investment**

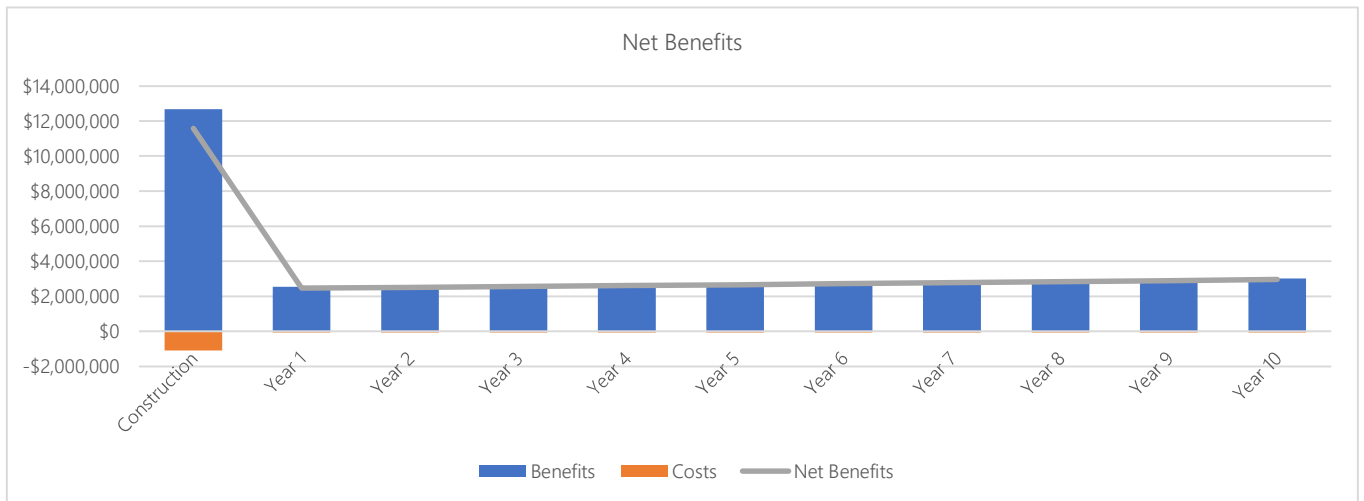
\$30,345,290

Temporary (Construction)			
	Direct	Indirect	Total
Jobs	267	36	303
Earnings	\$9,840,678	\$2,142,588	\$11,983,266
Local Spend	\$25,545,000	\$6,856,111	\$32,401,111

Ongoing (Operations)			
Aggregate over life of the PILOT			
	Direct	Indirect	Total
Jobs	40	9	49
Earnings	\$46,721,921	\$14,110,423	\$60,832,344

Figure 1



Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2

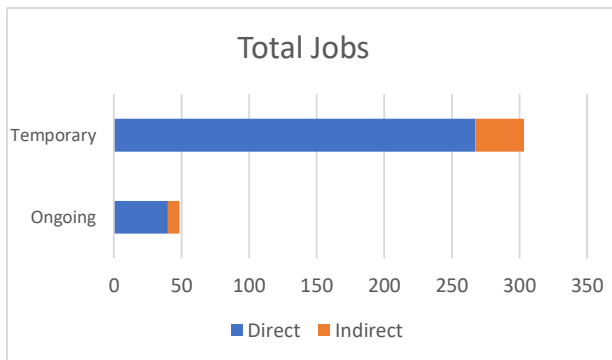
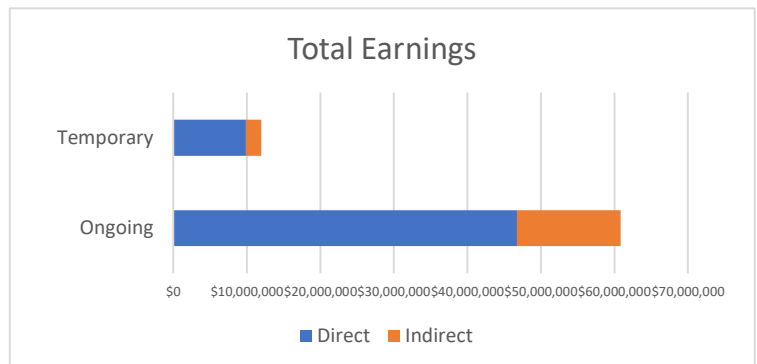


Figure 3



# Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

## Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$1,323,224	\$1,086,638
Sales Tax Exemption	\$809,760	\$809,760
Local Sales Tax Exemption	\$404,880	\$404,880
State Sales Tax Exemption	\$404,880	\$404,880
Mortgage Recording Tax Exemption	\$287,500	\$287,500
Local Mortgage Recording Tax Exemption	\$95,833	\$95,833
State Mortgage Recording Tax Exemption	\$191,667	\$191,667
<b>Total Costs</b>	<b>\$2,420,484</b>	<b>\$2,183,898</b>

## State and Local Benefits

	Nominal Value	Discounted Value*
<b>Local Benefits</b>	<b>\$73,964,927</b>	<b>\$61,463,891</b>
To Private Individuals	\$72,815,610	\$60,561,089
Temporary Payroll	\$11,983,266	\$11,983,266
Ongoing Payroll	\$60,832,344	\$48,577,823
Other Payments to Private Individuals	\$0	\$0
To the Public	\$1,149,317	\$902,802
Increase in Property Tax Revenue	\$259,020	\$174,974
Temporary Jobs - Sales Tax Revenue	\$83,883	\$83,883
Ongoing Jobs - Sales Tax Revenue	\$806,414	\$643,946
Other Local Municipal Revenue	\$0	\$0
<b>State Benefits</b>	<b>\$4,166,999</b>	<b>\$3,453,078</b>
To the Public	\$4,166,999	\$3,453,078
Temporary Income Tax Revenue	\$539,247	\$539,247
Ongoing Income Tax Revenue	\$2,737,455	\$2,186,002
Temporary Jobs - Sales Tax Revenue	\$83,883	\$83,883
Ongoing Jobs - Sales Tax Revenue	\$806,414	\$643,946
<b>Total Benefits to State &amp; Region</b>	<b>\$78,131,926</b>	<b>\$64,916,969</b>

## Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$61,463,891	\$1,587,351	39:1
State	\$3,453,078	\$596,547	6:1
<b>Grand Total</b>	<b>\$64,916,969</b>	<b>\$2,183,898</b>	<b>30:1</b>

\*Discounted at 2%

### Additional Comments from IDA

Erwin Apartments is a 90-unit multi-family development located at the intersection of Aurene Drive and Robert Dann in the Town of Erwin, NY. The project will include nine 10-unit buildings and clubhouse and amenity space for residents of the apartment community. The apartment buildings are townhome style. Each apartment unit has a private entryway and enclosed garage. Each unit has its own patio or balcony. The project will have on-site amenities including, dog park, exercise facility, pool, and pickleball court. The apartments will be market-rate apartments. Monthly rental rates are estimated to range from \$1,800-\$2,500 which is commensurate with comparable market rate properties in the area with similar level of finish and amenity package as the development.. IDA assistance is being requested to help offset development costs to improve the economics of developing this expansion in NY as opposed to other out of

Does the IDA believe that the project can be accomplished in a timely fashion? Yes

	YR 1	YR 2	YR 3	YR 4	YR 5	YR 6	YR 7	YR 8	YR 9	YR 10	YR 11	YR 12	YR 13	YR 14	YR 15	YR 16	YR 17	YR 18	YR 19	YR 20	YR 21
Assessed Value**	\$ 2,250,000	\$ 2,250,000	\$ 2,250,000	\$ 2,250,000	\$ 2,250,000	\$ 2,250,000	\$ 2,250,000	\$ 2,250,000	\$ 2,250,000	\$ 2,250,000	\$ 2,250,000	\$ 2,250,000	\$ 2,250,000	\$ 2,250,000	\$ 2,250,000	\$ 2,250,000	\$ 2,250,000	\$ 2,250,000	\$ 2,250,000	\$ 2,250,000	\$ 2,250,000
@ 1000	\$ 2,250	\$ 2,250	\$ 2,250	\$ 2,250	\$ 2,250	\$ 2,250	\$ 2,250	\$ 2,250	\$ 2,250	\$ 2,250	\$ 2,250	\$ 2,250	\$ 2,250	\$ 2,250	\$ 2,250	\$ 2,250	\$ 2,250	\$ 2,250	\$ 2,250	\$ 2,250	\$ 2,250
Tax Rate	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30
Full Taxes	\$ 67,500	\$ 67,500	\$ 67,500	\$ 67,500	\$ 67,500	\$ 67,500	\$ 67,500	\$ 67,500	\$ 67,500	\$ 67,500	\$ 67,500	\$ 67,500	\$ 67,500	\$ 67,500	\$ 67,500	\$ 67,500	\$ 67,500	\$ 67,500	\$ 67,500	\$ 67,500	\$ 67,500
Land	\$ 7,500	\$ 7,650	\$ 7,803	\$ 7,959	\$ 8,118	\$ 8,281	\$ 8,446	\$ 8,615	\$ 8,787	\$ 8,963	\$ 9,142	\$ 9,325	\$ 9,512	\$ 9,702	\$ 9,896	\$ 10,094	\$ 10,296	\$ 10,502	\$ 10,712	\$ 10,926	\$ 11,145
<b>PILOT SCHEDULE</b>																					
<b>ABATEMENT %</b>	100%	100%	97%	97%	95%	95%	93%	90%	90%	85%	80%	75%	65%	60%	55%	50%	45%	35%	30%	25%	20%
Taxes on Improvements	\$ -	\$ -	\$ 2,025	\$ 2,025	\$ 3,375	\$ 3,375	\$ 4,725	\$ 6,750	\$ 6,750	\$ 10,125	\$ 13,500	\$ 16,875	\$ 23,625	\$ 27,000	\$ 30,375	\$ 33,750	\$ 37,125	\$ 43,875	\$ 47,250	\$ 50,625	\$ 54,000
<b>PILOT PAYMENT</b>																					
Land	\$ 7,530	\$ 7,680	\$ 7,833	\$ 7,989	\$ 8,148	\$ 8,311	\$ 8,476	\$ 8,645	\$ 8,817	\$ 8,993	\$ 9,172	\$ 9,355	\$ 9,542	\$ 9,732	\$ 9,926	\$ 10,124	\$ 10,326	\$ 10,532	\$ 10,742	\$ 10,956	\$ 11,175
Improvements	\$ -	\$ -	\$ 2,025	\$ 2,025	\$ 3,375	\$ 3,375	\$ 4,725	\$ 6,750	\$ 6,750	\$ 10,125	\$ 13,500	\$ 16,875	\$ 23,625	\$ 27,000	\$ 30,375	\$ 33,750	\$ 37,125	\$ 43,875	\$ 47,250	\$ 50,625	\$ 54,000
<b>TOTAL</b>	\$ 7,530	\$ 7,680	\$ 9,858	\$ 10,014	\$ 11,523	\$ 11,686	\$ 13,201	\$ 15,395	\$ 15,567	\$ 19,118	\$ 22,672	\$ 26,230	\$ 33,167	\$ 36,732	\$ 40,301	\$ 43,874	\$ 47,451	\$ 54,407	\$ 57,992	\$ 61,581	\$ 65,175

\* Year 1 represents 1st full year of operations. Project shall pay land taxes during construction.

\*\* Assumes Fixed Assessed Value at \$25,000 pu



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**ENB PUBLISH DATE: 12/17/2025**

# Town of Erwin - Erwin Apartments

## Negative Declaration

**Steuben County** - The Town of Erwin, as lead agency, has determined that the proposed Erwin Apartments will not have a significant adverse environmental impact. The action involves the construction of nine 10-unit apartment buildings, a clubhouse, private roads, landscaping, and amenities such as a dog park, playground and pickle-ball court. Lighting shall be provided via light poles adjacent to the proposed private roads. Water is to be supplied to the site by tapping an existing water main on the easterly right of Aurene Drive. Proposed sanitary services flow to an existing sanitary main found on-site within an easement to the Town of Erwin. Both proposed water and sanitary mains shall be located in a proposed easement to the Town of Erwin. Storm water management practices are also proposed, which generally feature catch basins/yard inlets collecting storm water to be sent to proposed infiltration basins, which then shall deposit the storm water into a pond on-site that is part of an existing drainage pathway. The project also includes the subdivision of two tax parcels into four parcels at the intersection of Robert Dann Drive and Aurene Drive. The proposed project is located at the northern corner of the intersection of Robert Dann Dr and Aurene Dr and will be located within one of the proposed parcels in the Town of Erwin, New York.

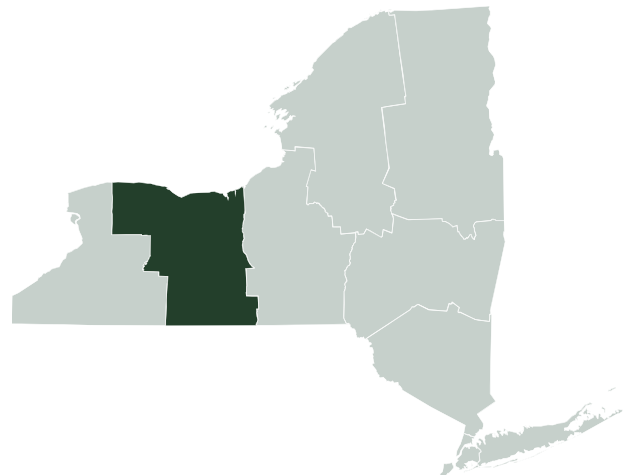
## Primary Contact

Bryan Duke  
Town of Erwin  
310 Town Center Road  
Erwin, NY 14870

**Phone:** (607) 962-7021

## This Page Covers

Region 8 Western Finger Lakes



**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Erwin Apartments		
Project Location (describe, and attach a general location map): Town of Erwin Proposed 16.36 acre parcel (TA # 298.00-01-003.111) at the north corner of the intersection of Robert Dann Drive and Aurene Drive.		
Brief Description of Proposed Action (include purpose or need): The proposed project includes the construction of approximately nine 10-unit apartment buildings, a clubhouse, private roads, landscaping, and amenities such as a dog park, playground and pickle-ball court. Lighting shall be provided via light poles adjacent to the proposed private roads. Water is to be supplied to the site by tapping an existing water main on the easterly right of Aurene Drive. Proposed sanitary services flow to an existing sanitary main found on-site within an easement to the Town of Erwin. Both proposed water and sanitary mains shall be located in a proposed easement to the Town of Erwin. Storm water management practices are also proposed, which generally feature catch basins/yard inlets collecting storm water to be sent to proposed infiltration basins, which then shall deposit the storm water into a pond on-site that is part of an existing drainage pathway.  The project also includes the subdivision of a non-contiguous 65.38 acre parcel and changes to the 22.47 acre parcel to the north of the project to create 4 new parcels, one of which being the proposed 16.53 acre project parcel at the northern corner of the intersection of Robert Dann Drive and Aurene Drive.		
Name of Applicant/Sponsor: Park Grove Realty LLC, Tim Crilly		Telephone: 585-435-4766
		E-Mail: tcrilly@parkgrovellc.com
Address: 46 Prince Street		
City/PO: Rochester	State: NY	Zip Code: 14607
Project Contact (if not same as sponsor; give name and title/role): Joshua Saxton, P.E.		Telephone: 585-325-1000
		E-Mail: jsaxton@passero.com
Address: 242 West Main St, Suite 100		
City/PO: Rochester	State: NY	Zip Code: 14614
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Planning Board - Site Plan Approval/Subdivision	4/15/2025
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Erwin Water and Sewer Department - approval of water and sanitary services	4/15/2025
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Steuben County	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDOH, NYSDEC, SHPO	
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  Yes  No

- **If Yes**, complete sections C, F and G.
- **If No**, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?  Yes  No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  Yes  No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)  Yes  No

If Yes, identify the plan(s):

NYS Major Basins: Upper Susquehanna

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?  
High Density Residential R-7.2

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
If Yes,  
i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? Corning Central School District (5.6 mi away)

b. What police or other public protection forces serve the project site?  
New York State Police (2.7 mi), Steuben County Sheriff's Department (17.9 mi)

c. Which fire protection and emergency medical services serve the project site?  
Coopers Plains/Long Acres Fire Department (2.3 mi), Painted Post Fire Department (1.7 mi), Guthrie Corning Hospital (10.9 mi)

d. What parks serve the project site?  
Abbey-Kuehnle Park (2.2 mi) , Craig Park (1.5 mi), Hodgman Park (2.1 mi)

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Residential

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ 16.36 acres  
b. Total acreage to be physically disturbed? \_\_\_\_\_ 12.32 acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ 103.62 acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
If Yes,  
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
Residential

ii. Is a cluster/conservation layout proposed?  Yes  No  
iii. Number of lots proposed? 5  
iv. Minimum and maximum proposed lot sizes? Minimum 16.36 Maximum 30.54

e. Will the proposed action be constructed in multiple phases?  Yes  No  
i. If No, anticipated period of construction: \_\_\_\_\_ 18 months  
ii. If Yes:  
• Total number of phases anticipated \_\_\_\_\_  
• Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
• Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	90
At completion of all phases	_____	_____	_____	90

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,

i. Total number of structures \_\_\_\_\_ 1

ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ 20 height; \_\_\_\_\_ 42 width; and \_\_\_\_\_ 40 length

iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ 1,680 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

i. Purpose of the impoundment: Storm water management areas

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_

iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_

iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ +/-0.5 acres

v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):  
Earth fill embankments surrounding proposed bioretention areas. Existing stormwater management pond by earth embankments.

## D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): \_\_\_\_\_
- Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_  
 \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_  
 \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:  
The proposed project would fill in portions of the existing wetland (approximately 0.04 acres)

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iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No  
 If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No  
 If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

---

c. Will the proposed action use, or create a new demand for water?  Yes  No  
 If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ 32,000 gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No  
 If Yes:

- Name of district or service area: Town of Erwin water system
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No  
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
New watermain connection off of existing main.
- Source(s) of supply for the district: Town Of Erwin Water tower

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No  
 If, Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

---

d. Will the proposed action generate liquid wastes?  Yes  No  
 If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ 32,000 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_  
Sanitary wastewater

---

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No  
 If Yes:

- Name of wastewater treatment plant to be used: Town of Erwin WWTP
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

• Do existing sewer lines serve the project site?  Yes  No  
 • Will a line extension within an existing district be necessary to serve the project?  Yes  No  
 If Yes:  
 • Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:  
 • Applicant/sponsor for new district: \_\_\_\_\_  
 • Date application submitted or anticipated: \_\_\_\_\_  
 • What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or 4.39 acres (impervious surface)  
 \_\_\_\_\_ Square feet or 16.53 acres (parcel size)  
 ii. Describe types of new point sources. culvert end sections connected to stormwater management facility outlet structures  
 \_\_\_\_\_  
 iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
Storm water runoff will be collected in new catch basins and yard inlets, which drain to infiltration basins. The treated water and then goes to an existing storm water pond located in the north eastern portion of the site.  
 \_\_\_\_\_  
 • If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 • Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:  
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_  
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_  
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 \_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

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i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

---

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 7 am - 4 pm</li> <li>• Saturday: _____ 7 am - 4 pm</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 24/7 residential</li> <li>• Saturday: _____ 24/7 residential</li> <li>• Sunday: _____ 24/7 residential</li> <li>• Holidays: _____ 24/7 residential</li> </ul>
--	---

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
 If yes:  
 i. Provide details including sources, time of day and duration:  
 Heavy earthwork equipment, delivery trucks, during construction hours only \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

---

n. Will the proposed action have outdoor lighting?  Yes  No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 New exterior street lights along the private roads, 20' tall. Building mounted lights will also be proposed around man and garage doors, refer to elevations for preliminary locations. All lights are aimed downward and are darksky compliant. Color temperature is also low to avoid disturbing neighbors.  
 ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

---

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally, describe the proposed storage facilities: \_\_\_\_\_  
 \_\_\_\_\_

---

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No  
 If Yes:  
 i. Describe proposed treatment(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 • Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No  
 If Yes:  
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_  
 ii. Anticipated rate of disposal/processing:  
 • \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or  
 • \_\_\_\_\_ Tons/hour, if combustion or thermal treatment  
 iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No  
 If Yes:  
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month  
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No  
 If Yes: provide name and location of facility: \_\_\_\_\_  
 \_\_\_\_\_  
 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:  
 \_\_\_\_\_  
 \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.  
 i. Check all uses that occur on, adjoining and near the project site.  
 Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_  
 ii. If mix of uses, generally describe:  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces		4.39	+4.39
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	16.53	12.14	-4.39
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: Existing trail easement to connect to an offsite trail. Easement and trail connection are proposed to be modified and updated.

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities:  
Corning Children's Center,

e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection:  
\_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:  
\_\_\_\_\_  
\_\_\_\_\_  
iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:  
\_\_\_\_\_  
\_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
\_\_\_\_\_  
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): 851030  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  
The current site at 124 victory highway is an active bus maintenance facility and storage area. In 2008/2009, a site investigation discovered a 1000 gallon underground storage tank after discovering ~35 ppm total volatile organic compounds in the groundwater soil. A soil removal action was completed in 2009 and later samples would confirm that no further soil removal was required.

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ 50 feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site:

CF	_____	_____	15.2 %
HoB	_____	_____	44.3 %
HrB	_____	_____	40.4 %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ 12 feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ % of site  
 Moderately Well Drained: \_\_\_\_\_ % of site  
 Poorly Drained \_\_\_\_\_ % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ 54 % of site  
 10-15%: \_\_\_\_\_ 30 % of site  
 15% or greater: \_\_\_\_\_ 16 % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_  
 \_\_\_\_\_

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 811-151 Classification C \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No

If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_  
 Name - Pollutants - Uses: Cohocton River, Lower, and minor tribs - pH

i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100-year Floodplain?  Yes  No

k. Is the project site in the 500-year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No

If Yes:

i. Name of aquifer: Principal Aquifer, Primary Aquifer \_\_\_\_\_



m. Identify the predominant wildlife species that occupy or use the project site: _____ Deer _____ _____	_____ _____ _____
n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: i. Species and listing (endangered or threatened): _____ Timber Rattlesnake, Green Floater _____ _____	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes: i. Species and listing: _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If yes, give a brief description of how the proposed action may affect that use: _____ _____	
<b>E.3. Designated Public Resources On or Near Project Site</b>	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes: i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
ii. Name: _____	
iii. Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
i. Describe possible resource(s): _____	
ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Identify resource: _____	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
iii. Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Identify the name of the river and its designation: _____	
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Joshua Saxton Date 6/17/25

Signature  Title Project Manager



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Major Basins:Upper Susquehanna
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.ii [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	851030
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	811-151
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	Yes

E.2.h.v [Impaired Water Bodies - Name and Basis for Listing]	Name - Pollutants - Uses:Cohocton River, Lower, and minor tribs - pH
E.2.i. [Floodway]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.j. [100 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.k. [500 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer, Primary Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Timber Rattlesnake, Green Floater
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

**April 15, 2025**

**Attn: Tim Crilly**  
**Park Grove Reality LLC**  
**46 Prince Street**  
**Rochester NY 14607**

**Re: Short Environmental Assessment Form**  
**Erwin Apartments**  
**Green Floater & Timber Rattlesnake Habitat Assessment**

Dear Tim Crilly,

Passero Associates has completed a comprehensive review of the proposed project located at the northeastern intersection of Robert Dann Drive and Aurene Drive, which includes the construction of nine 10-unit and two 5-unit apartments, a clubhouse, private roads, and amenities such as a dog park, playground and pickle-ball court. Landscaping, lighting, grading and storm water management improvements are also proposed.

### **Green Floater**

The Green floater is a small freshwater mussel that is found in calm waters of large creeks and small rivers. The species is intolerant of strong currents and occurs in pools and other calm water areas. Green floaters are often found in sand or gravel where they secure a foothold then bury themselves as deep as 15 inches. This species is often characterized by a smooth, greenish or yellowish shell and can grow up to about 10 centimeters long. Green Floater adults are sessile with only limited movement in the substrate. Passive downstream movement may occur when they are displaced from the substrate during floods.

According to the New York State Department of Environmental Conservation (NYSDEC) Environmental Resource Mapper (ERM), the proposed project site is located within a mapped buffer area for Rare Plants and Animals. This buffer indicates where proposed regulated activities are within areas known or suspected to contain imperiled mussels. The buffer is generated based on proximity to known occurrences and suitable habitat—likely associated with the Cohocton River located north-west of the site.

A small United States Fish and Wildlife Service National Wetlands Inventory (USFWS NWI) riverine feature is mapped in the northern portion of the parcel, while a small NWI wetland is mapped southern portion of the parcel. These features are limited in size and unlikely to support the type of vegetation or conditions necessary for the Green Floater.

The project site is approximately 500 ft away from the nearest suitable habitat for the green floater (Cohocton River). Therefore, the proposed project is highly unlikely to impact suitable habitat that supports the Green Floater.

### **Timber Rattlesnake**

The timber rattlesnake (*Crotalus horridus*) is listed as endangered in New York State and is not listed federally. According to the NYSDEC, the timber rattlesnake is the largest venomous snake in New York State and usually measures around 3 to 4 feet in length. The active season of this species is usually from late April until mid-October, but in northern areas of New York, emergence can sometimes vary or be delayed to mid-May. This species of snake is considered migratory, traveling up to 5 miles from their den each summer. Historically, most species in New York have occurred in mountainous areas and are found in smaller more isolated populations in southwestern New York. Timber rattlesnakes prefer deciduous hardwood forests with rugged terrain, or near wetlands.

The project site includes mostly smooth terrain, meadows, and grasslands with no mountainous terrain or deciduous forests. While there is mountainous, deciduous forest to the northeast (outside of the Town of Erwin), the project site itself lacks any such habitat. It sits at a moderate elevation but is surrounded by areas with higher elevations and dense deciduous tree cover. Habitat loss and fragmentation have been significant factors contributing to the decline of this species in New York State.

### **Conclusion**

Based on our comprehensive desktop review, Passero Associates has concluded that the above species are highly unlikely to be impacted by the proposed project. Our assessment thoroughly considers environmental factors and habitat conditions, confirming minimal risk posed by the proposed action.

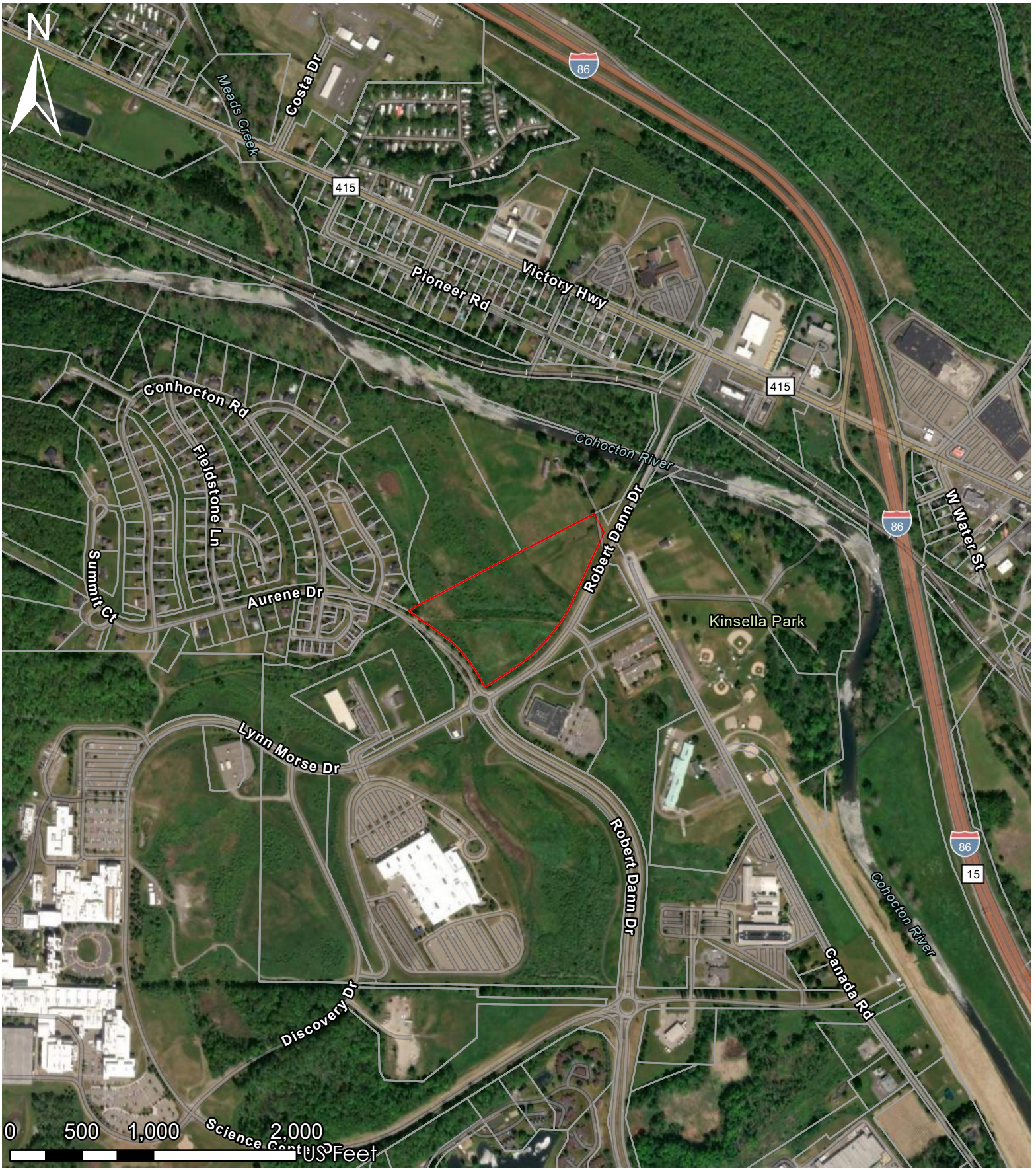
If you have any questions or require additional information, please contact me at [ckremer@passero.com](mailto:ckremer@passero.com) or (585) 760-8501.

Thank you for your consideration of our comment.

Sincerely,



Carly Kremer  
Environmental Scientist  
585-760-8501  
[ckremer@passero.com](mailto:ckremer@passero.com)



**Legend**

- Project Location
- Parcels

## Erwin Apartments Location Map

Maps created by: Passero Associates GIS, AV  
 CRS: NAD83 State Plane New York West  
 Municipality: Town of Erwin  
 Source: Steuben County GIS

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**Date: 4/15/2025**



No agricultural districts present within the project vicinity

**Legend**

- Project Location
- Agricultural Districts
- District
- 6

## Agricultural District Map

Maps created by: Passero Associates GIS, AV  
 CRS: NAD83 State Plane New York West  
 Municipality: Town of Erwin  
 Source: CUGIR

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**Date: 4/15/2025**



No archeological sensitive areas present within the project vicinity

Legend	
	National Register Building Listings
Historical Districts	
	Eligible
	Listed
Historical Points	
	Eligible
	Listed

## Archeological Sensitive Areas

Maps created by: Passero Associates GIS, AV  
 CRS: NAD83 State Plane New York East  
 Municipality: Town of Erwin  
 Source: Cultural Resource Information System

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**Date: 4/14/2025**



Legend	
<span style="color: green;">■</span>	Environmental Justice
<span style="color: red;">□</span>	Project Location

## Environmental Justice Areas Map

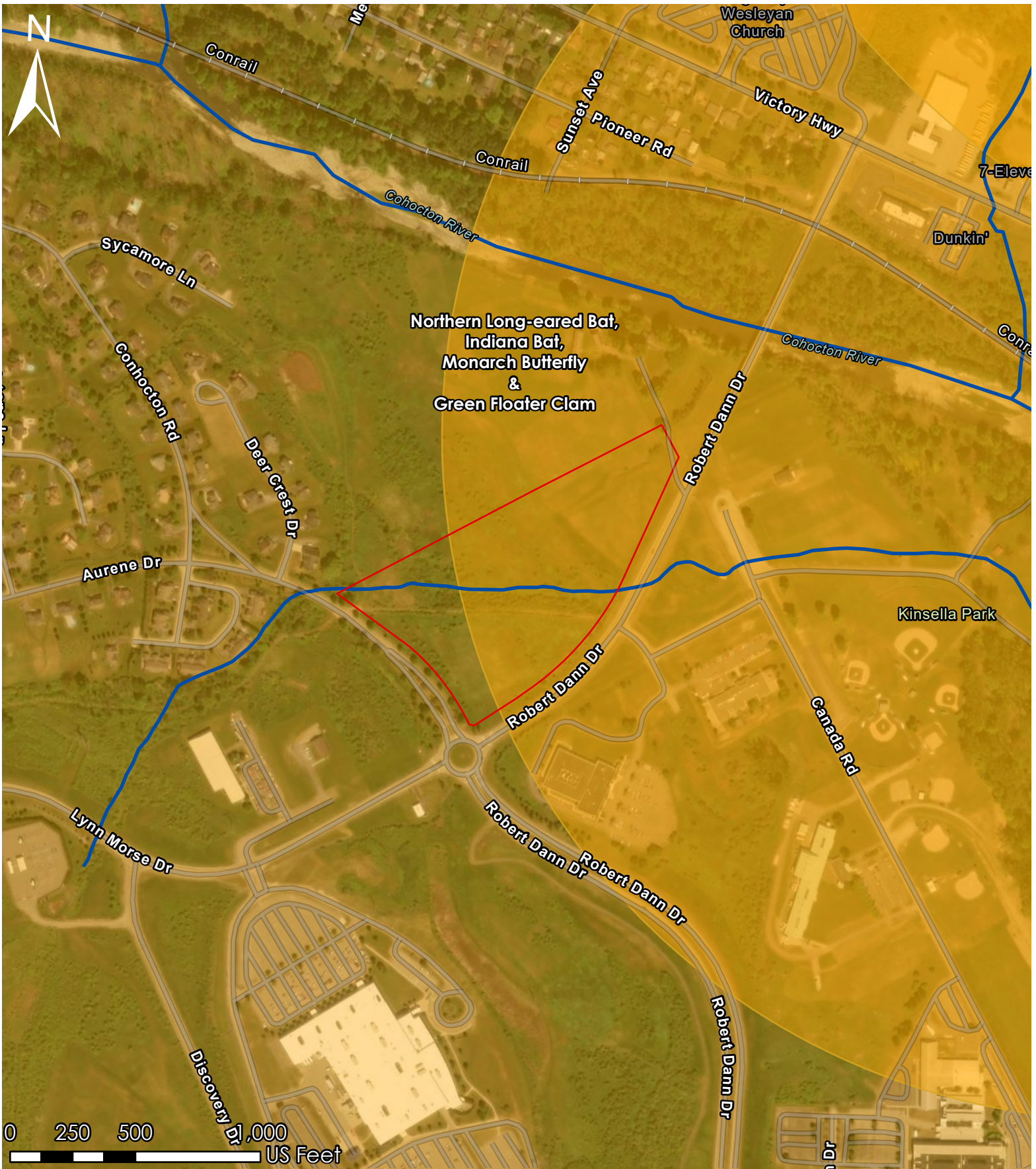
Maps created by: Passero Associates GIS, AV  
 CRS: NAD83 State Plane New York West  
 Municipality: Town of Erwin  
 Source: NYS GIS Clearinghouse





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**Date: 4/15/2025**



Legend	
	Streams & Rivers
	Project Location
	Rare Plants & Animals
	Significant Natural Communities

## Environmental Resource Map

Maps created by: Passero Associates GIS, AV  
 CRS: NAD83 State Plane New York West  
 Municipality: Town of Erwin  
 Source: Environmental Resource Mapper

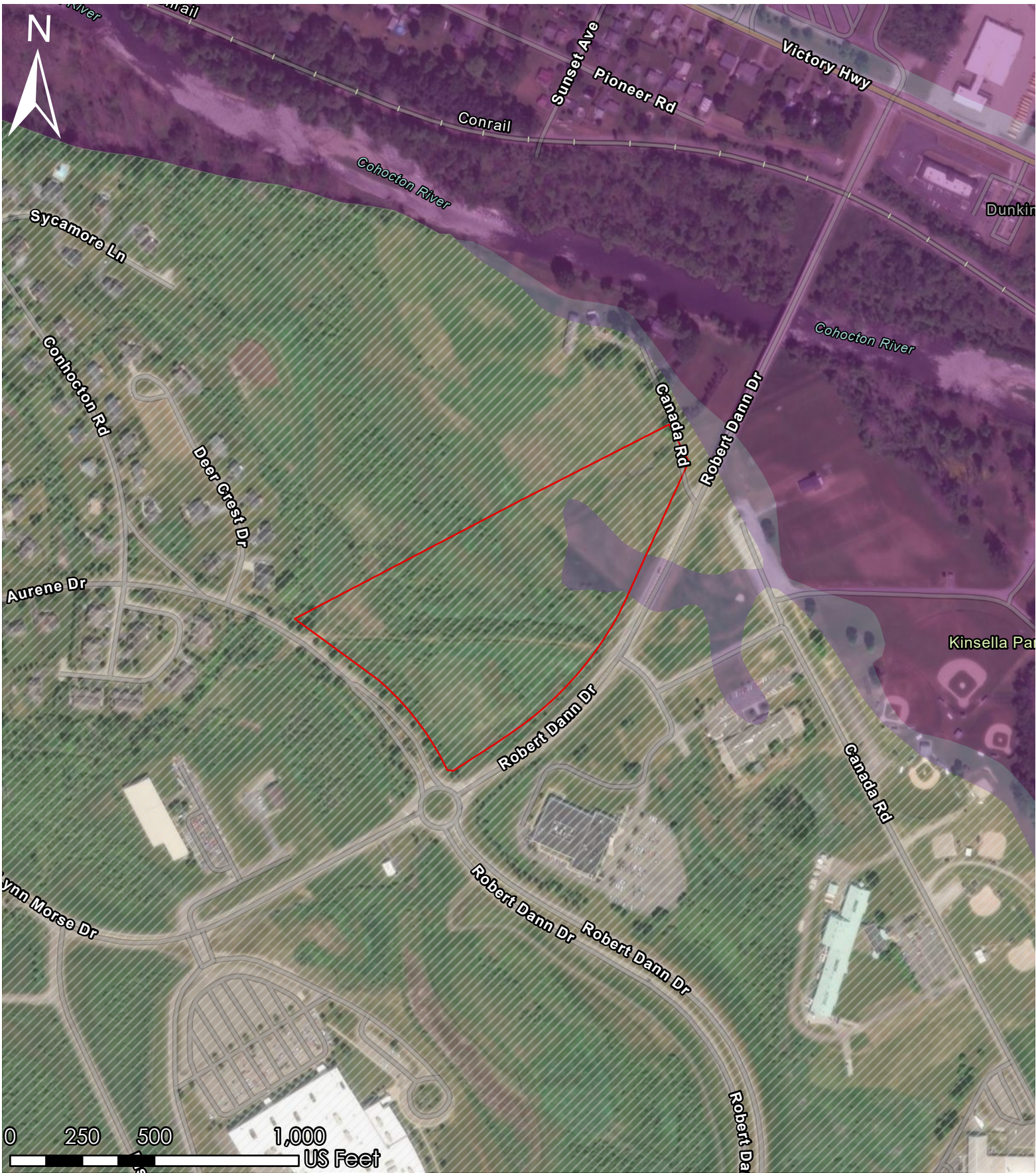
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Service Credits:

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

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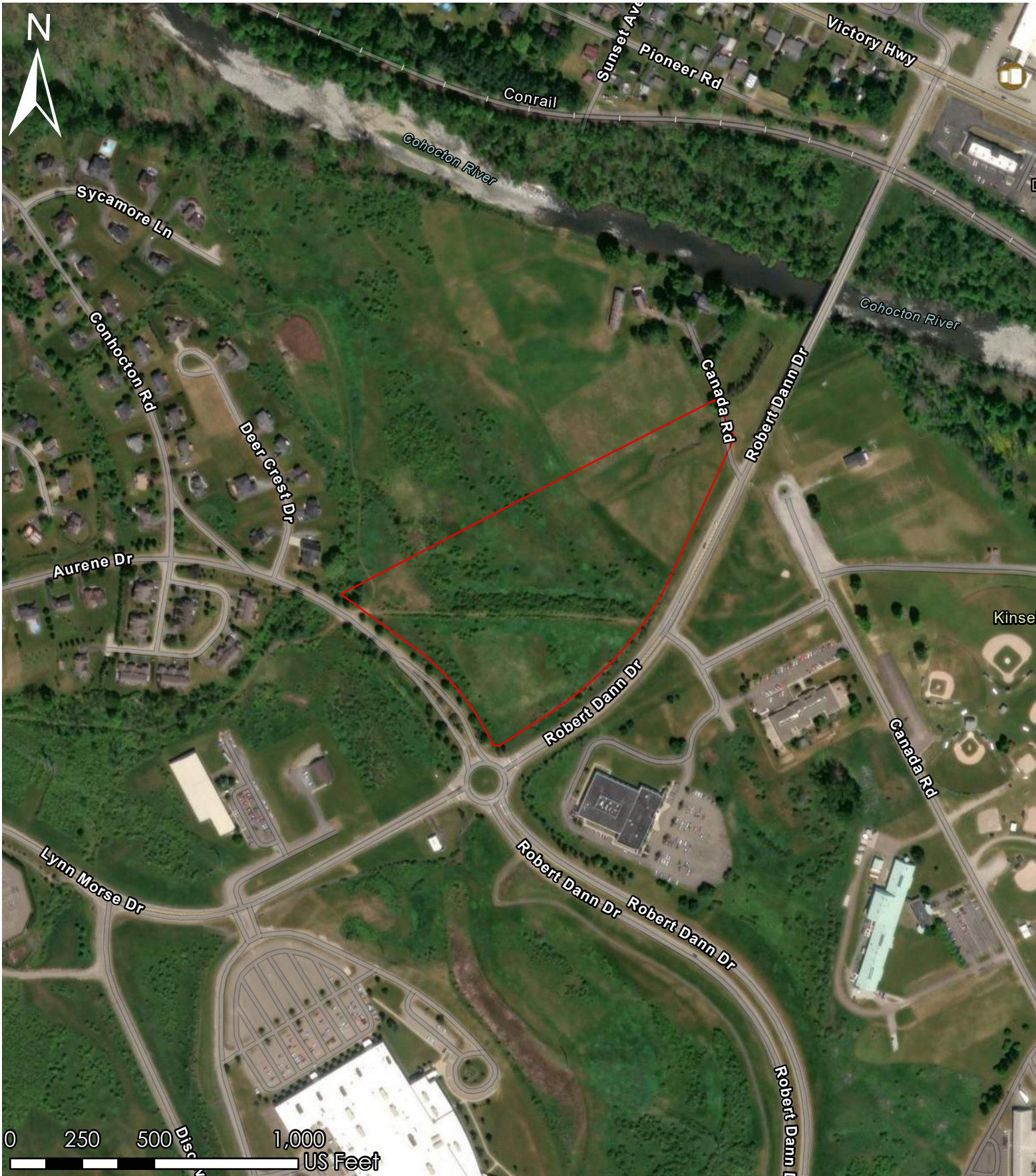
Legend	
FEMA Flood	
X	
500yr	
100yr	

**FEMA Flood Areas Map**  
 Maps created by: Passero Associates GIS, AV  
 CRS: NAD83 State Plane New York West  
 Municipality: Town of Erwin  
 Source: Steuben County Planning Department

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**Service Credits:**  
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**Date: 4/15/2025**



Legend	
	Project Location
	Hazardous Waste Treatment (TSDFs)
	Chemical Bulk Storage Facility
	Regulated Transfer Facilities
	Active Landfills
	Inactive Solid Waste Landfills
	Petroleum Bulk Storage Facility

## Hazardous Waste Map

Maps created by: Passero Associates GIS, AV  
 CRS: NAD83 State Plane New York West  
 Municipality: Town of Erwin  
 Source: Environmental Resource Mapper

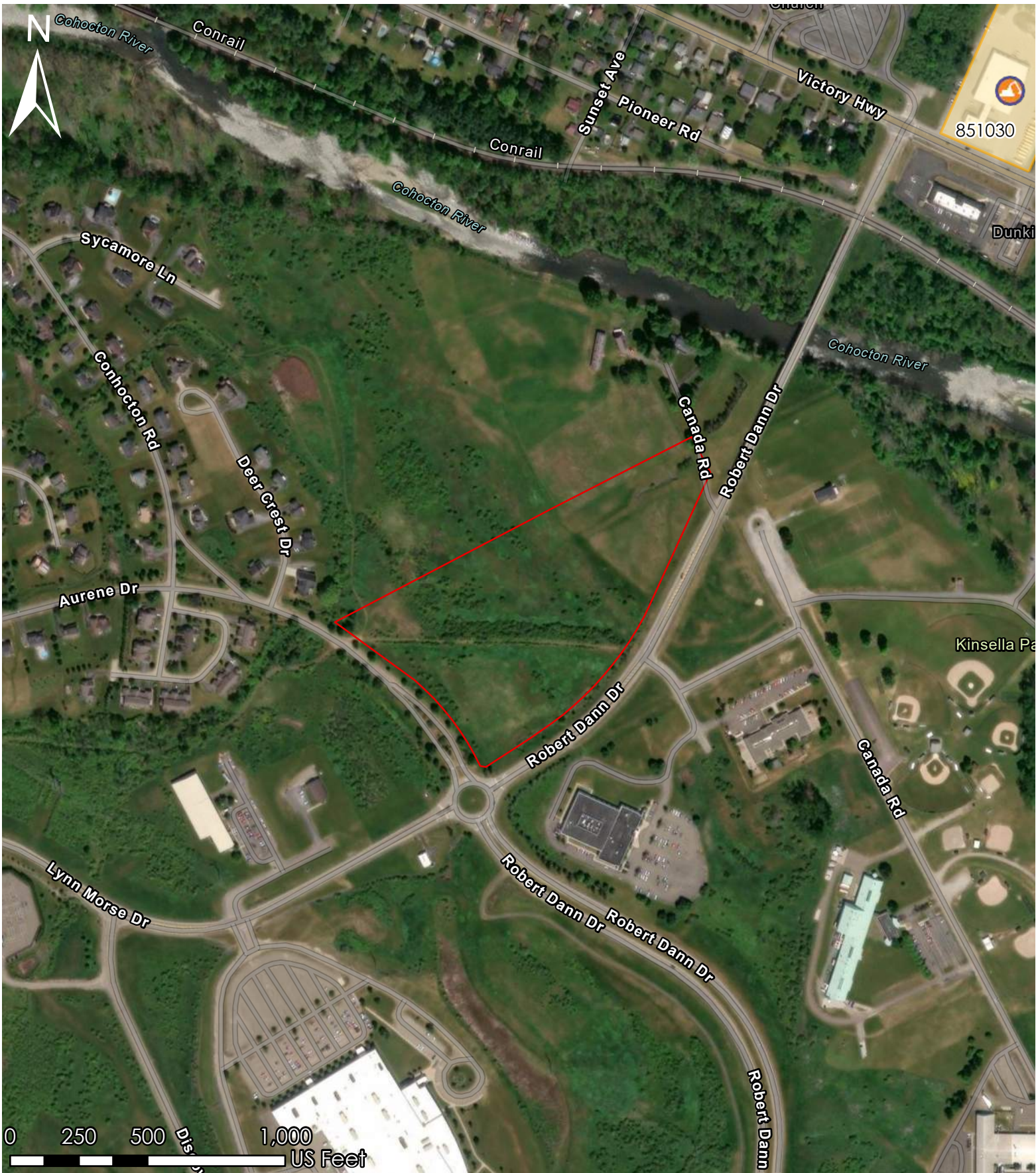
PASSERO

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Service Credits:

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**Legend**

- Remediation Boundaries
- Remediation Sites
  - Active Sites
  - No-Action Sites
  - Closed Sites

## Remediation Sites Map

Maps created by: Passero Associates GIS, AV  
 CRS: NAD83 State Plane New York West  
 Municipality: Town of Erwin  
 Source: NYSDEC

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No schools or hospitals present within the project vicinity

Legend	
	Project Location
	Hospitals
	Schools

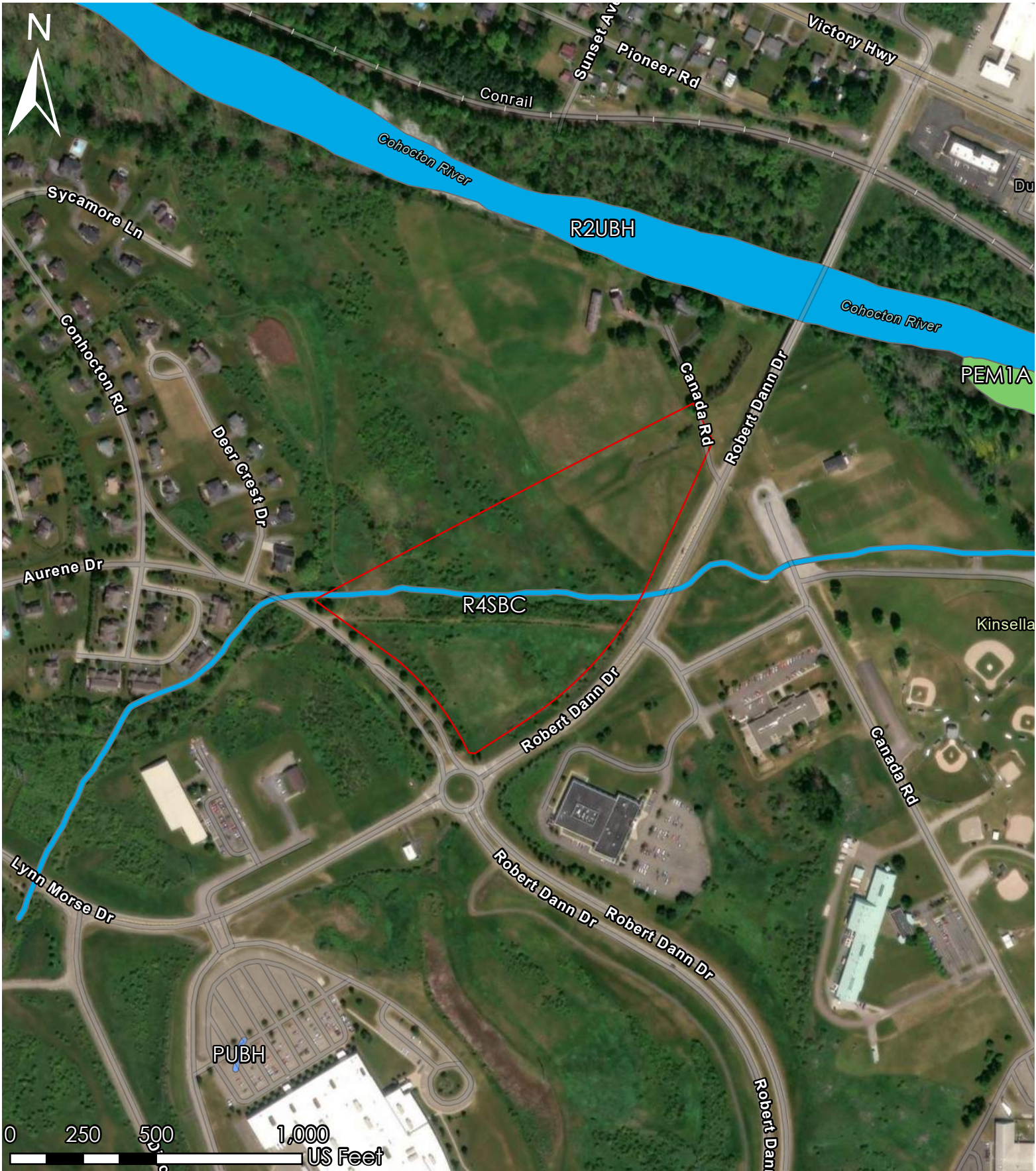
## Health & Safety Map

Maps created by: Passero Associates GIS, AV  
 CRS: NAD83 State Plane New York West  
 Municipality: Town of Erwin  
 Source: NEPAssist

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**Date: 4/15/2025**



Legend	
Wetlands	
<span style="color: green;">■</span>	Freshwater Emergent Wetland
<span style="color: darkgreen;">■</span>	Freshwater Forested/Shrub Wetland
<span style="color: lightblue;">■</span>	Freshwater Pond
<span style="color: blue;">■</span>	Lake
<span style="color: brown;">■</span>	Other
<span style="color: cyan;">■</span>	Riverine

## USFWS National Wetlands Inventory

Maps created by: Passero Associates GIS, AV  
 CRS: NAD83 State Plane New York West  
 Municipality: Town of Erwin  
 Source: U.S. Fish and Wildlife Service

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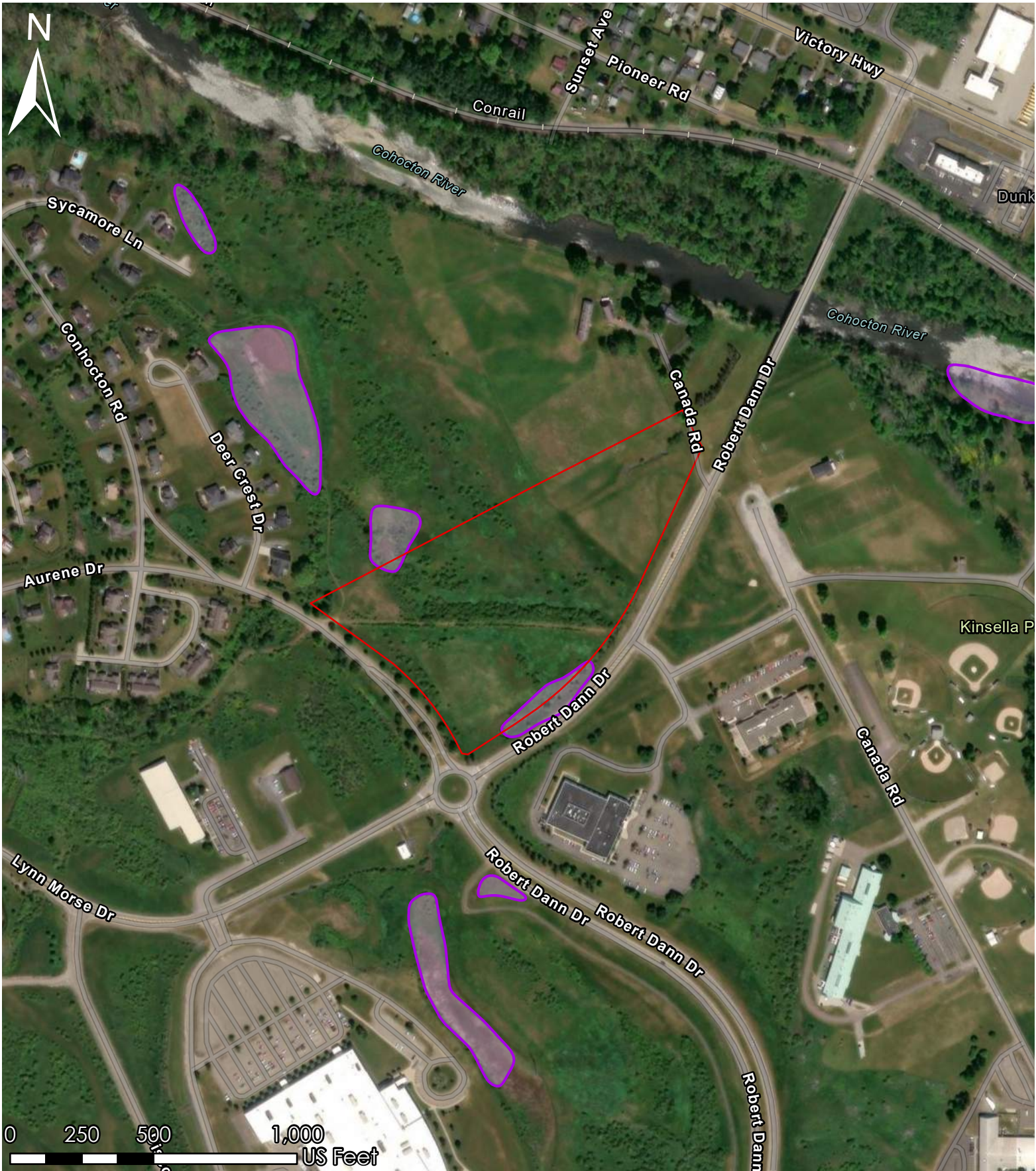
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**Date: 4/15/2025**



Legend	
	Project Location
	Informational Freshwater Wetland Mapping

## NYSDEC Wetlands

Maps created by: Passero Associates GIS, AV  
 CRS: NAD83 State Plane New York West  
 Municipality: Town of Erwin  
 Source: NYSDEC

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**Date: 4/15/2025**



**Legend**

- Principal Aquifers
- Project Location

## Principal Aquifer Map

Maps created by: Passero Associates GIS, AV  
 CRS: NAD83 State Plane New York West  
 Municipality: Town of Erwin  
 Source: NYS GIS Clearinghouse

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Legend	
Soils	
Hydrologic Group Rating	
<span style="display: inline-block; width: 15px; height: 10px; background-color: #c8e6c9; border: 1px solid black;"></span> A	

**Soil Map**

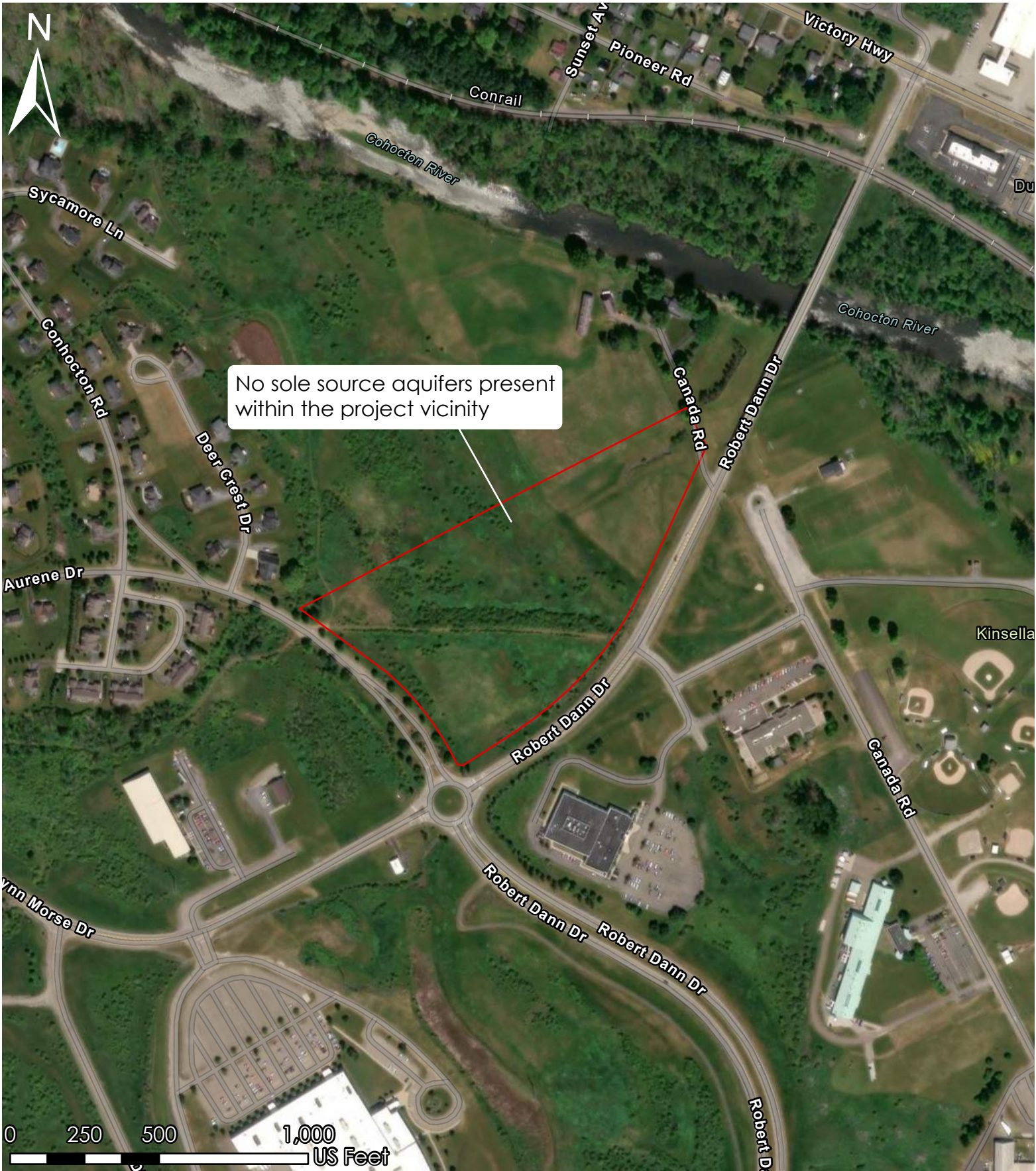
Maps created by: Passero Associates GIS, AV  
 CRS: NAD83 State Plane New York West  
 Municipality: Town of Erwin  
 Source: NRCS Web Soil Survey

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**Service Credits:**  
Maxar, Microsoft

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**Date: 4/15/2025**



No sole source aquifers present within the project vicinity

**Legend**

- Sole Source Aquifers
- Project Location

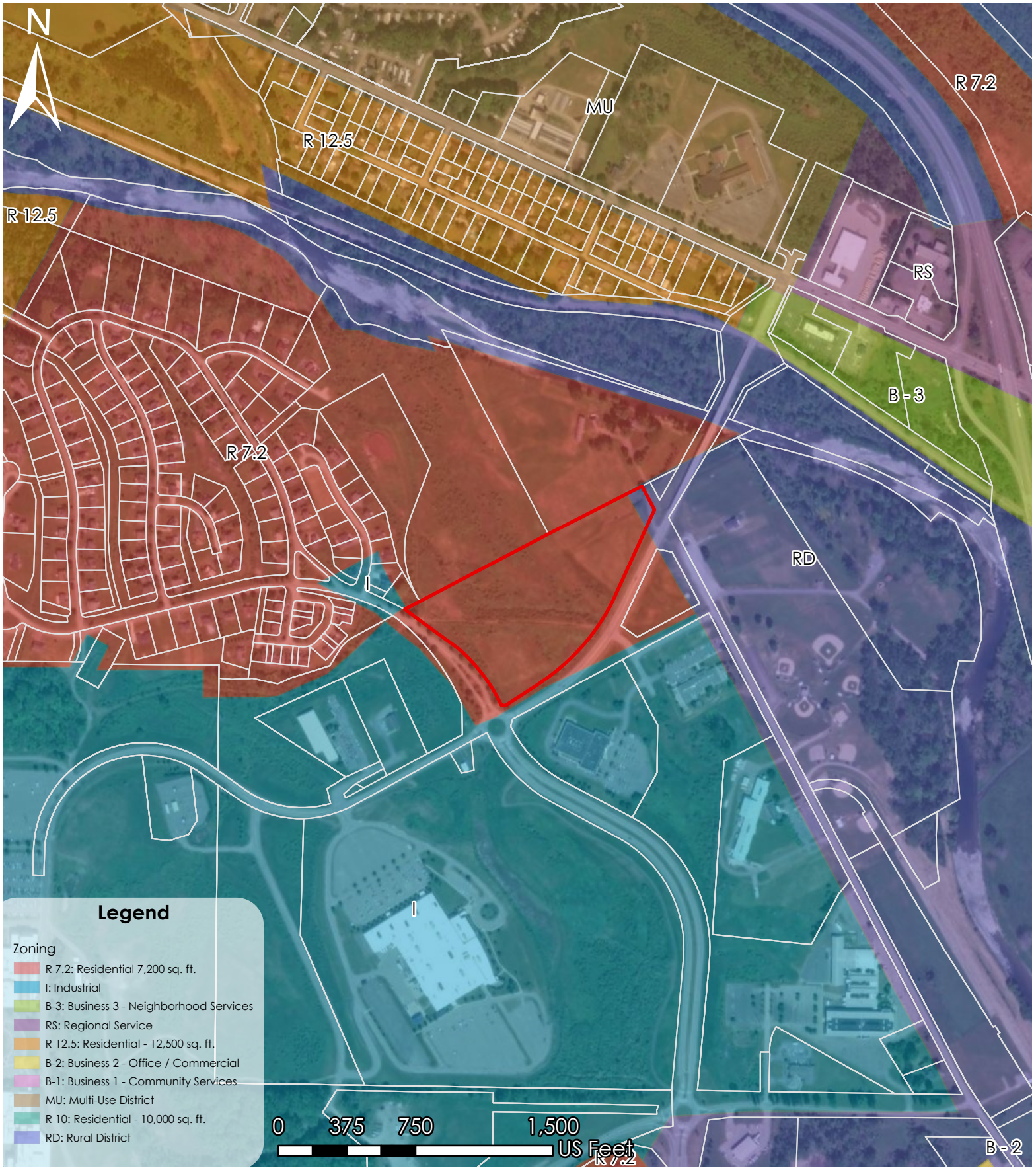
## Sole Source Aquifer Map

Maps created by: Passero Associates GIS, AV  
 CRS: NAD83 State Plane New York West  
 Municipality: Town of Erwin  
 Source: NYS GIS Clearinghouse

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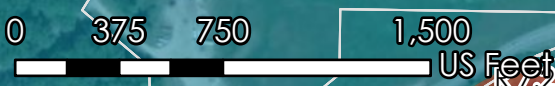
**Service Credits:**  
 Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

**Date: 4/15/2025**



**Legend**

- Zoning
- R 7.2: Residential 7,200 sq. ft.
  - I: Industrial
  - B-3: Business 3 - Neighborhood Services
  - RS: Regional Service
  - R 12.5: Residential - 12,500 sq. ft.
  - B-2: Business 2 - Office / Commercial
  - B-1: Business 1 - Community Services
  - MU: Multi-Use District
  - R 10: Residential - 10,000 sq. ft.
  - RD: Rural District



**Legend**

- Project Location
- Parcels

**Zoning Map**

Maps created by: Passero Associates GIS, AV  
 CRS: NAD83 State Plane New York West  
 Municipality: Town of Erwin  
 Source: STC Hub Content

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**Service Credits:**  
 Source: Esri, Maxar, Earthstar Geographics,  
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**Date: 4/15/2025**

**Full Environmental Assessment Form**  
**Part 2 - Identification of Potential Project Impacts**

Agency Use Only [If applicable]

Project :   
 Date :

**Part 2 is to be completed by the lead agency.** Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

**Tips for completing Part 2:**

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “**Yes**” to a numbered question, please complete all the questions that follow in that section.
- If you answer “**No**” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**2. Impact on Geological Features**

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

NO

YES

*If "Yes", answer questions a - c. If "No", move on to Section 3.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**3. Impacts on Surface Water**

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

NO

YES

*If "Yes", answer questions a - l. If "No", move on to Section 4.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
----------------------------------	--	--------------------------	--------------------------

<b>4. Impact on groundwater</b> The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: <u>SRBC Docket No. 20240619: Town of Erwin Annual Water Withdrawal Reports</u>	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>5. Impact on Flooding</b> The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in development in a designated floodway.	E2i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
----------------------------------	--	--------------------------	--------------------------

6. Impacts on Air			
The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals			
The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>8. Impact on Agricultural Resources</b>			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>9. Impact on Aesthetic Resources</b> The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>				<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>		
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

<b>10. Impact on Historic and Archeological Resources</b> The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>				<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>		
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered “Moderate to large impact may occur”, continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property’s setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

<b>11. Impact on Open Space and Recreation</b>			
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If “Yes”, answer questions a - e. If “No”, go to Section 12.</i>		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in an impairment of natural functions, or “ecosystem services”, provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>12. Impact on Critical Environmental Areas</b>			
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If “Yes”, answer questions a - c. If “No”, go to Section 13.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**13. Impact on Transportation**

The proposed action may result in a change to existing transportation systems.

NO

YES

(See Part 1. D.2.j)

*If "Yes", answer questions a - f. If "No", go to Section 14.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**14. Impact on Energy**

The proposed action may cause an increase in the use of any form of energy.

NO

YES

(See Part 1. D.2.k)

*If "Yes", answer questions a - e. If "No", go to Section 15.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Other Impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**15. Impact on Noise, Odor, and Light**

The proposed action may result in an increase in noise, odors, or outdoor lighting.

NO

YES

(See Part 1. D.2.m., n., and o.)

*If "Yes", answer questions a - f. If "No", go to Section 16.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

### 16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)  
*If "Yes", answer questions a - m. If "No", go to Section 17.*

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input checked="" type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**17. Consistency with Community Plans**

The proposed action is not consistent with adopted land use plans.  
 (See Part 1. C.1, C.2. and C.3.)  
 If “Yes”, answer questions a - h. If “No”, go to Section 18.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action’s land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**18. Consistency with Community Character**

The proposed project is inconsistent with the existing community character.  
 (See Part 1. C.2, C.3, D.2, E.3)  
 If “Yes”, answer questions a - g. If “No”, proceed to Part 3.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

The New York State Environmental Quality Review (SEQR) process was completed by the Town of Erwin and the Town's engineering consultant, Hunt Engineers, Architects, Land Surveyors & Landscape Architect, DPC (HUNT). The Town of Erwin and HUNT have evaluated the proposed Park Grove Realty Erwin Apartments (the "Project") in accordance with the New York State Environmental Quality Review Act (SEQRA), 6 NYCRR Part 617. The Town and HUNT utilized the NYSDEC EAF Workbooks and the NYSDEC SEQR Handbook, 4<sup>th</sup> Edition during the completion of the Environmental Assessment Forms (EAF) and review of the project.

Park Grove Realty LLC (the "Applicant") provided the Town of Erwin and HUNT with an Engineer's Report, Backflow Report, Wetland Delineation Report, Stormwater Pollution Prevention Plan (SWPPP) Report, Traffic Impact Report, and site development plans.

This Discussion on Impacts and Their Magnitude has been prepared by Hunt Engineers, Architects, Land Surveyors & Landscape Architect, DPC (HUNT) for use by the Town of Erwin

## **1. Impact on Land**

SEQR considers the following factors in the evaluation of potential impacts on land:

- Construction where depth to water table is less than 3 feet
- Construction where depth to bedrock is less than 5 feet
- Construction on slopes of 15% or greater
- Excavation and removal of more than 1,000 tons of natural material
- Construction schedules spanning more than one year or in multiple phases
- Increased soil erosion

The project area consists of an approximately 16.53-acre site located northeast of the intersection of Robert Dann Drive and Aurene Drive. The project area is currently part of tax parcel 298.00-01-003.111. The proposed project includes the construction of nine 10-unit apartment buildings, a clubhouse, private roads, landscaping, stormwater management improvements, and amenities such as a dog park, pool, playground and pickle-ball court.

The project will disturb approximately 12.3 acres of land and create approximately 4.4 acres of impervious surfaces. A geotechnical evaluation was completed for the project site, which indicated that the depth to the water table is typically greater than 10 ft and that the estimated depth to bedrock is approximately 50 ft. The geotechnical evaluation found that the soils at the project site are stable and suitable for construction. Construction on steep slopes is limited, and steep slopes will be stabilized. The project does not involve mining or the excavation and removal of natural materials.

Construction is anticipated to occur over 18 months in one phase. The construction schedule is not expected to cause any additional adverse impacts. The EAF Workbooks state that construction that occurs seasonally for one or two years is considered a small impact. As stated in the SWPPP, disturbed soil will be protected through erosion & sediment control measures, seeded, and stabilized within 7 days after the last disturbance.

A Stormwater Pollution Prevention Plan (SWPPP) has been developed for the project to manage stormwater, runoff, and erosion. The SWPPP includes best management practices to protect against erosion and stormwater pollution during construction as well

as permanent stormwater structures. As stated in the SWPPP, these stormwater management practices conform to NYSDEC requirements for Runoff Reduction, Water Quality and Channel Protection. The SWPPP and planned stormwater and erosion control practices will mitigate the impact of the project on erosion, stormwater, runoff, and steep slopes, and therefore the impact of the project to land is small.

## **2. Impact on Geological Features**

Unique or unusual land forms include features such as cliffs, dunes, waterfalls gorges, glacial features, fossil deposits, and caves. Unique and unusual land forms and geologic features are identified in the National Natural Landmarks database and the NYS Unique Geologic Landforms database.

Review of the Full EAF Part 1, EAF Mapper, and DEC Environmental Resource Mapper identified that there are no unique or unusual landforms or geological features in the vicinity of the project. Therefore, no impact to geological features will occur.

## **3. Impacts on Surface Water**

SEQR considers the following factors in the evaluation of potential impacts on surface water:

- Creation of a new water body
- Increase or decrease in the surface area of an existing water body
- Construction or dredging in or around wetlands and water bodies
- Surface water withdrawals
- Wastewater discharges to surface water
- Soil erosion, turbidity, siltation or sedimentation, pollutants, and other water quality impacts that could cause degradation to surface water bodies
- Application of pesticides or herbicides in or around a water body
- New or expanded wastewater treatment facilities

The DEC Environmental Resource Mapper (ERM) and National Wetland Inventory (NWI) mapper identified a minor tributary to the Cohocton River and associated NWI riverine wetland within the project area. These map resources are informational and not regulatory, and therefore wetland delineation and consultation with state and federal agencies are required to determine if protected or jurisdictional wetlands are present.

As part of the SEQR coordinated review, the NYSDEC reviewed the project. The NYSDEC stated that the stream shown on mapping resources has a NYS Stream Classification of Class C and is therefore not considered a NYS protected water body. The NYSDEC additionally determined that the stream would not be considered navigable as defined in the Protection of Water Regulations. The NYSDEC concluded that, since the mapped stream is not navigable or protected, disturbance of the stream's channels and banks would not require a permit from the NYSDEC.

The applicant and the applicant's engineer, Passero Associates, completed a Wetland Delineation Report for the project site. The wetland delineation did not identify any streams or riverine wetlands within the project site despite online mapping. The unnamed stream was previously re-routed when the Aurene subdivision and EPIC detention pond was created. The stream was redirected via two 36-inch diameter culverts to the north such that it discharges to a stormwater basin east of and below

Deer Crest Drive, and does not discharge across the site. This re-routing resulted in the abandonment of the unnamed tributary through the site, and the wetland delineation report confirmed that the stream remains absent from the site.

The wetland delineation identified two small and isolated emergent wetlands at the site with a total area less than 0.1 acre. The Applicant submitted a pre-construction notification, the wetland delineation report, and wetland application to the US Army Corps of Engineers (USACE), which regulates freshwater wetlands. The Applicant has accordingly received a Nationwide Permit authorizing construction in and around the two small wetlands identified by the wetland delineation report. The applicant is currently coordinating with the NYSDEC regarding wetland permits. As per the EAF Workbooks, construction within a wetland is considered a small impact if the water body is not within the 100-year floodplain, a regulated water body, or a known habitat for a protected species.

A Stormwater Pollution Prevention Plan (SWPPP) was developed to control stormwater, runoff, erosion, and sedimentation. The SWPPP noted that there is an existing riprap drainage swale along the Robert Dann Drive right-of-way, which conveys stormwater generated at the project site as well as stormwater from the upstream watershed area southwest of the project site to an existing stormwater retention basin. The SWPPP also notes that there is a small grass swale in the center of the site that directs runoff to the riprap swale along Robert Dann Dr. The existing stormwater retention basin is located in the eastern side of the parcel and is also described as a dry pond. The wetland delineation report confirmed that the existing retention basin would not qualify as a wetland. Stormwater in the retention basin generally infiltrates through the soil, and the basin has an overflow outlet that discharges to the Cohocton River.

The project will construct several infiltration bioretention areas, which will be connected to the existing stormwater retention pond located at the site. The existing riprap swale along Robert Dann Drive will remain at the site. The infiltration bioretention structures will serve to capture and treat stormwater, and they are not considered water bodies. As per NYSDEC and Town requirements, post-development stormwater runoff flows will be equal to or lower than pre-development stormwater runoff flows. Stormwater management structures will have sufficient capacity to handle the 100-year storm event. The project will not result in any measurable increase or decrease in surface area of any water body.

As stated in the SWPPP, the project incorporates sufficient stormwater management practices and therefore will not negatively impact the water quality of water bodies downstream of the site. Coverage under the NYS SPDES permit for the construction activities will be obtained from the NYSDEC prior to beginning construction.

The proposed project will be served by municipal water and sewer utilities. The Town of Erwin water system sources water from groundwater wells, and therefore the increased water demand from this project will not impact surface water. Sewer mains in the vicinity of the project have the capacity to convey anticipated wastewater flows from the site, as stated in the project's engineering reports and analysis. The Town of Erwin's existing wastewater treatment plant (WWTP) currently has a permitted capacity of 1.75 MGD. The current average daily flow to the WWTP is 0.855 MGD, with a maximum average flow of 1.255 MGD. The average estimated wastewater loading rate for the site is 24,950

to 32,000 gpd (0.2495 – 0.32 MGD). The existing WWTP has sufficient capacity to serve the proposed development.

The proposed project will have a small impact on surface water due to the following: no surface water withdrawals; no discharge of wastewater to surface water; no required wastewater treatment facility expansions; minimal wetland presence at the site; the project has received a Nationwide Permit from the USACE; a SWPPP was developed and will be implemented for the project; and stormwater and erosion will be controlled. Regardless of this SEQR review, the applicant is still required to continue to consult with the NYSDEC and obtain and adhere to any permits or approvals required by state and federal regulations. The Town has provided the applicant with the comments received from the NYSDEC during the SEQR coordinated review.

#### **4. Impact on Groundwater**

SEQR considers the following factors in the evaluation of potential impacts on ground water:

- New or increased groundwater withdrawals
- Residential development in areas without water and sewer services
- Wastewater discharges to groundwater
- Bulk storage of petroleum or chemicals over groundwater
- Application of pesticides near water sources

The project will connect to the existing Town of Erwin water system and wastewater system. The existing municipal water system and wastewater system have the capacity to support the project.

The project will create an average water demand of approximately 29,000 to 32,000 gpd (0.29 – 0.32 MGD) according to the Engineer's Report and information provided by the applicant. The Town of Erwin water system sources its water from several groundwater supply wells. The water system is currently permitted by the Susquehanna River Basin Commission (SRBC) and NYSDEC to withdraw up to 2.775 MGD (SRBC Docket Number 20240619). According to the most recent available water withdrawal form, the average day withdrawal is 0.691 MGD and the maximum day withdrawal is 1.278 MGD. The Town of Erwin water system therefore has sufficient source capacity to supply the project with the current infrastructure and permit conditions. The Backflow Report produced by Passero Associates found that the existing water distribution system has sufficient capacity to support the proposed project, and that the project will not adversely affect water service pressures or services in the Aurene neighborhood.

The proposed project is located above a principal and primary aquifer and partially located within an aquifer protection overlay district. The proposed project complies with the requirements of the Town of Erwin Town Code Article VIII Section 130-37 Aquifer Protection Overlay Districts. The project does not include wastewater discharges to groundwater, construction in areas with a high water table, pesticide application near water sources, or bulk storage of petroleum or chemicals over groundwater. Therefore, the project will have no or small impact to groundwater.

#### **5. Impact on Flooding**

SEQR considers the following factors in the evaluation of potential impacts on flooding:

- Development on lands subject to flooding
- Development on lands within a regulatory floodway, 100-year floodplain, or 500-year floodplain
- Modification of existing drainage patterns and flood water flows
- Condition of existing dams.

Most of the project site is classified as FEMA Zone C and outside the FEMA designated 100-year and 500-year floodplain. A small section of the site is classified as FEMA Zone B, and therefore within the FEMA designated 500-year floodplain. The section of the site within the 500-year floodplain is occupied by the existing stormwater detention basin. No development within a FEMA designated floodplain, floodway, or other lands subject to flooding will occur.

The DECinfo Locator mapper and database identified a low hazard small earthen dam (state ID 055-5454) constructed at the site in 2002 for stormwater management. It is unclear if this refers to the water impoundment structure associated with the stormwater detention basin or to a different structure. The existing stormwater detention basin is equipped with an outlet control structure that is approximately 5 ft tall, measured from the bottom to the top of the bank. Surveys of the site identified swales but found no other dams or damlike structures at the project site. The project involves regrading and new stormwater management structures throughout the site such that re-developed stormwater runoff volumes are equal to or less than the post developed conditions, as per NYSDEC and Town requirements. The project will not adversely affect the existing detention basin or its outlet control structure. The existing basin has sufficient capacity to handle stormwater flows from the development.

The proposed project will modify existing drainage patterns as stated in the project's SWPPP. The project will create approximately 4.4 acres of impervious surfaces. Existing and proposed stormwater management structures are sized and designed to handle the 100-year storm. As stated in the SWPPP, all stormwater will be contained on site for the 1-year and 10-year storms, and the project will not increase stormwater flows from the site for the 100-year storm. Review of the SWPPP indicates the project will not increase flood hazards. The project will have a small impact on flooding.

## **6. Impacts on Air**

The proposed project does not include any state regulated air emission sources, therefore there will be no impact to air pollution.

## **7. Impact on Plants and Animals**

SEQR considers the following factors in the evaluation of potential impacts on plants and animals:

- Population reduction or loss of individuals of any New York State or Federal government listed rare, threatened, or endangered species or species of special concern or conservation need
- Habitat loss or degradation of habitat used by any NYS or federal government listed rare, threatened, or endangered species or species of special concern or conservation need
- Impacts to registered National Natural Landmarks
- Disturbance or removal of a designated significant natural community

- Substantial interference with habitat for the predominant species that occupy or use the project site
- Conversion of more than 10 acres of forest, grassland, or any other regionally or locally important habitat
- Use of herbicides or pesticides

There are several rare, threatened, or endangered species in the vicinity of the project: the northern long-eared bat (federal endangered), the tricolored bat (federal endangered), the timber rattlesnake (NYS threatened), and the green floater clam (NYS threatened, federal proposed threatened). These species were identified using the EAF Mapper tool, DEC Environmental Resource Mapper, US Fish and Wildlife Information for Planning and Consultation (IPaC) tool, and correspondence from the NYSDEC. The project is not in the vicinity of a Critical Environmental Area, a National Natural Landmark, or a significant natural community.

The NYSDEC reviewed the project as part of the SEQR coordinated review. The DEC recommends that all tree cutting activity occurs between November 1st – March 31st to minimize disturbance of federally and/or state-listed bat species. The DEC also recommended that a professional familiar with the identification of protected species undertake a survey of the literature and determine if the proposed project contains habitat suitable to protected species. The applicant, along with their engineering consultant Passero, reviewed threatened and endangered species in the project's Engineer's Report and concluded the project will not have an impact on protected species and that any tree removal activities as part of the project will be restricted to November 1<sup>st</sup> to March 31<sup>st</sup>.

Tricolored bat habitat consists of open woodlands and riparian forests. Tricolored bats hibernate in caves and mines during the winter and roost in tree leaves during the summer. Northern long-eared bat habitat consists of mature forest. Northern long-eared bats hibernate in caves and mines during the winter and roost in tree bark and cavities during the summer. The project site is composed of grassland, shrubs, and early successional vegetation. The project site and adjoining parcels do not contain suitable habitat for the tricolored bat or northern long-eared bat, but as a precaution any tree clearing is to be restricted to the winter hibernation period, from November 1<sup>st</sup> to March 31<sup>st</sup>.

Green floater habitat consists of rivers and streams. Since there are no streams present at the project site, the green floater is not present and will not be directly impacted. The green floater is known to inhabit the Cohocton River, which is 500 ft from the closest point of the parcel. The SWPPP will ensure that the project will not indirectly impact green floater habitat outside of the project area.

Timber rattlesnake habitat includes mountainous and hilly deciduous hardwood forests. The project site consists of grassland with some trees and shrubs and does not contain suitable timber rattlesnake habitat. Individual timber rattlesnakes are unlikely to be present at the site. Furthermore, no Timber rattlesnake sitings have been documented within or adjacent to the project site. The project is unlikely to impact timber rattlesnake populations, individuals, or habitat.

Records and aerial photography indicates that the site was previously used for agricultural production until the late 1990s. Vegetation at the site is primarily Kentucky

bluegrass (*Poa pratensis*), Morrow's honeysuckle (*Lonicera morrowii*), smooth brome grass (*Bromus inermis*), and ground ivy (*Glechoma hederacea*), all of which are considered invasive species in New York State. Predominant or common wildlife species that occupy or use the site include whitetail deer, rodents and other small mammals, small reptiles and amphibians, and birds.

The project will disturb approximately 12.3 acres of grass, brush, and shrub land. The project will create around 4.4 acres of impervious surfaces (roads, buildings, etc) and the remaining 7.9 acres of disturbance will be converted to lawn, stormwater management and bioretention areas, tree plantings, and other landscaped features as shown on the landscaping plans. Due to the extent of disturbance, the project may constitute a moderate impact on plants and animals. The project site is dominated by invasive plant species, which do not provide significant habitat for native wildlife. The project site has experienced disturbance due to agricultural activities as well as utilities, cut and fill activities, roads/drives, and other earthwork. The history of disturbance and dominance of invasive species indicates the site provides limited ecological benefits. The site is adjacent to the Aurene neighborhood and is close to several commercial and industrial developments. The site is thus already fragmented from other habitats and is not likely to contain important habitats. Therefore, the project site is not considered "regionally or locally important habitat", and the project is not expected to significantly impact the wildlife species that commonly use the site. Overall, the project will have a small to moderate impact on plants and animals.

## **8. Impact on Agricultural Resources**

The project is not located within or adjacent to an Agricultural District or any parcels in agricultural use. The project will have no impact on agricultural resources.

## **9. Impact on Aesthetic Resources**

SEQR considers the following factors in the evaluation of potential impacts on aesthetic resources:

- Visibility from any officially designated federal, state, or local scenic or aesthetic resource
- Visibility from publicly accessible vantage points
- Visibility from recreational or tourism related activities
- Obstruction or degradation of an officially designated scenic view
- Current and proposed land use at the site and surrounding areas
- Architectural consistency

A small section of the project site is located within a Town of Erwin Viewshed Protection Overlay (VP-O) District, as identified on the Town's Environmental Resources Overlay Map. The VP-O District includes all areas within the Town of Erwin above 1,000 ft in elevation. As stated in the Town of Erwin Zoning Ordinance, any proposed development within the VP-O District which will not be visible from any designated Aesthetic Resource of Local and/or Statewide Significance, as demonstrated by the Applicant through a line of sight profile or computer-simulated visual impact analysis, shall be exempt from the specific requirements of the VP-O District. The applicant has completed a line-of-sight profile review due to the VP-O District, which found that the proposed project will not be visible from the designated scenic or aesthetic resources. The Project therefore does not have to further comply with VP-O regulations. The Town of Erwin additionally notes that

all project buildings will be at or below the 1000 ft threshold of the VP-O, and that the project does adhere to the VP-O building design standards included in Chapter 130 Section 130-39 of the Town Code. The project, therefore, will have architectural consistency with the existing Town of Erwin community.

The project site is located 1 mile from the closest edge of the Erwin Wildlife Management Area and approximately ¾ mile from the closest edge of the Erwin Hollow State Forest. The Aurene residential development lies between the project site and the Erwin Wildlife Management Area. Several commercial developments and a highway lies between the project site and the Erwin Hollow State Forest. The project is not visible from the scenic vistas identified on the Town of Erwin Lands of Conservation Interest map. The project is unlikely to impact any of these scenic or aesthetic resources due to the distance and intermediate development between the project and these resources, it is unlikely that the project will impact these resources.

Current land uses in the vicinity of the project site include single family residential, townhouse style residential, open spaces, a municipal park, commercial development, and industrial development. The project will be visible to residents of the Aurene neighborhood and employees of the nearby commercial and industrial facilities. The proposed project includes landscaping plans and vegetation that will provide some visual screening. As stated in the EAF Workbooks, a project will likely only have a small impact on aesthetic resources when the project site is visible from minor roads used by a limited number of local residents and is not part of a recreational or tourism related activity.

There are several apartment building complexes in the vicinity of the project site. The EAF and EAF Workbooks state that, if the proposed project is similar (multifamily residential rental units) to multiple developments in the area, then it is not likely to have significant impacts to scenic or aesthetic resources.

**Table 1: Similar Development in Local Area**

Apartment Complex Name	Approximate Distance from Project Site
Emerald Springs Apartment Homes	0.5 – 0.6 miles
Village Manor Apartments	1.2 miles
Village Square Apartments	1.2 miles
Badger Creek Meadows Apartments	1.25 miles
Connect55+ Active Adult Retirement Community	1.4 miles
Pine Tree Village Apartments	1.7 miles

The land use of the proposed action (multifamily housing) is not in sharp contrast to current land use patterns in the surrounding area, which includes residential housing, industrial, and commercial development. As stated in this section, the project is not expected to have a significant impact on any scenic or aesthetic resources.

## 10. Impact on Historic and Archaeological Resources

SEQR considers the following factors in the evaluation of potential impacts on historic and archaeological resources:

- Proximity or impact to any building, archaeological site, or district listed or eligible for listing on the National or State Register of Historical Places
- Proximity to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory

A portion of the project site is located in an area designated as sensitive for archaeological sites. There are no buildings, archaeological sites, or historic districts that are listed or eligible for listing in the State or National Register of Historic Places. The project was submitted to the NYS Office of Parks, Recreation & Historic Preservation (OPRHP) for review by the State Historic Preservation Office (SHPO). SHPO reviewed the project and issued a no effect finding letter for the project. The effect finding letter states that they do not recommend a Phase 1A/1B Archaeological Survey for the project and that it is the opinion of the OPRHP that no properties, including archaeological and/or historic resources, will be impacted by this project.

### **11. Impact on Open Space and Recreation**

SEQR considers the following factors in the evaluation of potential impacts on open space and recreation:

- Impairment of natural function or ecosystem services
- Loss of current or future recreational resources

The project area includes a small section of a walking path or trail associated with the Aurene neighborhood in the northwest corner of the parcel along Aurene Drive. The applicant has submitted preliminary site plans that include a proposed stone dust trail to connect with the existing mown walking path and a proposed ingress and egress easement to access this path. The applicant has indicated they want to be a “good neighbor” and is open to discussions regarding greenspace management with Aurene residents. The Town notes that the applicant is not obligated under the Town Code to do so.

The project will impact the natural functions of the current grass/shrub ecosystem present at the site. As discussed in the Impact on Plants and Animals section, the site likely does not contain significant wildlife habitat due to historic disturbance and concentration of invasive plant species. Impacts to soil and water resources, including stormwater, erosion, sedimentation, and flooding are mitigated by the Stormwater Pollution Prevention Plan (SWPPP) and State Pollutant Discharge Elimination System (SPDES) permit. The project will have a small impact on open space and recreation.

### **12. Impact on Critical Environmental Areas**

There are no established Critical Environmental Areas located within or adjacent to the project sites. As such, there will be no impact to any Critical Environmental Areas.

### **13. Impact on Transportation**

SEQR considers the following factors in the evaluation of potential impacts on transportation:

- Traffic increases which may exceed the capacity of existing roads
- Parking areas for 500 or more vehicles
- Degradation to existing transit access, pedestrian, or bicycle accommodations
- Alterations to the movement of people or goods

The proposed project includes the construction of private residential roads and parking lots. The project will have two entrances/exits to public roads, one on Aurene Drive and one on Robert Dann Drive. The project will construct 199 parking spaces, which is less than the DEC EAF Handbook threshold of 500 parking spaces. The parking lots include landscaping and dark sky compliant lighting.

A Traffic Impact Report for the proposed project was completed and submitted to the Town of Erwin. This Traffic Impact Report states “Pursuant to the State Environmental Quality Review Act (SEQRA), this detailed analysis demonstrates that the proposed project, with the recommended improvements in place, does not result in any significant adverse traffic impacts.”

The traffic study estimates the project will generate approximately 54 vehicle trips during the morning peak hour and 64 vehicle trips during the afternoon peak hour. The NYSDEC EAF Workbooks defines a “substantial increase in traffic” as 100 peak hour vehicle trips or more. The EAF Workbook additionally states that an apartment land use with less than 150 total units would not generate a substantial increase in traffic. The project is therefore well below the threshold for significant traffic.

This traffic study additionally stated that the entrance/exit on Aurene Drive will have acceptable sight distances in relation to the posted speed limits. The traffic study concluded that existing and proposed conditions will retain acceptable levels of services and that there is adequate intersection capacity at each nearby intersection without the need for any major improvements in the nearby roads. The Town of Erwin agrees with the traffic study recommendation to restripe Robert Dann Drive to create an eastbound left turn lane to enter the site.

There are no public transportation services or facilities in the vicinity of the project. There are no bicycle accommodations in the vicinity of the project as bicycles are used in-lane or on road shoulders. There are some pedestrian sidewalks along Robert Dann Drive outside of the project area. The project includes a crosswalk spanning Robert Dann Dr near the intersection of Robert Dann Dr and Liberty Dr. The proposed crosswalk will be located at the apartment complex entrance/exit on Robert Dann Dr. The Applicant is responsible for crosswalk restriping and sign installation. The project will not adversely impact sidewalk and pedestrian accommodations outside the project site, including the existing sidewalk along Robert Dann Dr and Aurene Dr. The project involves some sidewalks connecting recreational facilities within the project site.

Based on the findings of the Traffic Impact Report, and as per EAF Workbook guidance, the project will have a small impact on transportation.

#### **14. Impact on Energy**

SEQR considers the following factors in the evaluation of potential impacts on energy:

- New electrical substations or upgrades to existing substations
- Extension of energy systems to serve more than 50 single or two-family residences or to serve a commercial or industrial use
- Energy demand greater than 2,500 MWhrs per year of electricity
- Heating and/or cooling of more than 100,000 sq. ft. of building area

The project will cause an increased demand for energy. The project will follow NYS Energy Code. The applicant has stated that the proposed project will use approximately 810 MWhrs per year of electricity. This electrical demand is well below the 2,500 MWhrs per year threshold stated in the EAF Workbooks. As a verification, the U.S. Energy Information Administration (Washington DC) published energy (electric and gas) use of detached and attached single family homes and the maximum energy use ranged from 11,000 KWhrs per year to 16,000 KWhrs per year, respectively. Assuming 91 units at the site (90 residential units plus the clubhouse) and a maximum energy usage of 16,000 KWhrs per year, the total energy usage would be 1,456 MWhrs per year. This verification remains significantly below the 2,500 MWhrs per year threshold.

The applicant has stated that the existing gas and electric utilities have sufficient capacity to serve the proposed project. NYSEG has confirmed that existing electric utilities will not require upgrades or significant new infrastructure to serve the project. Electrical service lines will be extended into the parcel to serve the residential development. It should be noted that the NYSDEC does not provide a threshold for the extension of energy supply systems to serve multifamily residential units.

The EAF Workbooks state that residential development in an already suburbanized area that follows the NYS Energy Code would be considered a small impact. The proposed project is located adjacent to a suburban area (Aurene) and is currently zoned for high density residential.

The project will construct nine (9) multifamily residential buildings and one (1) clubhouse. The total building area to be climate controlled (heated/cooled) is approximately 129,732 square feet. This is above the 100,000 square foot threshold stated in the FEAF Part 2 and EAF Workbooks, and therefore it is presumed to be a moderate to large impact. Given that the project will be constructed in accordance with the NYS Energy Code and the expected energy demand is significantly below the 2,500 MWhrs energy demand threshold, the impact of the building area to be heated/cooled is determined to be moderate and does not warrant a declaration of significant impact on its own. The overall impact to energy is small to moderate.

## **15. Impact on Noise, Odor, and Light**

SEQR considers the following factors in the evaluation of potential impacts on noise, odor, and light:

- Sound above noise levels established by local regulation
- Blasting within 1,500 ft of residences, hospitals, schools, day care centers, and nursing homes
- Routine odors that last for more than 1 hour per day
- Light pollution, including sky glow, light trespass, glare, and clutter

Construction will create a temporary increase in noise during daytime hours only. The operational noise level after construction will be below the residential ambient noise levels specified in the Town Code. The project does not include blasting or any of the specific prohibited acts included in the Town's Noise Control Ordinance. As stated in the EAF Workbooks, noise levels below regulated levels and temporary construction noises are considered small impacts. The project will not produce odors and therefore will have no impact on odor.

The proposed project includes outdoor lighting along the private roads and some building mounted lights. Lighting fixtures will be 20 ft tall and aimed downwards with optional back shields where necessary to avoid light pollution. The light fixtures will be darksky compliant and will not result in light shining onto adjoining properties. Planned landscaping features and vegetation may also provide some light barrier benefits. The project will have a small impact on light pollution.

## **16. Impact on Human Health**

SEQR considers the following factors in the evaluation of potential impacts on human health:

- Proximity to facilities occupied by vulnerable populations, including schools, hospitals, day care centers, group homes, and nursing homes
- Presence of solid waste, hazardous substances, or other contaminants at the site
- Proximity to environmental remediation sites, landfills, and emergency spill remediation
- Use, creation, disposal, or storage of any hazardous substance
- Increased solid waste generation

The proposed project is within 2,000 ft of remediation site 851030, the Former Painted Post Car Mart Site. The site is currently an active bus maintenance and storage facility. A site investigation in 2008/2009 discovered high concentrations of volatile organic compounds (VOCs) and semivolatile organic compounds (SVOCs) in the groundwater and soils of the site. Remediation activities including removal of contaminated soils was completed in 2009. The remediation site has a Classification Code of C, indicating that remediation activities are complete. Given that the DEC has determined the risk of exposure to contaminants is low and the site is separated from the project area by the Cohocton River, the remediation site will not impact or be impacted by the proposed project. The DEC Spill Incidents database does not list any spills in the vicinity of the project area. The project site is not subject to any institutional control measures, and contamination is not expected at the project site.

The proposed project is not expected to unearth solid or hazardous waste. The project will not use, generate, store, or dispose of any hazardous substance. There is a medical facility and a licensed day care center located within 1,500 ft of the project, however, the project is not expected to create any health hazards.

Solid waste generated by the project construction and operation will be managed by the applicant. Solid waste will be collected and disposed of in existing local facilities in accordance with all applicable federal, state, and local regulations. Existing landfills and solid waste management facilities have sufficient capacity to serve the project. The proposed project will have little to no impact on human health.

## **17. Consistency with Community Plans**

SEQR considers the following factors in the evaluation of project consistency with community plans:

- Change in land use patterns
- Permanent population growth by more than 5%
- Inconsistency with local land use plans, zoning regulations, County plans, or other regional land use plans

- Development that is not supported by existing infrastructure and requires new or expanded public infrastructure
- Secondary development impacts

The project is adjacent to the Aurene residential neighborhood. The proposed project is not in sharp contrast to current surrounding land use patterns, which includes residential, commercial, and industrial development. The project site is currently zoned for as High Density (R-7.2) Residential. Multi-unit housing is an allowed land use for R-7.2, subject to Site Plan Approval. The proposed project complies with Town of Erwin zoning and code requirements for multi-family housing. The project land use is somewhat different from existing and surrounding land use patterns, however, the EAF Workbooks state that changes in land use are considered a small impact if the project complies with zoning laws and other community laws and goals.

As stated in the Town's Comprehensive Plan, the Town seeks to provide a variety of housing types to accommodate the varying needs of all Erwin residents. The Town's Comprehensive Plan also encourages new residential development to provide sufficient recreational facilities to residents and to connect to existing parks and adjoining neighborhoods. Existing sidewalks near the site will connect the project to the Aurene neighborhood and Kinsella Park. The Steuben County Comprehensive Plan does not have specific recommendations for the Town of Erwin but does encourage the development of new mixed use and compact residential development. The project is consistent with the Town of Erwin and Steuben County Comprehensive Plans.

The population of Erwin is currently around 8,095. The proposed project will add 90 multi-family housing units to the Town. The project may cause the permanent population of Erwin to increase slightly, however, the project will not meet or exceed the 5% population growth threshold stated in the EAF Workbooks. The proposed project may result in some minor secondary development impacts in the region. Public infrastructure, schools, roads, and municipal services are all below capacity and no new infrastructure or extension of existing infrastructure is required, therefore, the project will have a small impact on community plans.

The proposed action will cause a slight increase in the density of development in the immediate local area, however, the development is supported by existing infrastructure and will not require new or expanded public infrastructure. The proposed project does include restriping of Robert Dann Drive to provide a left turn lane into the development, which is defined as a small impact in the EAF Workbooks. The project does not involve the construction or expansion of public roads.

Since the proposed project is consistent with the adopted Town of Erwin Comprehensive Plan, Town of Erwin Code and zoning regulations, and Steuben County Comprehensive Plan, the project is consistent with community plans and will overall have a small impact.

## **18. Consistency with Community Character**

SEQR considers the following factors in the evaluation of potential impacts on community character:

- Destruction or degradation to facilities, structures, or areas of historic importance
- Increased demand for community services (schools, police, fire)
- Land use patterns

- Displacement of affordable or low-income housing
- Interference with the use or enjoyment of officially recognized public resources
- Inconsistency with existing architectural style, scale, and character inconsistency
- Inconsistency with the character of the existing natural landscape

As stated in the EAF Workbooks, “Community character is defined by all the man-made and natural features of the area. It includes the visual character of a town, village, or city, and its visual landscape; but also includes the buildings and structures and their uses, the natural environment, activities, town services, and local policies that are in place.” The SEQR Handbook recommends utilizing the municipality’s comprehensive plan and zoning as expressions of the desired community character. In addition, the Town of Erwin has prolonged the SEQR process in order to receive and address feedback from community members.

It should be noted that the SEQR Handbook explicitly states that economic impacts are not considered environmental impacts or community character impacts. The SEQR Handbook states that potential impacts to real estate values or job creation are considered solely economic impacts, and therefore the Town of Erwin is not permitted to consider such impacts during the SEQR review.

The community character of Erwin is described in the Comprehensive Plan as “scenic and rural.” The Comprehensive Plan additionally states that it is “crucial that Erwin be prepared to handle the next surge of growth and encourage sustainable and traditional development to enhance the desired distinctive community character, which defines Erwin as a community in which to live, work, and invest.”

The project site is zoned for High Density Residential (R-7.2). High Density Residential aims to encourage a mix of housing, including multi-unit dwellings and townhouses. The Town’s Comprehensive Plan notes that the higher density housing can and should maintain the style and character of older residential areas. The construction of multi-unit housing in areas zoned for high density residential is consistent with the existing community character.

There are no historic buildings, structures, or sites in the vicinity of the project and therefore no related impacts. The project will be consistent with the predominant architectural scale and character of the Town of Erwin and immediate local area. The project will not interfere with the use or enjoyment of officially recognized or designated public resources. The project will not displace affordable or low-income housing.

The project will likely create a demand for additional public services as the developer has demonstrated that the development would result in an additional 10+/- students. However, the increased demand on public services can be handled by existing resources. The impact on the local school district, Corning-Painted Post Area School District (CPP ASD), and the local elementary school, Erwin Valley Elementary, was reviewed in particular. As shown in the following table, the student population of the CPP ASD has generally declined over the past 25 years, from a maximum population of 5,831 in the 2001-02 school year to a population of 4,350 in the 2023-04 school year. The student population of Erwin Valley Elementary School has fluctuated more, from a minimum population of 290 students in the 1999-2000 school year to a maximum population of 489 students in the 2010-2011 school year. More recently, the Erwin Valley

Elementary School experienced a peak student population of 479 in 2018-2019. The most recent enrollment data from the NYSED states the Erwin Valley student population is 395, less than the 1999 – 2024 average of 403 and significantly less than the population of peak enrollment years. Following discussions with the CPP ASD, it is understood that the capacity of the Erwin Valley Elementary is 500. It is not expected that the population increase will meet or exceed the capacity of the CPP Area School District or the Erwin Valley Elementary School. The school district has been informed of the project so that they can plan for future teacher/employment needs, and the CPP ASD has expressed that they are not concerned about the project's impact on public schools.

**Table 2: NYSED Enrollment Data 1999 - 2024**

Year	CPP School District	Erwin Valley School
2023-24	4,350	395
2022-23	4,318	373
2021-22	4,310	398
2020-21	4,279	418
2019-20	4,551	436
2018-19	4,640	479
2017-18	4,692	471
2016-17	4,698	441
2015-16	4,788	433
2014-15	4,777	413
2013-14	4,836	411
2012-13	5,003	432
2011-12	5,082	450
2010-11	5,318	489
2009-10	5,300	385
2008-09	5,347	413
2007-08	5,437	389
2006-07	5,525	383
2005-06	5,541	397
2004-05	5,600	365
2003-04	5,677	370
2002-03	5,648	361
2001-02	5,831	358
2000-01	5,694	332
1999-00	5,639	290
Average	5,075	403

Community members have voiced multiple concerns regarding the project’s potential impact to community character. The Town Board and their engineering consultant, HUNT, have carefully considered all comments received during these public meetings in the SEQR evaluation of impact and determination of significance.

Project : Date : 

***Full Environmental Assessment Form***  
***Part 3 - Evaluation of the Magnitude and Importance of Project Impacts***  
***and***  
***Determination of Significance***

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

**Reasons Supporting This Determination:**

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Refer to attached "Discussion on Impacts"

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status:  Type 1  Unlisted

Identify portions of EAF completed for this Project:  Part 1  Part 2  Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information  
Erwin Apartments SWPPP Report, Erwin Apartments Engineer's Report, Multi-Family Residential Development Traffic Impact Report, Wetland  
Delineation Report

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the  
Town of Erwin as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Erwin Apartments

Name of Lead Agency: Town of Erwin

Name of Responsible Officer in Lead Agency: Bryan Duke

Title of Responsible Officer: Chair of Town of Erwin Planning Board

Signature of Responsible Officer in Lead Agency:

Date: 12/11/25

Signature of Preparer (if different from Responsible Officer)

*Kyra Jacobson - Evans*

Date: 12/1/2025

**For Further Information:**

Contact Person:

Address:

Telephone Number:

E-mail:

**For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

**PRINT FULL FORM**



# TOWN OF ERWIN PLANNING BOARD

## RESOLUTION DECLARING NEGATIVE DECLARATION UNDER SEQR

**SUPERVISOR**

Douglas R. Cole

**TOWN COUNCIL**

Frank Acomb  
Jody Allen, Deputy  
James Kuhl  
Jeremy Shepard

**TOWN MANAGER**

Melissa Greenthal

**PLANNING & ECONOMIC DEVELOPMENT**

Kristen Brewer

**TOWN CLERK**

Eve Fisher

**TOWN ATTORNEY**

Thomas Smith,  
Esq.

**HIGHWAY SUPERINTENDENT**

Daniel Hamilton

**TOWN JUSTICES**

Thomas Bowes  
Peter Bierwiler

**ASSESSOR**

Connie Luckner

**CODE ENFORCEMENT**

Bryan Hallgren  
Rick Miller

**SEWER & WATER**

James Brarens

WHEREAS, the Town of Erwin Planning Board has received and reviewed a Full Environmental Assessment Form (FEAF) for a proposed Park Grove multi-family residential development located on Robert Dann Drive; and

WHEREAS, the Planning Board has considered the information contained in the SEQR documentation, including Part 1, Part 2, and Part 3 of the FEAF, and has evaluated potential environmental impacts in accordance with Article 8 of the New York State Environmental Conservation Law and 6 NYCRR Part 617; and

WHEREAS, the Planning Board has determined that the proposed action constitutes an Unlisted Action under SEQR; and

WHEREAS, after thorough review and discussion, the Planning Board finds that the proposed action will not result in any significant adverse environmental impacts;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Erwin Planning Board hereby issues a Negative Declaration for the proposed Park Grove multi-family residential development on Robert Dann Drive, indicating that no Environmental Impact Statement (EIS) is required; and

BE IT FURTHER RESOLVED, that the Planning Board Chair is authorized to sign and file the SEQR Negative Declaration in accordance with applicable law.

Motion by: Heather Ford  
Second by: Brian Harpster  
Vote: 5-0

Bryan Duke, Chair: In favor

Heather Ford: In favor

Brian Harpster: In favor

Chris McCawley: In favor

Scott Swimley: In favor

Date Adopted: December 1, 2025

## Erwin Apartments

### Project Description

Erwin Apartments is a 90-unit multi-family development located at the intersection of Aurene Drive and Robert Dann in the Town of Erwin, NY. The project will include nine 10-unit buildings and clubhouse and amenity space for residents of the apartment community. The site's proximity to Corning's Inc Sullivan Campus, a major research facility for a multinational company seeking a specialized and talented workforce, makes this an ideal location for modern, high-quality housing. The project site also benefits from the nearby Corning Children's Center and Guthrie Healthworks ensuring convenient access to essential services such as childcare and health care for future residents. The proposed site is less than 3.5 miles away from downtown Corning, providing access to a variety of shopping, dining, and entertainment options. New housing will contribute to the sense of community and the economic vitality of the region.

The apartment buildings are townhome style. Each apartment unit has a private entryway and enclosed garage. The apartments have a high level of interior finish, including quartz countertops, luxury vinyl plank flooring, soft close cabinetry, and premium lighting and plumbing fixtures. Each unit has its own patio or balcony. The project will have on-site amenities including, dog park, exercise facility, pool, and pickleball court. The project received a Negative SEQR declaration in December 2025 and unanimous site plan approval in January 2026.

The apartments will be market-rate apartments. Monthly rental rates are estimated to range from \$1,800-\$2,500 which is commensurate with comparable market rate properties in the area with similar level of finish and amenity package as the development. There is a strong need for high quality, high amenity housing. Refer below to market data evidencing support for the project.

There will be two full-time on-site staff to manage the property. Park Grove will own and manage the property. Park Grove currently owns and manages over 2,000 apartment units. Park Grove has a significant presence in the Southern Tier and currently owns and manages two multifamily apartment communities in Steuben County (Hornell, NY).

Park Grove has successfully developed this townhome style apartment community in other upstate markets, including Ithaca, Dryden, and Rochester, NY.

## Market Support for High-Quality Multifamily Housing

Corning-Erwin, NY Market

### 1. Aging Housing Stock and need for Modern Product

Source: 2025 Steuben County Housing Study

- Only 3% of housing units in the Primary Market Area were built in the last 15 years
- Study identifies need for modernized, high-quality housing options

**Conclusion:** The market lacks newly constructed, amenity-rich rental product.

### 2. Existing Comparable Rental Communities are Essentially Full

Source: CoStar/Apartments.com – January 2026

Property	Occupancy
Academy Place	96%
176 Denison	99%
Northside Place	96%

### Market-Wide Data

Source: 3 Rivers Housing Study, 2025

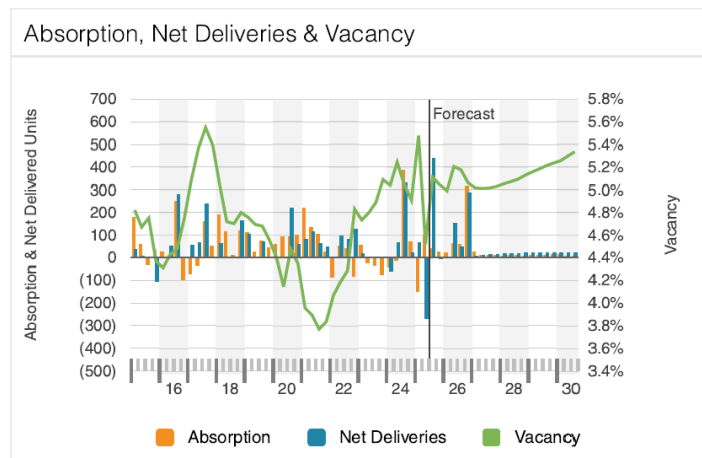
- Overall Primary Market Area Occupancy: 96%
- Projects Built After 2010: 99% Occupied

**Conclusion:** Modern rental properties are operating at stabilization or above, indicating unmet demand.

### 3. Future Occupancy Remains Strong

Source: CoStar – Future Delivery & Absorption (Corning/Erwin)

- Projected absorption supports continued high stabilized occupancy levels
- No oversupply risk indicated in near-term pipeline



**Conclusion:** Demand is projected to remain strong even with additional deliveries.

#### 4. Rental Rates Support Market Positioning

Source: CoStar / Apartments.com

##### Comparable Monthly Rents

Property	Rent Range
Academy Place	\$1,708-\$2,070
176 Denison	\$1,815-\$2,134
Northside Place	\$2,700 -\$3,039

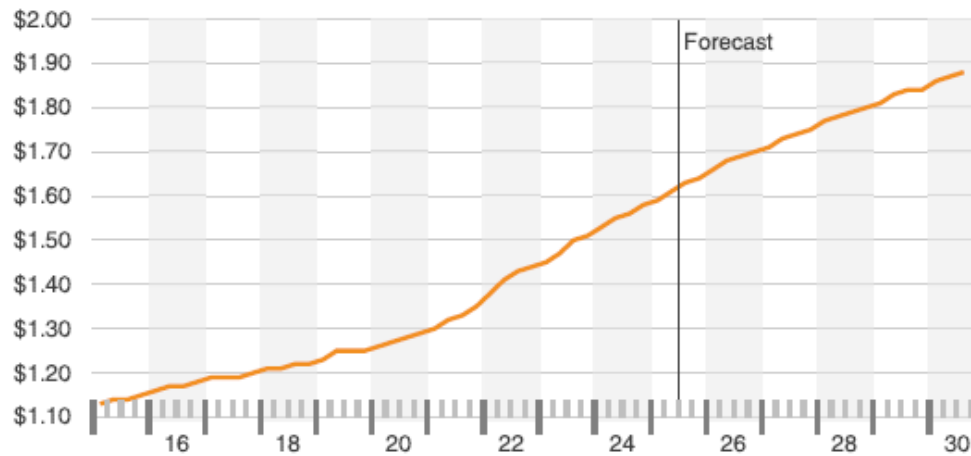
**Conclusion:** Proposed rents are aligned with existing market-rate product.

#### 5. Strong Rent Growth Trends

Source: CoStar – Corning/Erwin Market

- Positive year-over-year projected rental growth. Note the below graph includes all multi-family product in the Corning-Erwin market
- Continued upward pressure due to limited new supply and high occupancy

##### Market Asking Rent Per SF



**Conclusion:** Sustained rent growth, combined with high occupancy and limited new inventory, indicates a structurally undersupplied market. This supports the long-term viability and stability of additional high-quality multifamily development in the Corning-Erwin market.

## Project Photos







