

MAP AND PLAN  
EXTENSION TO SANITARY SEWER  
IMPROVEMENT AREA 1

THE MEADOWS AT PENDLETON  
NORTH SUBDIVISION  
TOWN OF PENDLETON, NEW YORK

PREPARED FOR:

TOWN OF PENDLETON  
6570 CAMPBELL BOULEVARD  
LOCKPORT, NEW YORK 14094

PREPARED BY:

GREENMAN-PEDERSEN, INC.  
4950 GENESEE STREET, SUITE 165  
BUFFALO, NEW YORK 14225

GPI No. BUF-2016040

September 2019

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I. INTRODUCTION

- A. Project Description - The Meadows at Pendleton North Subdivision, as proposed for development by Camp-Roll, LLC, is located on the east side of Campbell Boulevard. The subdivision involves the development of 50 single family detached lots on 51.12± acres of land. All of the subdivision will be served by gravity sewers. It will be necessary to extend the sanitary sewer district to serve the new subdivision.
- B. Improvement Area extension and financing - The Petitioner requests an extension of Sewer Improvement Area 1 for the proposed subdivision. Approximately 2,778 feet of new public gravity sanitary sewers and 9 manholes will be installed to service the 50 new single family residential home sites. There will be 2,778 ft of new 8" P.V.C. sewer installed within the subdivision along Brauer Drive. The sewer will be installed using open trench excavation. The improvements will be installed using private funds.
- C. Projected Wastewater Flows - Wastewater flows from the proposed developments were formulated as follows:

50 homes x 3.5 persons/home = 175 persons.

Average Daily Flow: 175 persons x 100 gals./person/day = 17,500 gals./day

Peak Daily Flow: Average Daily Flow x Peaking Factor

$$\text{Peaking Factor} = \frac{18 + \sigma \text{ Population}/1,000}{4 + \sigma \text{ Population}/1,000}$$

Peak Daily Flow = 17,500 gals/day x 4.17 = 72,951 gals./day

- D. Downstream Capacity - The sanitary sewer flows from the site will flow westerly by 8" gravity to the proposed 10" gravity sewer on the east side of Campbell Blvd (SH 270), thence northerly along the east side of Campbell Blvd to the abandoned railway right-of-way (Erie-Lackawanna Railroad) to the existing 36" "Pendleton West" interceptor sewer, thence southwesterly along the abandoned railroad right-of-way by the 36" interceptor across Meyer Road and Killian Road, thence Town Line Road to the NCSD #1 pump station, thence southwesterly by forcemain across Liberty Drive to Niagara County Sewer District No. 1 Wastewater Treatment Plant. The Wastewater treatment plant has an average daily flow of 4.9 mgd and is designed for 14.0 mgd.

E. Conclusions:

1. Private funds will be used to install the sanitary sewer facilities for this development.
2. Existing domestic water supply is available to service this development. New waterline extensions will be required within the subdivision.
3. Wastewater generated by this development will amount to an Average Daily Flow of 17,500 gals./day and a Peak Daily flow of 72,951 gals./day.
4. Excess capacity is available in the existing sanitary sewer system to support this development.

F. Recommendations - Based on the information supplied in this report and the conclusions drawn, we recommend that a district extension be approved for this development so that the parcel of land may be incorporated into Sewer Improvement Area 1.

# APPENDIX A

## METES AND BOUNDS WRITTEN DESCRIPTION OF PARCEL INCORPORATING THE NEW DISTRICT

SUGGESTED DESCRIPTION  
JOB NO. 2016040  
SEPTEMBER 21, 2019

MEADOWS AT PENDLETON NORTH

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Pendleton, County of Niagara and State of New York being part of Lot No 75, Township 13 Range 7 of the Holland Land Survey, so-called, bounded and described as follows:

Beginning at point on the centerline of Campbell Boulevard and the west line of said Lot 75, said point being distant 20.00 feet northerly from the northwest corner of lands conveyed to Richard H. Sinnott Jr. and Michelle A. Sinnott by deed recorded in the Niagara County Clerk's Office in Liber 2520 of Deeds at page 5;

THENCE: N-00°-49'-12"-W, along said centerline a distance of 517.33 feet to the southwest corner of an Exception as described in Liber 194 of Deeds at page 222, said point being on the southeasterly line of lands (now or formerly) of the Lockport and Buffalo Railway Company;

THENCE: N-44°-21'-16"-E, along the southeast line of said Exception and said southeasterly line of lands (now or formerly) of the Lockport and Buffalo Railway Company a distance of 160.34 feet to a point on the north line of lands described in Liber 80 of Deeds at page 472;

THENCE: N-88°-27'-48"-E, along said north line of Liber 80 of Deeds at page 472 a distance of 425.49 feet to an angle therein;

THENCE: S-00°-49'-12"-E, a distance of 60.72 feet to said north line of Liber 80 of Deeds at page 472 and the north line of lands described in Liber 42 of Deeds at page 35;

THENCE: N-88°-27'-48"-E, along said north line of Liber 80 of Deeds at page 472 and said north line of Liber 42 of Deeds at page 35, a distance of 2977.08 feet to the northwest corner of lands described in Liber 139 of Deeds at page 130;

THENCE: S-00°-49'-12"-E, along the east line of said Liber 80 of Deeds at page 472 a distance of 638.22 feet to the north line of a subdivision map of The Meadows at Pendleton Phase 3 filed in the Niagara County Clerk's Office as Instrument No. M-2016-00027;

THENCE: S-88°-27'-48"-W, along said north line of said The Meadows at Pendleton Phase 3, the north line of a subdivision map of The Meadows at Pendleton Phase 2, Part 1B filed in the Niagara County Clerk's Office as Instrument No. M-2015-00012, and the north line of a subdivision map of The Meadows at Pendleton Phase 2, Part 1A filed in the Niagara County Clerk's Office as Instrument No. M-2013-00009 a distance of 2882.03 feet to a point;

THENCE: N-01°-32'-12"-W, a distance of 10.00 feet to a point;

THENCE: S-88°-27'-48"-W, a distance of 310.12 feet to a point;

THENCE: N-00°-49'-12"-W, a distance of 60.00 feet to a point;

THENCE: S-88°-27'-48"-W, a distance of 324.03 feet to the POINT OF BEGINNING, containing 51.125 acres be the same more or less exclusive of the area lying within the bounds of Campbell Boulevard.

# APPENDIX B

## SURVEY OF PARCEL SHOWING PROPOSED DISTRICT BOUNDARY

NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209 PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

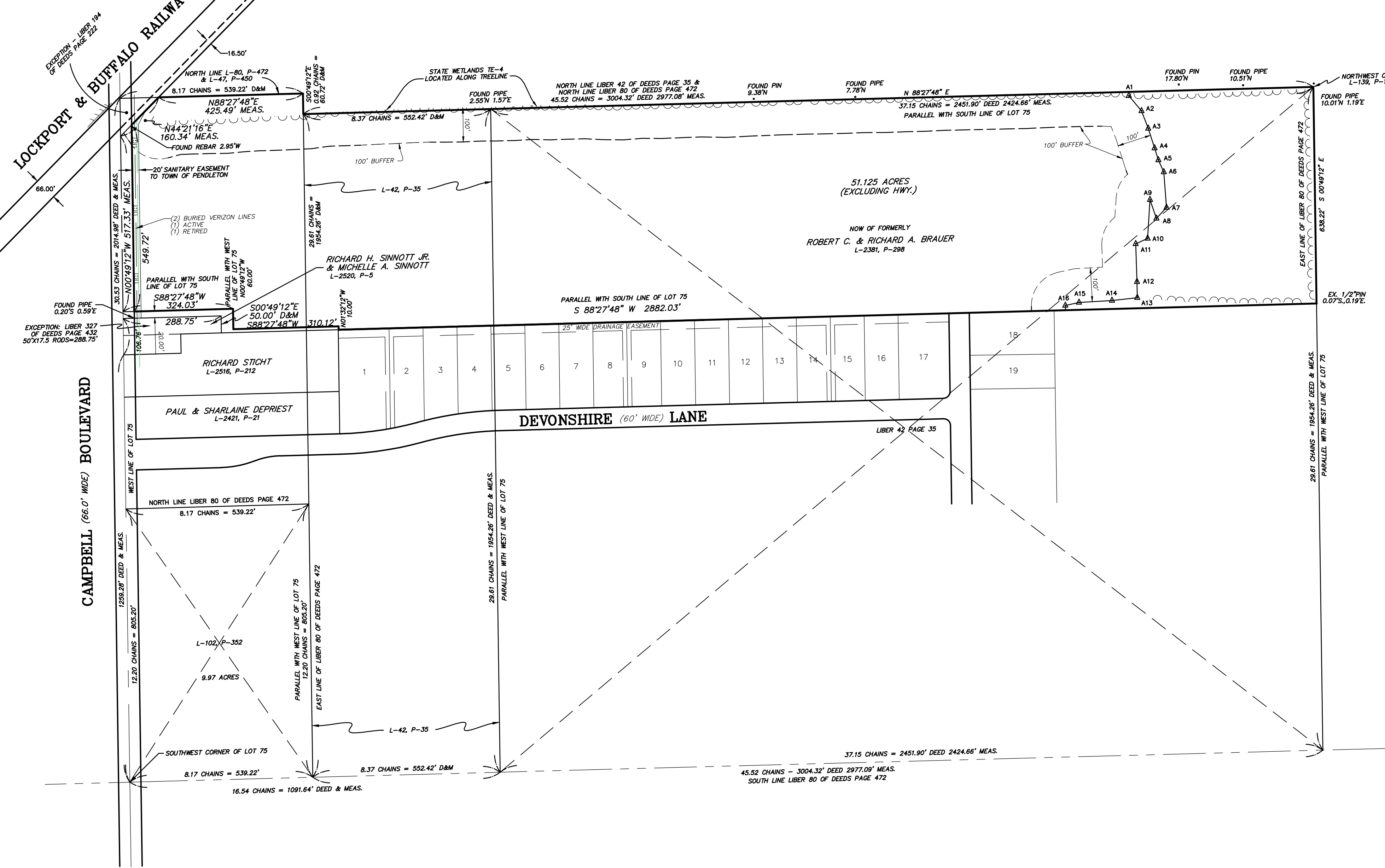
NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.



**LOCKPORT & BUFFALO RAILWAY COMPANY**

**CAMPBELL (66.0' WIDE) BOULEVARD**

**DEVONSHIRE (60' WIDE) LANE**



51.125 ACRES (EXCLUDING HWY.)

NOW OF FORMERLY  
ROBERT C. & RICHARD A. BRAUER  
L-2381, P-298

RICHARD STICHT  
L-2516, P-212

PAUL & SHARLAINE DEPRIEST  
L-2421, P-21

RICHARD H. SINNOTT JR.  
& MICHELLE A. SINNOTT  
L-2520, P-5

EXCEPTION: LIBER 194  
OF DEEDS PAGE 322

EXCEPTION: LIBER 327  
OF DEEDS PAGE 432  
50'x17.5' RODS=288.75'

EX. 1/2" PIN  
0.07'S, 0.19'E

DATE	REVISION/TYPE
9/21/19	REVISE PARCEL BOUNDARY
12/8/16	LOCATE WETLAND FLAGS AND ADD BUFFER

SURVEY OF  
PART OF LOT 75, TOWNSHIP 13, RANGE 7  
HOLLAND LAND SURVEY  
TOWN OF PENDLETON, NIAGARA COUNTY, NEW YORK

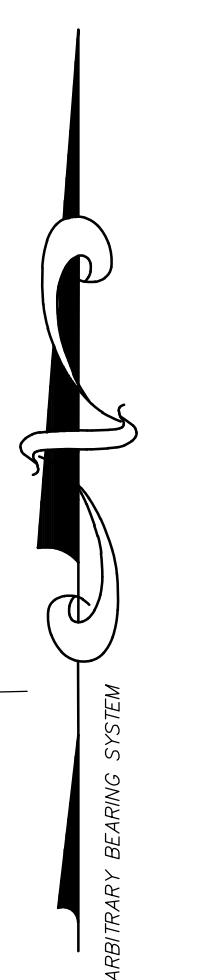
**GPI** ENGINEERING, LANDSCAPE ARCHITECTURE & SURVEYING, LLP  
ENGINEERING • SURVEYING • LANDSCAPE ARCHITECTURE  
4950 GENESEE STREET, SUITE 100  
BUFFALO, NEW YORK 14225  
(716) 633-4844 FAX 633-4940

Job No. 2016040 Date: JUNE 3, 2016  
Scale 1" = 200' Tax No.



APPENDIX C

SUBDIVISION PLAT MAP AND  
PHASING MAP



NOW OR FORMERLY  
GUY & DEBORAH HOLLER  
L-2218, P-288

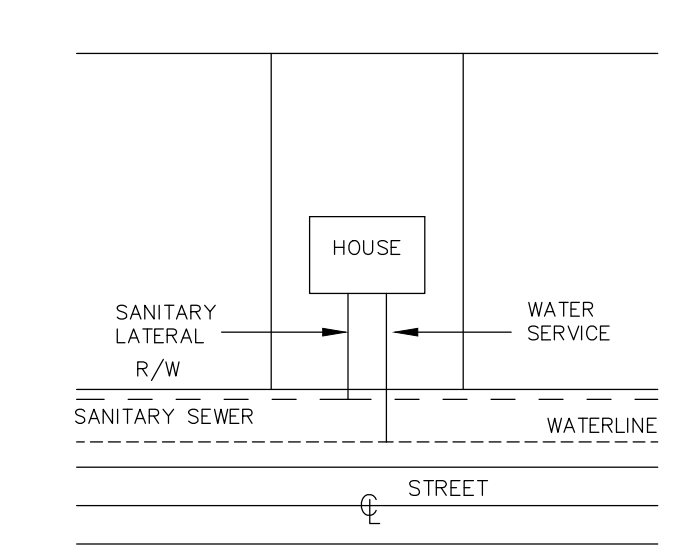


PHASE 2, PART 1A  
FILED AS INSTRUMENT No. M2013-00009

PHASE 2, PART 1B  
FILED AS INSTRUMENT No. M2015-00012 SLIDE 550A

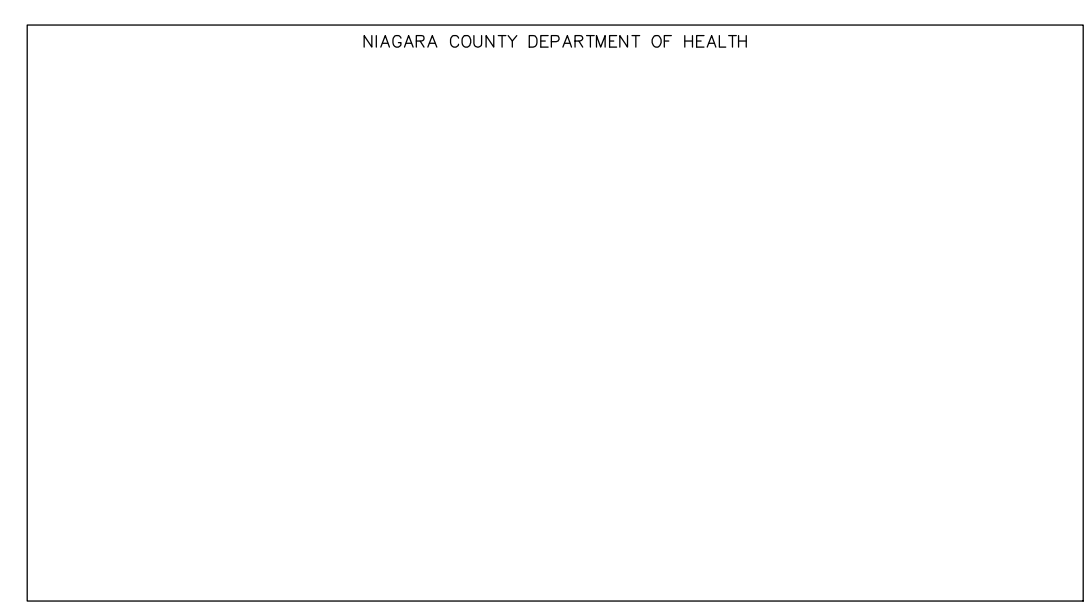
PHASE 3  
FILED AS INSTRUMENT No. M2016-00027 SLIDE 572-A

SANITARY SEWER FACILITIES, EXISTING AND PROPOSED, AND WATER SUPPLY FACILITIES, EXISTING AND PROPOSED, SHOWN ON THIS SUBDIVISION MAP ARE FOR THE PURPOSE OF COMPLIANCE WITH NEW YORK STATE REALTY SUBDIVISION LAW. G.P.I. ENGINEERING LANDSCAPE ARCHITECTURE AND SURVEYING, L.L.P. ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF SANITARY SEWER AND WATER FACILITIES SHOWN ON THIS MAP OR FOR THE APPROVAL, CONSTRUCTION OR ACCEPTANCE BY APPROPRIATE GOVERNMENT AGENCIES OF SAID FACILITIES.



NOTE:  
ALL IMPROVEMENTS WILL BE INSTALLED UNDER TOWN PERMITS WITH ALL PLANS CONSISTENT WITH PRELIMINARY PLAN.  
THE PUBLIC DRAINAGE EASEMENTS SHOWN ON THIS SUBDIVISION MAP SHALL BE GRANTED TO THE TOWN OF PENDLETON. THE RESPONSIBILITY OF THE TOWN OF PENDLETON SHALL BE LIMITED TO STORM PURPOSES ONLY AND SHALL NOT INCLUDE BANK STABILIZATION, AESTHETIC CONSIDERATIONS OR EROSION OR SILTING ELIMINATION AT DETENTION FACILITIES.  
SANITARY SEWER EASEMENTS SHOWN ON THIS SUBDIVISION MAP ARE TO BE GRANTED TO THE TOWN OF PENDLETON.  
△ INDICATES MONUMENT TO BE SET WHERE LOT LINES INTERSECT THE EDGE OF N.Y.S.D.E.C. FRESHWATER WETLANDS ADJACENT AREA (100 FOOT WIDE BUFFER) AND ADDITIONAL AREAS AS SHOWN.

NORTH SUBDIVISION AREA: 51.12 ± Acres  
CURRENT OWNER: ROBERT C & RICHARD A. BRAUER  
OWNER'S CONSENT FOR FILING: \_\_\_\_\_  
OWNER: \_\_\_\_\_ DATE: \_\_\_\_\_  
APPROVED BY THE TOWN OF PENDLETON ENGINEER: \_\_\_\_\_  
TOWN ENGINEER: \_\_\_\_\_ DATE: \_\_\_\_\_  
APPROVED BY THE TOWN OF PENDLETON PLANNING BOARD: \_\_\_\_\_  
CHAIRPERSON: \_\_\_\_\_ DATE: \_\_\_\_\_  
FILED IN THE NIAGARA COUNTY CLERK'S OFFICE AS INSTRUMENT No.: \_\_\_\_\_  
DATE: \_\_\_\_\_



GRAPHIC SCALE

( IN FEET )  
1 inch = 100 ft.

SUBDIVISION MAP OF  
**The Meadows at Pendleton North Subdivision**  
SUB LOTS 1 THROUGH 50  
TOWN OF PENDLETON, NIAGARA COUNTY, NEW YORK  
BEING PART OF LOT 75, TOWNSHIP 13, RANGE 7, HOLLAND LAND SURVEY

NOTE:  
PURSUANT TO CHAPTER 605 OF THE LAWS OF 1985, I CERTIFY THAT THIS SUBDIVISION MAP WAS PREPARED UNDER MY DIRECTION AND THE OUTBOUND SURVEY OF THE PREMISES CONTAINED THEREIN SAID SUBDIVISION WAS PREPARED UNDER MY DIRECTION AND IS SHOWN ON MY SURVEY DATED JUNE 3, 2016.

MARK J. ANDREWS, L.S.

**GPI** ENGINEERING, LANDSCAPE ARCHITECTURE & SURVEYING, L.L.P.  
ENGINEERING • SURVEYING • LANDSCAPE ARCHITECTURE  
4950 GENESEE STREET, SUITE 100  
BUFFALO, NEW YORK 14225  
(716) 633-4844 FAX 633-4940

JOB No.: 2016040

DATE: JULY 24, 2019

NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209, PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

## APPENDIX D

# TOWN OF PENDLETON STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) DETERMINATION FOR THE PROPOSED SUBDIVISION

**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.

1. Impact on Land			
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1, D.1)		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
<i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
	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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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"/>
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**4. Impact on groundwater**  
 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)  
 If "Yes", answer questions a - h. If "No", move on to Section 5.

NO       YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input 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: _____	D2c	<input 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 type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input 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 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 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 type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**5. Impact on Flooding**  
 The proposed action may result in development on lands subject to flooding.  
 (See Part 1. E.2)  
 If "Yes", answer questions a - g. If "No", move on to Section 6.

NO       YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input 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 type="checkbox"/>	<input type="checkbox"/>



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

 NO

 YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	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.)

 NO

 YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

	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 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 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 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 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 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 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 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 type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input 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 type="checkbox"/> NO	<input checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input checked="" 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 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. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input 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 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 type="checkbox"/> <input 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 type="checkbox"/> <input 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 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 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 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. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	<input 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 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 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"/>

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

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.  NO  YES  
 (See Part 1. C.2.c, E.1.c., E.2.q.)  
 If "Yes", answer questions a - e. If "No", go to Section 12.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
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 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 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 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 type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**12. Impact on Critical Environmental Areas**

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)  NO  YES  
 If "Yes", answer questions a - c. If "No", go to Section 13.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
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: <u>Heavy construction equipment bringing fill to the site may impact local traffic and roadways during construction.</u>		<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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: <u>The proposed action may result in noise and odor impacts from the operation of heavy equipment during construction.</u>		<input type="checkbox"/>	<input checked="" 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.)

NO

YES

*If "Yes", answer questions a - m. If "No", go to Section 17.*

	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 type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input 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 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 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 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 type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input 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 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 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 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 type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			



<b>17. Consistency with Community Plans</b> The proposed action is not consistent with adopted land use plans. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</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'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"/>

<b>18. Consistency with Community Character</b> The proposed project is inconsistent with the existing community character. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</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 replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input 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 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 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 type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input 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 type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

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.

**Stormwater, Drainage and Flooding** - The proposed action will increase impervious surface area and stormwater runoff. However, the project includes the construction of stormwater facilities in accordance with NYSDEC guidelines that will manage stormwater runoff and mitigate drainage impacts. A stormwater pollution prevention plan has been prepared (SWPPP) and best management practices will be utilized during construction to mitigate stormwater impacts. The project is not located in a 100-year floodplain and therefore will not impact land in these areas.

**Wetlands** - The proposed action will impact land within a regulated freshwater wetland checkzone. However, no wetland areas will be directly impacted by the proposed action. Wetland areas have been delineated and the project will comply with NYSDEC permitting requirements for impacted areas.

**Agricultural Resources** - The proposed action will partially occur on land situated within Niagara County Agricultural District 7. However, New York State Department of Agriculture and Markets determined that future prospective landowners must receive a disclosure notice and that no other requirements within Agriculture and Markets Law would apply to land affected by the Agricultural District.

**Construction Impacts** - The proposed action will require additional dirt fill to balance and level the site. Local traffic and roadways will be temporarily impacted from heavy construction equipment transporting dirt fill to the project location. In addition, there will be temporary noise, odor and dust impacts from heavy equipment to prepare the land for construction. However, best management construction practices will be utilized to mitigate any impacts and contractors will be limited to a one time placement of dirt fill during construction with requirements for a fill plan that includes hours of operation, dust control measures, road use and bonding to repair local roadways.

**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  
Agency comment letters and site plan drawings.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the  
Town of Pendleton Planning Board - \_\_\_\_\_ 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.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.

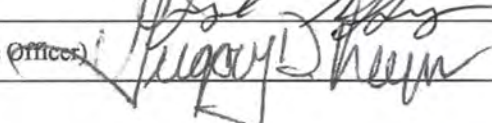
Name of Action: Meadows at Pendleton North Subdivision

Name of Lead Agency: Town of Pendleton Planning Board

Name of Responsible Officer in Lead Agency: ~~John Lewis~~ JOSEPH M. McCAFFREY

Title of Responsible Officer: ~~Planning Board Administrative Assistant~~ CHAIRMAN

Signature of Responsible Officer in Lead Agency:  Date: 5/15/2018

Signature of Preparer (if different from Responsible Officer):  Date: 5/15/2018

**For Further Information:**

Contact Person: Dave Britton, PE

Address: 285 Delaware Avenue, Suite 500

Telephone Number: 716-856-2142

E-mail: david.britton@nhd.com

**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>