

Appendix A
SEQR Documents

**SCOPING DOCUMENT
DRAFT ENVIRONMENTAL IMPACT STATEMENT**

Proposed Project:

**Wal-Mart Store #2159-04
Expansion – Town of Allegany, NY**

Project Location:

**3142 West State Street
(NYS Route 417)
Allegany, Cattaraugus County, New York**

Project Sponsor / Applicant:

**Wal-Mart Stores, Inc.
2001 S.E. 10th Street
Bentonville, Arizona 72712-6489**

&

**APD Engineering, PLLC (Sponsor for Wal-Mart)
3445 Winton Place, Suite 208
Rochester, New York 14623**

Lead Agency:

**Town of Allegany Planning Board
Town of Allegany
52 West Main Street
Allegany, New York 14706**

December 12, 2005

SCOPING DOCUMENT
DRAFT ENVIRONMENTAL IMPACT STATEMENT

PROPOSED WAL-MART STORE - NO. 2159 Expansion
TOWN OF ALLEGANY, CATTARAUGUS COUNTY, NEW YORK

Positive Declaration Issued: October 20, 2005

Public Scoping Session Held: November 14, 2005

Comments Accepted Through: November 18, 2005

Final Scope Accepted: December 12, 2005

Contact Person: Carol Horowitz, AICP
Town Hall
52 W. Main Street,
Allegany, NY 14706.
716-373-2289

SCOPING DOCUMENT
DRAFT ENVIRONMENTAL IMPACT STATEMENT
PROPOSED WAL-MART EXPANSION–ALLEGANY, NY

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1.0 INTRODUCTION

This Scoping document has been prepared in accordance with the requirements of 6 NYCRR Part 617. The Scope defines the content of the Draft Environmental Impact Statement (DEIS) being prepared at the direction of the Lead Agency pursuant to a Positive Declaration of environmental significance adopted by the Lead Agency on October 20, 2005. The applicant submitted a Draft Scope on October 24, 2004, and a public Scoping session was held on November 14, 2005. This Final Scope modifies the Draft Scope to include concerns raised by the public and others in regard to the proposed project, which must be addressed in the DEIS by the applicant.

This document provides a brief description of the proposed action, an overview of the SEQR process, and an outline of the potential environmental impacts that have been identified through the scoping process and which must be addressed in the DEIS.

2.0 DESCRIPTION OF THE PROPOSED ACTION

The proposed action is the expansion of an existing Wal-Mart retail store. The project is located at 3142 West State Street (NYS Route 417) in the Town of Allegany, Cattaraugus County, New York. The property is on the north side of West State Street, approximately 1,000 feet west of its intersection with Independence Drive, which also forms the Town of Allegany boundary with the City of Olean and Town of Olean, New York.

Currently, the store is approximately 127,531 square feet. The proposed new store would be approximately 211,020 square feet. The breakdown of the added space to the structure is as follows:

Existing Store:	127,541 sf
Addition: grocery space	75,742 sf
Addition: vestibule	1,594 sf (net)
Addition: glazed canopy	<u>6,143 sf</u>
Total:	<u>211,020 sf</u>

In addition, the applicant proposes a 5,812 square foot addition to the outdoor garden center display area. In order to accommodate the additional space required to accomplish this project, the applicant proposes to demolish 10,446 square feet of an adjacent building (Sam Goody and Total Tan). The proposed project also includes the provision of additional parking and landscaping; the relocation of utilities; and the reconfiguration of both pedestrian and automotive circulation on the site, including relocation of existing internal roadways.

The action is a Type I action for the purposes of SEQR environmental review.

3.0 STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) PROCESS

The State Environmental Quality Review Act (SEQR), which became law in 1975, provides a process for the consideration of potential environmental impacts in the early planning stages of actions. By incorporating a systematic interdisciplinary approach to environmental

review, impacts can be identified and projects can be modified, as needed, to avoid or minimize potential adverse impacts to the environment.

All discretionary decisions of a state, regional, or local agency to approve, fund, or directly undertake an action that may affect the environment are subject to review under the SEQR. SEQR, as implemented by 6 NYCRR Part 617, requires the consideration of environmental factors in the early stages of planning, review, and decision-making processes of state, regional, and local agencies. It is the intent of the SEQR that a balance of social, economic, and environmental factors is incorporated into the planning and decision-making process.

3.1 Project Classification and Lead Agency Designation

In accordance with 6 NYCRR, Part 617 of the SEQR implementing regulations, the Town of Allegany Planning Board classified the Project as a Type 1 action for the purposes of environmental review, on the basis that the project is an expansion of greater than 50% of the 100,000 square feet threshold (§617.4(b)(6)). The Town of Allegany Planning Board initiated a Coordinated Review of the proposed action to request Lead Agency designation and to solicit comments from all Involved and Interested Agencies. It declared itself Lead Agency and adopted a Positive Declaration for the application on October 20, 2005, after a careful review of the potential environmental impacts that may be associated with the project.

3.2 The Scoping Process

It is the responsibility of the Town of Allegany Planning Board, as SEQR Lead Agency, to complete the scoping process, issue the Final Scoping document, and oversee the completion of the DEIS. The purpose of the scoping process is to identify the relevant environmental issues that must be addressed in a Draft Environmental Impact Statement (DEIS). These issues are determined based on a full review of the Environmental Assessment Form (EAF), Parts 1 and 2, the Positive Declaration, the site plan application and accompanying site plan, and comments received from Involved and Interested Agencies and the general public.

The objectives of project scoping are to:

- Identify/confirm significant environmental issues;
- Eliminate insignificant or irrelevant issues;
- Identify limits or extent of impact analysis;
- Identify the range of reasonable alternatives to be addressed; and
- Identify potential mitigation measures.

On October 24, 2005, the project sponsor submitted a draft Scoping document to the Town. As part of the DEIS process, and in accordance with SEQR Part 617.8, the Town Planning Board conducted a Public Scoping Meeting on November 14, 2005. The Town received comments at the meeting, and has also received comment letters related to the potential impacts of the proposed

project. Those comments were considered in the development of this Final Scoping Document.

4.0 CONTENT OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)

Section 671.9(b) of the SEQR implementing regulations outlines the minimum content that should be included in a Draft Environmental Impact Statement. As that provision notes, while the format may be flexible, all draft EISs must contain the following elements:

- A concise description of the proposed action, its purpose, public need and benefits;
- A concise description of the environmental setting sufficient to assess potential impacts (existing conditions);
- An identification and evaluation of potential significant environmental impacts of the action, at a level of detail appropriate to the expected severity of impacts and their likelihood of occurring (e.g. very likely impacts or very severe impacts to be discussed more thoroughly). In addressing impacts, it should also discuss
 - Short-term and long-term impacts, cumulative impacts;
 - Adverse impacts that cannot be avoided or adequately mitigated;
 - Any irreversible and irretrievable commitment of environmental resources; and
 - Growth inducing aspects of the proposed action.
- A description of proposed measures to mitigate these environmental impacts;
- A description and evaluation of reasonable alternatives, including the "No Action" alternative. The alternatives must be feasible "considering the objectives and capabilities of the project sponsor," and must also provide a sufficient level of detail to enable a comparative assessment of the alternatives. The range of alternatives may consider alternate sites; alternate scale; alternate design; and alternate use, among others. (see 19 NYCRR 617.9(b)(5).)
- A list of studies and other information used to prepare the EIS.

The draft scope from the applicant indicated that existing conditions, impacts and mitigations will be addressed by identifying potentially significant adverse impacts. This format is acceptable as long as it comprehensively addresses the range of potential impacts adequately. The proposed content for the DEIS is as follows:

4.1 Project Description

This section of the DEIS should include a concise but comprehensive description of what is being proposed for development on the project site. Elements to be discussed include:

- Proposed structures (include construction and demolition, with square footages)
- Internal uses to be included in the store (pharmacy, retail, grocery, etc.)
- Proposed operating hours and operations

- Proposed changes to the site layout (location of buildings; configuration of roadways; location and configuration of parking—including employee parking; pedestrian and vehicular access; loading areas; etc.)
- Utilities and Stormwater management facilities;
- Architectural design and Landscaping; and
- Approvals and variances needed

An 11" by 17" copy of the site plan should be included in this section of the DEIS to provide the reader with a visual interpretation of the project to enable a better understanding what is being proposed by the project sponsor. (Photographs and other visuals will be key to describing the project).

4.2 General Environmental Setting of the Project Site and Study Area

The existing conditions section should provide a discussion of each subject area to provide for a sufficient understanding of the impacts of the proposed action and project alternatives and how they affect the environment. Topic areas should include:

- General geologic and topographic setting in the study area to the extent that they may affect the project (e.g. soils; grading, etc.).
- Existing land uses on the site and surrounding areas.
- Existing zoning and zoning requirements for the project site, including the Route 417 East Corridor Overlay district (CO-1).
- Existing demographic and socio-economic conditions in the Town of Allegany.
- Public utilities (public water, wastewater disposal, etc.).
- Existing means of site drainage and stormwater management on the project site. Are there any flooding or drainage problems on the site or in the surrounding area at present?
- Detailed description of existing traffic patterns and transportation conditions, including both automobile and pedestrian circulation patterns.
- Existing community and emergency services for this site, including police, fire, ambulance, and hospitals.
- Existing visual setting for the study area and the project site. Existing photographs of the area should be included.
- Existing noise conditions in the study area.
- Existing solid waste management and disposal practices and services for the site.

4.3 Impact Assessment

4.3.1 Impact on Land

- Physical impacts to the project site (location of pavement, roadways, buildings, and landscaped areas) compared to existing conditions of the property (including demolitions).

- Construction and demolition procedures and special conditions, if any, that will affect this construction (rock, soils, groundwater, etc.).

Potential Mitigations: Avoidance of rock, blasting controls, revised site layout, limited hours of construction, etc.

4.3.2 Impact on Water

- Impacts to the drainage/stormwater management system in the area. Plan and engineering report must meet the State's stormwater requirements (SPDES), and the Town of Allegany's requirements. Plan must include a discussion of measures to mitigate potential water quality effects of runoff from the parking lots.
- Impacts of the project on existing downstream drainage conditions.
- Potential impacts on upstream communities (back-ups/flooding). Include response to the City's concern about existing flooding problems.
- Impacts of project on NYS DEC flood control lands in vicinity.
- Impacts on utility demand (provide water demand and wastewater generation numbers). Do sufficient capacities exist in these systems to handle this project?
- Provide storm water analysis that demonstrates that the project will not exacerbate the existing situation, to the satisfaction of the Town Engineer.

Potential Mitigations: Construction of stormwater facilities that reduce impacts to downstream areas; improvements to downstream structures; alternative/new technology stormwater control structures; and improvements to water and sewer systems.

4.3.3 Impact on Aesthetic Resources

- Impacts to the aesthetic quality of the project site and study area.
- Architectural design, and conformance with provisions of the Overlay district. Provide visual representations (renderings) of elevations of each face of the building, including northern façade. If more than one architectural style is being considered, provide examples of proposed alternatives.
- Proposed landscaping, including location, types of plantings and conformance with zoning requirements.
- Views from adjacent areas: Provide photographs, if necessary, that depict views of the site from adjacent residential areas; from Route 417; and from Constitution Avenue. Where views will change, discuss impacts on views and potential mitigations.
- Proposed signage: type (e.g. wall-mounted, free-standing, etc.), amount, location and visual appearance of all signage; conformance with zoning regulations.
- Proposed lighting: type, location, and potential impacts on adjoining uses.

- Provisions regarding outdoor storage (what type; when (seasonal?); location; visibility from adjacent properties)
- What are the aesthetic impacts due to the demolition of the existing retail structure that will expose the side of the Cinema building?

Potential Mitigations: Site plan changes; changes to proposed building architecture; changes to proposed landscaping; screening techniques such as walls, fences or landscaped berms; acquiring property; alternative signage; alternative types of lighting and the use of shielded lighting and timers for lights; and removal and future restriction of usage of outdoor storage containers.

4.3.4 Impacts on Transportation

The Transportation impacts shall assess Wal-Mart as a stand alone development, and also provide a scenario that assesses impacts from Wal-Mart concurrent with the development of the COR site. All analyses shall be performed in accordance with the current requirements and procedures for traffic studies of the New York State Department of Transportation (NYSDOT), Division of Planning.

- Analyze the complete network of existing, proposed and relocated public and private roadways within the area of the proposed Wal-Mart site. Analyses for the site should include, but are not limited to the intersections of: Route 417, Gargoyle Park Road / Wal-Mart Drive, Dan Eaton Drive and Independence Drive; Independence Drive with Cinema Drive, B.J.'s Drive and Constitution Avenue; and Constitution Avenue with Dan Eaton Drive. COR site generated traffic shall then be added to the Wal-Mart data and the analyses repeated to determine the effect of the combined developments.
- The Level of Service (LOS) analyses for the intersections should include consideration of traffic composition, including pedestrian activity and truck turning movements
- Compare generated traffic volumes with data from similar Wal-Mart developments.
- Analyze the revised on-site vehicular, pedestrian and bicycle traffic circulation patterns within the project area including proposed revisions to traffic utilizing Cranberry Road and Dan Eaton Drive
- Analyze the most recent available three year accident history for the subject portion of Route 417.
- Consult with the Town of Allegany for any other pending site or roadway projects within the project area.
- Provide a discussion of the project's compliance with the content of the Route 417 Corridor Management Plan (1999).
- Address the project's compatibility with the New York State Department of Transportations (NYSDOT) Arterial/Access Management program to minimize the number of direct access points to Route 417.
- The two alternatives (Wal-Mart and Wal-Mart plus COR) shall be summarized with appropriate recommendations for necessary mitigations for each alternative.

Additionally, the traffic analysis should provide:

- Projected traffic numbers, based on ITE manual;
- Projected traffic numbers, based on actual experience of similar Wal-Mart stores;
- Cumulative impacts incorporating expected volumes from COR development;
- Trip distribution (peak hour);
- Trip distribution by mode (car/truck);
- Impacts on intersections in vicinity;
- Impacts on site access (entering and exiting traffic; adequacy of turning radii);
- Impacts on on-site circulation, particularly in regard to relocation of internal roadways;
- Impacts to pedestrian circulation and safety—both in terms of access to site, and movement through site (internal circulation/walkability);
- Impacts to bicyclist access, especially in regard to Allegheny River Valley Trail, which runs north of the site.
- Impacts due to proposed abandonment of the portion of Cranberry Road right-of-way that traverses the site.
- Roadways of concern are Route 417, Plaza Drive, Dan Eaton Drive, Cinema Drive, Independence Drive and Constitution Avenue.
- Location and amount of parking: total amount required, per standards; amount being provided for Wal-Mart and for entire plaza; location of parking; Discuss seasonal use of outdoor storage area for parking.
- Consistency with Route 417 Corridor Study
- Provisions for snow storage

Potential Mitigations: Modifications to signage, signals and roadways (proposed and existing). Limitation of turning movements at specified locations (e.g. right-turn only). Elimination of outdoor uses in parking areas (storage containers, etc.). Enhancement of pedestrian features on the site and surrounding area. Creation of new pedestrian features, including the possible addition of a foot bridge (or other).

4.3.5 Noise and Odor Impacts

- Assess potential noise impacts through a noise assessment and odor impacts from added vehicular activity, truck idling, mechanical equipment (HVAC, dumpsters) and other sources on adjacent "receptors" (e.g. apartments, Cranberry Drive and Willard Street residents).
- Provide information on expected hours of operation, including maintenance activities such as snow plowing.

Potential Mitigations: No truck idling areas; replacement of "back-up beepers" with flashing lights; alternative locations for noise and odor producing objects; equipment selection; technology; limitation on the timing of certain activities, screening, relocated loading docks, etc.

4.3.6 Impacts on Character of Community or Neighborhood

- Impacts to surrounding land uses in the study area. Describe how project may affect the adjacent neighborhood.
- Conformance with intent of Overlay District, and with specific requirements of the site's zoning.
- Conformance with intent and requirements of Site Plan Review requirements, including discussion of consistency with Planning and Development Policies (refer to Section 9.06 of Zoning Ordinance II of Town of Allegany, New York).
- Description of proposed variances, with explanation and justification regarding need for proposed variances;
- Capacity of local community services (fire, police, etc.) to accommodate demand for services from the site (contact service providers for input).
- Assessment of access for emergency vehicles (adequate room to maneuver?)
- Growth Inducing Impacts: may be provided in this section or in a separate section. Will the addition of the Supercenter attract new type businesses in the area?

Potential Mitigations: revisions to site plan to minimize impacts on adjacent areas; revisions to try to better meet zoning conditions;

4.4 Proposed Mitigation Measures

The proposed outline provided in the Applicant's Scope suggested that mitigation measures will be addressed concurrent with impacts. The applicant may also choose to provide a summary of proposed mitigation measures here.

4.5 Project Alternatives

The following alternatives to the proposed action will be considered (site plans for each proposed alternative shall be provided):

- No Action Alternative - an evaluation of the potential adverse and beneficial impacts that would result in the reasonable, foreseeable future, if the proposed action was not undertaken.
- Project Design in Conformance with all Existing Zoning Requirements - an assessment of potential impacts if the site were developed in accordance with the existing zoning, and no zoning variances were required.

The description and evaluation of the alternatives should be at a level of detail sufficient to permit a comparable assessment of potential impacts. All project alternatives should be analyzed in a fashion similar to the proposed action in terms of potential environmental impacts and mitigation.

4.6 Cumulative Impacts

The impacts of the proposed action must be considered in relation to other projects proposed in the vicinity, specifically the proposed COR development project.

4.7 Growth Inducing Impacts

This project could potentially result in impacts on the growth and character of the surrounding neighborhood and community as a whole. A careful and well reasoned analysis of the possible growth inducing aspects of this project must be presented.

5.0 INFORMATION TO BE INCLUDED IN THE APPENDIX FOR THE DEIS

The main body of the DEIS shall provide sufficient detail to enable the reader to understand, interpret and evaluate the existing conditions, potential impacts, mitigation measures and alternative project scenarios. The Appendix shall contain back-up studies and technical reports that supplement and support the narrative in the DEIS. The methodologies and results of the studies and technical reports shall be summarized and explained in the main body of the DEIS. The reader should not be forced to move from one section to another to understand the information being presented. Only site-specific documents that are not readily available to the public should be included as appendices to the DEIS. The following are examples of documents to be included in the Appendix. Additional materials may be warranted.

- Environmental Assessment Form Parts 1 and 2, and Positive Declaration.
- Scoping Document.
- Site Plans for proposed action and each alternative being evaluated.
- Traffic Impact Study and Correspondence.
- Stormwater Management Report and Drainage Calculations.
- Correspondences with Involved and Interested Agencies.
- Other technical reports and studies.

NOTE ON NON-RELEVANT INFORMATION

During the scoping session, the issue of impacts to other businesses was raised. This issue was determined to be not relevant, because the Wal-Mart is already present in the Town the property is zoned for this use and economic competition is not a SEQR issue. This issue does not need to be included in the DEIS, although the applicant will address the growth inducing aspects of the project, and provide case law and other information on the issue of economic competition and SEQR.

Another issue raised during scoping that will not be considered in the DEIS is the issue of the effect on Medicare and Medicaid and the level of wages paid. These issues are not relevant to the SEQR process. Wide-scale (county-wide) economic impacts were also raised. These issues are a matter of economic competition, and they are outside the scope of the SEQR process.

617.20
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1: Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
Part 2: Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
Part 3: If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

DETERMINATION OF SIGNIFICANCE -Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: [X] Part 1 [] Part 2 [] Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- [] A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore a negative declaration will be prepared.
[] B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a CONDITIONED negative declaration will be prepared.*
[] C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a positive declaration will be prepared.

*A Conditioned Negative Declaration is only valid for Unlisted Actions

Wal-Mart Supercenter Expansion – Town of Allegany, NY

Name of Action

Town of Allegany Planning Board

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Date

PART 1- PROJECT INFORMATION

Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

NAME OF ACTION Wal-Mart Supercenter Expansion- Town of Allegany, NY		
LOCATION OF ACTION (include Street Address, Municipality and County) 3142 West State Street (NYS Route 417), Town of Allegany, Cattaraugus County		
NAME OF APPLICANT/SPONSOR APD Engineering, PLLC (sponsor for Wal-Mart Stores, Inc.)		BUSINESS TELEPHONE (585) 273-0273
ADDRESS 3445 Winton Place, Suite 208		
CITY/PO Rochester	STATE NY	ZIP CODE 14623
NAME OF OWNER (if different) BG Olean, LLC		BUSINESS TELEPHONE (216) 755-5792
ADDRESS 3300 Enterprise Parkway		
CITY/PO Beechwood	STATE OH	ZIP CODE 44122
DESCRIPTION OF ACTION The proposed action is the expansion of an existing 127,541 ± square-foot Wal-Mart retail store by adding 75,742 ± square feet of grocery, a 1,594 sf vestibule and a 6,447 sf glazed canopied area, to create a 211,020 ± square-foot Wal-Mart Supercenter. The project includes a 5,812 sf addition to the outdoor garden center display area, the provision of additional parking, the relocation of utilities and the re-configuration of internal roadways to support the proposed use.		

Please Complete Each Question - Indicate N.A. if not applicable

A. Site Description

Physical setting of overall project, both developed and undeveloped areas.

1. Present land use: Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agricultural _____

2. Total acreage of project area: ±16.4 _____

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	_____ acres	_____ acres
Forested	_____ acres	_____ acres
Agricultural (Includes orchards, cropland, pasture, etc.)	_____ acres	_____ acres
Wetland (Freshwater or tidal as per Articles 24, 25 of ECL)	_____ acres	_____ acres
Water Surface Area	_____ acres	_____ acres
Unvegetated (Rock, earth or fill)	_____ acres	_____ acres
Roads, buildings and other paved surfaces	13.1 ± acres	14.9± acres
Other (Indicate type) Landscaping + brushland	3.3 acres	1.5 acres

3. What is predominant soil type(s) on project site? Silt Loam containing some gravel

- a. Soil drainage: Well drained 5 % of site Moderately well drained 95 % of site
 Poorly drained _____ % of site

- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? N.A. acres. (See 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? Yes NO

- a. What is depth to bedrock? > 20 ft (in feet)

5. Approximate percentage of proposed project site with slopes: 0-10% ± 100 % 10-15% _____ %
 15% or greater _____ %
6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or the National Registers of Historic Places? Yes No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No
8. What is the depth of the water table? +15 ft (in feet)
9. Is site located over a primary, principal, or sole source aquifer? Yes No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?
 Yes No According to No potential habitats present
 Identify each species _____
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations)
 Yes No Describe _____
13. Is the project site presently used by the community or neighborhood as an open space or recreation area?
 Yes No If yes, explain _____
14. Does the present site include scenic views known to be important to the community?
 Yes No
15. Streams within or contiguous to project area: Two Mile Creek
 a. Name of Stream and name of River to which it is tributary Allegheny River
16. Lakes, ponds, wetland areas within or contiguous to project area: (None)
 a. Name Unnamed Federal Wetland (believed non-jurisdictional) b. Size (In acres) + 0.10
17. Is the site served by existing public utilities? Yes No
 a) If yes, does sufficient capacity exist to allow connection? Yes No
 b) If yes, will improvements be necessary to allow connection? Yes No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? Yes No
20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate)
- a. Total contiguous acreage owned or controlled by project sponsor +16.4 acres.
 - b. Project acreage to be developed: 16.4 acres initially; 16.4 acres ultimately.
 - c. Project acreage to remain undeveloped 0 acres.
 - d. Length of project, in miles: N.A. (If appropriate)
 - e. If the project is an expansion, indicate percent of expansion proposed 66 %;
 - f. Number of off-street parking spaces existing 894 (Wal-Mart) ;proposed 922 (Wal-Mart)
 - g. Maximum vehicular trips generated per hour 118 enter, 127 exit (upon completion of project)?
 - h. If residential: Number and type of housing units: N.A.
- | | | | | |
|------------|------------|------------|-----------------|-------------|
| | One Family | Two Family | Multiple Family | Condominium |
| Initially | _____ | _____ | _____ | _____ |
| Ultimately | _____ | _____ | _____ | _____ |
- i. Dimensions (in feet) of largest proposed structure +32 height; +370' width; +600' length.
 - j. Linear feet of frontage along a public thoroughfare project will occupy is? 0 ft.

2. How much natural material (i.e., rock, earth, etc.) will be removed from the site? ±0 CY tons/cubic yards
3. Will disturbed areas be reclaimed? Yes No N/A
 a. If yes, for what intended purpose is the site being reclaimed? Building, parking, roadways
 b. Will topsoil be stockpiled for reclamation? Yes No
 c. Will upper subsoil be stockpiled for reclamation? Yes No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0 acres.
5. Will any mature forest (over 100 years old) or other locally important vegetation be removed by this project?
 Yes No
6. If single phase project: Anticipated period of construction ±12 months, (including demolition).
7. If multi-phased: N.A.
 a. Total number of phases anticipated _____ (number).
 b. Anticipated date of commencement phase 1 _____ month _____ year, (including demolition).
 c. Approximate completion date of final phase _____ month _____ year.
 d. Is phase 1 functionally dependent on subsequent phases? Yes No
8. Will blasting occur during construction? Yes No
9. Number of jobs generated: during construction ± 150 ; after project is complete ± 150
10. Number of jobs eliminated by this project none.
11. Will project require relocation of any projects or facilities? Yes No If yes, explain Relocation of some on-site utilities, internal roadways and building area
12. Is surface liquid waste disposal involved? Yes No
 a. If yes, indicate type of waste (sewage, industrial, etc.) and amount _____
 b. Name of water body into which effluent will be discharged _____
13. Is subsurface liquid waste disposal involved? Yes No Type _____
14. Will surface area of an existing water body increase or decrease by proposal? Yes No
 Explain _____
15. Is project or any portion of project located in a 100-year flood plain? Yes No
16. Will the project generate solid waste? Yes No
 a. If yes, what is the amount per month ±5 tons
 b. If yes, will an existing solid waste facility be used? Yes No
 c. If yes, give name NYSDEC approved landfill locations NYSDEC approved landfill
 d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? Yes No
 e. If yes, explain _____
17. Will the project involve the disposal of solid waste? Yes No
 a. If yes, what is the anticipated rate of disposal? _____ tons/month.
 b. If yes, what is the anticipated site life? _____ years.
18. Will project use herbicides or pesticides? Yes No (Routine Landscape & Lawn care)
19. Will project routinely produce odors (more than one hour per day)? Yes No
20. Will project produce operating noise exceeding the local ambient noise levels? Yes No
21. Will project result in an increase in energy use? Yes No
 If yes, indicate type(s) gas & electric
22. If water supply is from wells, indicate pumping capacity N.A. gallons/minute,
23. Total anticipated water usage per day ±6,700 gallons/day.
24. Does project involve Local, State or Federal funding? Yes No
 If yes, explain N.A.

25. Approvals Required:

	Yes	No	Type	Submittal Date
Town Board	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Right-of-Way Abandonment</u>	_____
Town Planning Board	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Site Plan Approval</u>	<u>6/21/05</u>
Town Zoning Board of Appeals	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Parking, Setback, Signage and certain architectural feature Variances</u>	_____
County Health Department	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Utility Plan Review</u>	_____
Other Local Agencies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Town Building Permit</u>	_____
Other Regional Agencies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>County Planning Review</u>	_____
State Agencies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>NYS DOT, NYS DEC (stormwater)</u>	_____
Federal Agencies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Army Corps of Engineers</u>	_____

C. Zoning and Planning Information

- Does proposed action involve a planning or zoning decision? Yes No
If yes, indicate decision required:
 zoning amendment zoning variance special use permit subdivision site plan
 new/revision of master plan resource management plan other _____
- What is the zoning classification(s) of the site? C-2 Highway Commercial District & CO-1 Route 417 East Corridor Overlay District
- What is the maximum potential development of the site if developed as permitted by the present zoning?
Maximum 50% building coverage or 375,000 ± square feet of commercial use
- What is the proposed zoning of the site? Same as existing.
- What is the maximum potential development of the site if developed as permitted by the proposed zoning?
Same as #3 above.
- Is the proposed action consistent with the recommended uses in adopted local land use plan? Yes No
- What are the predominant land use(s) and zoning classifications within a 1/4-mile radius of proposed action?
Commercial and residential
- Is the proposed action compatible with adjoining/surrounding land uses within a 1/4-mile? Yes No
- If the proposed action is the subdivision of land, how many lots are proposed? 2
a. What is the minimum lot size proposed? 16.4 acres
- Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No
- Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? Yes No
a. If yes, is existing capacity sufficient to handle projected demand? Yes No
- Will the proposed action result in the generation of traffic significantly above present levels? Yes No
a. If yes, is the existing road network adequate to handle the additional traffic? Yes No (N.A.)

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures, which you propose to mitigate or avoid them.

E. Verification

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

Applicant/Sponsor Name Frank Sciremammano, Jr, PhD, PE, F-E-S Associates Date 6/21/05

Signature _____ Title agent for applicant

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