
EXECUTIVE SUMMARY

Pursuant to the State Environmental Quality Review Act (SEQR) process, the Town of Niskayuna Town Board has undertaken a Draft Generic Environmental Impact Statement (DGEIS) to identify and evaluate the environmental and socioeconomic impacts associated with the proposed rezoning and development of 460 acres of land (the “Study Area”) located in northwest Niskayuna. The Study Area is generally bounded by Balltown Road on the east, Hillside and Providence Avenues on the south, and Aqueduct Road on the west.

The Town of Niskayuna Town Board is proposing to rezone the Study Area to Office-Technology (O-T), and, to construct, through a combination of public and private financing, two new roads with water and wastewater infrastructure. One proposed new road would extend in an east-west direction from Balltown Road to Aqueduct Road, while the second road would extend northward from Hillside Avenue to the Environmental One driveway. The intent of these actions is to encourage the development of office and technology space within the Study Area.

Based on real estate trends in the Town of Niskayuna and the Capital District, it is estimated that by 2015, approximately 590,000 sq.ft. of commercial, office, light industrial and technology space could be developed in the Study Area. By 2025, this could increase to 987,945 sq. ft.

LAND USE AND ZONING

Within the Study Area, the existing land uses include the Hillside Commerce Park and U.S. Army Reserve Center located along Hillside Avenue, and the corporate headquarters of Environment One, located along Balltown Road. Along Aqueduct Road, the land uses include residential, the Town of Niskayuna Recreation Complex and Jackson Demolition.

The Study Area is currently zoned General Industrial (I-G) with an overlay zone, Research and Development Industrial (I-R), Medium Density Residential (R-2), Residential and Professional (R-P) and Planned Unit Development (PUD). Under the proposed zoning, permitted principal uses within the Study Area would include light manufacturing, research and testing laboratories, wholesale distribution and storage facilities, mail order sales offices and distribution centers, office buildings for general business and professional uses and conference centers. While many of the land uses are the same for the existing and proposed zoning, the proposed zoning would allow permitted uses that currently require a special use permit. Furthermore, single-family development would not be a permitted under the proposed zoning.

The proposed zoning amendments and potential development is not anticipated to negatively impact surrounding properties. A well-designed, environmentally sensitive office, technology and light industrial space would be in keeping with the land uses and types of development already in and around the Study Area. Removal of heavy manufacturing as a permitted use is also in keeping with land use in the surrounding area and would result in a positive environmental impact when compared with current zoning. Even though a majority of the development can be screened by the existing topography, use of existing wooded buffers, and new landscaping would also be used to minimize land use conflicts with surrounding and nearby residences.

GEOLOGY, TOPOGRAPHY AND SOILS

Soils vary in the Study Area, but consist primarily of silt loam and gravely silt loam. Similarly the topography of the Study Area varies, with elevations ranging from 300 to 425 AMSL. Some of the soils within the Study Area are poorly drained or are susceptible to erosion.

To mitigate potential impacts related to erosion and sedimentation, a Stormwater Pollution Prevention Plan and Erosion and Sediment Control Plan would be required in accordance with the State Discharge Elimination System (SPDES) General Permit, which requires such a plan for more than one acre of ground disturbance. The Town of Niskayuna should review the Stormwater Pollution Prevention Plan and Erosion and Sediment Control Plan during the Site Plan or Subdivision Approval processes for individual site development projects.

VEGETATION, WETLANDS AND WILDLIFE

In general, the Study Area includes a mix of deciduous forests and shrub areas interspersed with successional open fields. A small portion, less than 5 percent (approximately 20 acres) of the Study Area, contains wetlands of varying type and quality. Wetlands were observed to be small isolated pocket wetlands within low-lying areas, or medium sized wetlands associated with drainage features.

Based on the plant communities present, the Study Area includes a variety of species of mammals, birds, amphibians, and reptiles. Based on a review of existing state and federal data bases, there are no known rare, threatened or endangered species within the Study Area. However, the Jefferson Salamander (*Ambystoma jeffersonianum*), blue spotted salamander (*Ambystoma laterale*), spotted turtle (*Clemmys guttata*) and wood turtle (*Clemmys inculpta*) are designated as species of “Special Concern” by the New York State Department of Environmental Conservation (NYSDEC).

The loss of vegetative communities would result in the loss of wildlife. The degree wildlife would be impacted would depend on the type and amount of habitat that is converted for development. While some

species may adapt to the presence of development, other species would attempt to relocate to undeveloped portions of the Study Area or to nearby undeveloped areas.

Migratory and transient species (e.g. large mammals, deer, birds, etc) could relocate to suitable nearby habitats depending on inter and intra species competition. Less mobile species such as amphibians and reptiles and smaller mammals (e.g. groundhog mice and voles, etc.) would be directly impacted by development and would not have the opportunity to relocate. As such, future development within the Study Area would permanently alter wildlife populations and habitats.

Future site development activities in the Study Area should involve the completion of wetland delineations in accordance with the requirements of the U.S. Army Corps of Engineers (ACOE). Wetland should be avoided where possible, and mitigated in accordance with permit requirements if necessary.

Methods for mitigating the impacts to wildlife habitat and plant communities include protecting open space and incorporating significant habitat into the development plan as preserved lands. Efforts to cluster development and avoid fragmentation of habitat are important to the maintenance of wildlife populations. Project sponsors should be required to evaluate site ecology to determine the presence or potential presence of rare, threatened and endangered species and significant habitat. Site development projects should use native vegetation for landscaping and, when possible, specify vegetative species that produce berries, seeds and nuts that have high wildlife value.

SURFACE AND GROUNDWATER

The Study Area contains two unnamed tributaries of the Mohawk River. Furthermore, while the Study Area lies within the Schenectady Aquifer Area, it does not contain a wellhead protection area, primary recharge area, or a general aquifer recharge area. Aside from adherence to the requirements of the Schenectady Intermunicipal Watershed Rules and Regulations, potential impacts on surface and groundwater as a result of development within the Study can be mitigated through several measures.

First, a Stormwater Pollution Prevention Plan and Erosion and Sediment Control Plan prepared in accordance with the SPDES regulations would be required. Furthermore, construction of on-site stormwater management facilities should be employed. Combined facilities providing both water quality enhancement and peak flow attenuation appear to be the most effective solution for the proper management of stormwater runoff within the Study Area

Other mitigation measures include landscape plans that eliminate the use of pesticides or Best Management Practices for proper application of pesticides and fertilizers. As appropriate, special measures to prevent impacts to sensitive environmental resources should be required of site development projects including vegetated buffers of varying widths, typically not less than 50 feet.

UTILITIES

Water and sanitary service are available to serve the Study Area. In general, there are currently no capacity issues related to the Town of Niskayuna's water and wastewater infrastructure.

It is expected that the as part of the development of the new connector roads, water and wastewater infrastructure would be extended into the Study Area. Similar to the new connector roads, the water and wastewater infrastructure would be developed through a combination of public and private financing.

The existing wastewater mains located in the vicinity of the Study Area are currently experiencing inflow and infiltration (I/I) problems. The I/I problems would likely have to be corrected as part of development within the Study Area.

Both high voltage overhead transmission lines and overhead electrical distribution lines cross the Study Area in several locations. Parking areas, roads and driveways could be located under these overhead lines, but new buildings could not. Future development activities would have to be coordinated with the Niagara Mohawk Power Corporation.

TRAFFIC

For the full build-out scenario in 2025, the number of trips would increase significantly, but there would only be a slight difference in number of vehicle trips due to the rezoning. Traffic is projected at 1,245 vehicles per hour (vph) under current zoning and 1,451 vph for the proposed zoning at peak hour. The orientation of most trips would continue to be south into Niskayuna and the City of Schenectady in the morning and north in the evening.

Improvements to the Balltown Road corridor are programmed in the Capital District Transportation Committee's (CDTC) Transportation Improvement Program. These improvements include reconstruction and widening of the Rexford Bridge, turn lanes at the major intersections, improved signalization, and the widening of Balltown Road between River Road and Aqueduct Road. If improvements are not made to the Balltown Road corridor, traffic in the corridor would exceed capacity, even if no further development occurs in the Study Area.

The improvements would provide sufficient corridor capacity for trips generated by expanded office and industrial development in the Study Area under the rezoning proposal, even at full build-out. CDTC recommends the construction of connector roads in the Study Area to provide good arterial service to all land uses within the community. Traffic conditions on Balltown Road for 2015, and 2025 would be enhanced with the improvements to Balltown Road and the construction of the connector roads in the Study Area. The roadway segment over the Rexford Bridge would no longer exceed maximum capacity.

Balltown Road from the Balltown/Aqueduct connector to the Rexford Bridge would also function below maximum capacity.

Currently, the State has pushed back improvements to the Balltown Road corridor until after 2008, with no firm indication of completion of all of the improvements in the near term. Therefore, developments in the Study Area that would contribute significant additional traffic to the Balltown Road corridor at peak hours should have alternate means of ingress or egress, or be delayed until firm dates for completion of the improvement projects have been established by the New York State Department of Transportation (NYSDOT).

AIR QUALITY

Currently there are no known or identified problems with air pollution in the Study Area or adjacent area. The proposed O-T Zoning District would permit some uses that are potential sources of air pollution. These include manufacturing, research, experimental and testing laboratories, printing, publication, engraving and bookbinding facilities.

When these industries locate in the area they would be required to submit to a permitting process established by state and federal regulations. Additionally, Section 220-223 of the Town of Niskayuna Zoning Regulations sets out standards and regulations procedures for a variety of nuisance elements including air pollution.

To mitigate air pollution associated with traffic generated by future development in the Study Area, it is recommended that air quality assessment procedures as outlined in the New York State Department of Transportation Environmental Procedures Manual be followed. Specifically, the procedures rely on a computer model referred to as CAL3QHC, to predict carbon monoxide (CO) and other inert pollutant concentrations from motor vehicles at roadway intersections.

NOISE

The Study Area is mainly comprised of established light manufacturing uses, residential uses and undeveloped land. The vacant land would be the sight of the new development under the proposed new zoning. The current wooded areas and meadows are quiet natural areas. The new development would be a source of noise by contrast. Four potential sources of noise for the surrounding community include the office buildings, the light industrial use, the proposed connector roads, and the increase in traffic on the existing roads adjacent to the Study Area.

The proposed development should not affect the noise levels in the general area. Over 50% of the proposed space would be occupied by high tech, general or medical office space and is not expected to generate any significant noise levels. The remainder of the space would be made up of light industrial

facilities, which would be located in the interior of the Study Area, thereby minimizing their proximity to most residential areas: In addition, the elimination of permitted heavy manufacturing would reduce the potential for generating high levels of noise.

The traffic on the proposed connector roads would not cause a significant increase in the predicted noise levels for residences in the area, compared to the noise generated by the general traffic on the existing roadways. A Traffic Impact Study prepared for this DGEIS indicates that the traffic increase due to the proposed development would have little effect upon the overall noise levels in the surrounding community.

HISTORIC AND ARCHAEOLOGICAL RESOURCES

A Phase 1A Archaeological Investigation was conducted within the Study Area. The investigation included review of the files of the NYS Office of Parks, Recreation, and Historic Preservation and the New York State Museum to identify any known historic or archaeologically sensitive resources within or adjacent to the Study Area. Subsequently, approximately 500 test pits were completed within the Study Area to further determine if historic or archaeologically sensitive resources were present. Based on the Phase 1B Archaeological Survey, it was concluded that the Study Area does not contain any such resources. Therefore, no mitigation measures are necessary.

MUNICIPAL SERVICES

The Study Area is located in the Niskayuna Central School District, and is served by Fire District No. 1 and the Niskayuna Police Department. Based on interviews with department heads and officials, it is not expected that the proposed zoning amendments and future development within the Study Area would have a significant adverse impact on municipal services.

The Niskayuna Chief of Police has indicated that the department is fully staffed for existing conditions. Depending on other development that would occur in the town, there might be a need for more staff in the future. The Chief feels that the Department would grow with the conditions.

According to the Fire Chief, the existing resources are adequate for current demands. However, the impact on the Fire District could be significant as the proposed Study Area is located on the extreme north end of town, and they may be forced to relocate and add resources and personnel.

The proposed development would not have a residential component. As a result, the town would accrue tax revenues for new development, but would not bear the costs associated with residential development (e.g. school age children, etc). Existing zoning would allow up to 330 additional residential units at full build-out.

VISUAL RESOURCES

The landscape of the Study Area can be characterized as gently rolling, surrounded by steeply sloping topography. The Study Area includes several distinct visual districts including the Balltown Road corridor, the Aqueduct Road corridor, the industrial areas along Hillside Avenue, Town of Niskayuna Recreation District and remaining undeveloped interior portions.

The existing vegetation and topography would buffer views from surrounding areas to future development within the Study Area. Additional analysis conducted on the Town of Niskayuna Recreation Complex and the Niskayuna Soccer Park has concluded that views of new development within the Study Area would be filtered through the existing vegetation and limited to the upper portion of the potential buildings. As part of the Site Plan Review process, the implementation of environmentally sensitive design should minimize adverse impacts to the visual environment.

FISCAL RESOURCES

A Fiscal Impact Analysis was conducted to determine the fiscal impact of the proposed zoning amendment on the Town of Niskayuna and the Niskayuna Central School District. The analysis shows upon development of 25 percent (315,750 sq. ft.) of the maximum development possible within the Study Area, the Town would realize a positive fiscal impact of \$720,341 to the Town of Niskayuna's annual operating budgets. An annual net positive fiscal impact of \$1,469,659 to the Town of Niskayuna's would occur with 50% of the development within the Study Area. Upon full build-out of the Study Area, the Town would realize an annual positive fiscal impact of \$2,282,223.

There is no residential component to the proposed development in the Study Area, and therefore no added cost to the School District. Under current zoning, up to 330 additional residential units could be built in the Study Area.

FUTURE SEQR ACTIONS IN THE STUDY AREA

The completed Generic Environmental Impact Statement as approved by the Town Board has legal status as defined by the State Environmental Quality Review Act, 6NYCRR 617.10(c) and 617.15(c)(1). *No further SEQR compliance is required if a subsequent site-specific action will be carried out in conformance with the conditions and thresholds established for such actions in generic EIS or the findings statement.* However, SEQR requires a supplement to the final GEIS if: *"...the subsequent action may have one or more significant adverse environmental impacts"*. As future development is proposed within the Study Area, the Lead Agency for each proposed action would be responsible for carrying out the requirements of the aforementioned provisions.