



**PUBLIC NOTICE**

**COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND  
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

**CIRCLE DRIVE NEIGHBORHOOD DEVELOPMENT PROJECT  
VILLAGE OF SIDNEY, DELAWARE COUNTY, NEW YORK**

**June 15, 2017**

**Name of Responsible Entity and Recipient:** New York State Homes and Community Renewal (HCR), 38-40 State Street, Hampton Plaza, Albany, NY 12207, in cooperation with the New York State Housing Trust Fund Corporation (HTFC), of the same address. Contact: Lori A. Shirley (518) 474-0755.

Pursuant to 24 CFR Section 58.43, this combined Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds (FONSI/NOIRROF) satisfies two separate procedural requirements for project activities proposed to be undertaken by HCR.

**Project Description:** The Governor's Office of Storm Recovery (GOSR), an office of HCR's HTFC, is responsible for the direct administration of the United States Department of Housing and Urban Development (HUD) Community Development Block Grant – Disaster Recovery (CDBG-DR) program in New York State. GOSR proposes to provide CDBG-DR funding to the Delaware County Planning Department to acquire and develop four parcels on which to construct single and multi-family housing, and the roads and infrastructure necessary to support the homes near the intersection of Circle Drive and West Main Street, Village of Sidney, Delaware County, New York.

The original plans involved the acquisition of three parcels the intersection of Circle Drive and West Main Street for the Circle Drive Development (9.2 acres). As the plans evolved, additional elements were selected for the inclusion in the project. In addition to the original Circle Drive Development area, the project would will involve affect a sliver of the parcel adjacent to northeast corner of the site for the proposed entrance driveway right-of-way (0.1 acre), one of the three locations shown for the water booster pump (Alternate Site 1 with 0.9 acre, Alternate Site 2 with 0.4 acre, Alternate Site 3 with 0.5 acre), and a portion of West Main Street to the north of the Circle Drive Development for modification of the water main (0.3 acre). The total project area is approximately 10 to 10.5 acres, depending on the water booster location selected

The Project site is undeveloped and primarily vegetated by grass. The parcels are currently owned by Saint Luke's Lutheran Church and two other private owners. The sliver parcel is owned by the VFW, and the three alternative water booster sites are owned by private owners. The Project site is adjacent to Saint Luke's Lutheran Church, a residential property and West Main Street to the west; Circle Drive and a residential property to the north; and undeveloped forested and grass land to the east and south.

In addition to acquisition of the portions of the Project site parcels, the proposed Project consists of the design and construction of 22 single family homes, 10 two-family unit townhomes, and roads, water, sewer and stormwater infrastructure extending from existing village connections to service the project. Sales of individual

single-family homes will be prioritized for maximum low-to-moderate income population participation. The estimated total cost for the Proposed Project is \$8,150,000, funded with up to \$6,750,000 from the CDBG-DR program (\$300,000 property acquisition, \$2,700,000 infrastructure extension, \$3,750,000 SPARC (Small project affordable rental construction) funding).

## **FINDING OF NO SIGNIFICANT IMPACT**

An Environmental Assessment (EA) for the Proposed Project has been prepared in accordance with the National Environmental Policy Act of 1969 (NEPA) and HUD environmental review regulations at 24 CFR Part 58. The EA is incorporated by reference into this FONSI. Subject to public comments, no further environmental review of the Proposed Project is anticipated. HCR has determined that the EA for the project identified herein complies with the requirements of HUD environmental review regulations at 24 CFR Part 58. HCR has determined that the Proposed Project will have no significant impact on the human environment and therefore does not require the preparation of an environmental impact statement under NEPA.

**Public Review:** Public viewing of the EA is available online at <http://stormrecovery.ny.gov/environmental-docs> and is also available in person Monday – Friday, 9:00 AM – 5:00 PM at the following address: Governor’s Office of Storm Recovery, 99 Washington Avenue, Suite 1224, Albany, New York 12260. Contact: Lori A. Shirley (518) 474-0755.

Further information may be requested by writing to the above address, emailing NYSCDBG\_DR\_ER@nyshcr.org, or by calling (518) 474-0755. This combined notice is being sent to individuals and groups known to be interested in these activities, local news media, appropriate local, state and federal agencies, the regional office of the U.S. Environmental Protection Agency having jurisdiction, and to the HUD Field Office, and is being published in a newspaper of general circulation in the affected community.

**Public Comments on FONSI and/or NOIRROF:** Any individual, group or agency may submit written comments on the Project. The public is hereby advised to specify in their comments which “notice” their comments address. Comments should be submitted via email, in the proper format, on or before June 30, 2017 at NYSCDBG\_DR\_ER@nyshcr.org. Written comments may also be submitted at the following address, or by mail, in the proper format, to be received on or before June 30, 2017: Governor’s Office of Storm Recovery, 99 Washington Avenue, Suite 1224, Albany, New York 12260. Comments may be received by telephone by contacting Lori A. Shirley at (518) 474-0755. All comments must be received on or before 5 pm on June 30, 2017 or they will not be considered. If modifications result from public comment, these will be made prior to proceeding with the expenditure of funds.

## **REQUEST FOR RELEASE OF FUNDS AND CERTIFICATION**

On or about July 3, 2017, the HCR certifying officer will submit a request and certification to HUD for the release of CDBG-DR funds as authorized by related laws and policies for the purpose of implementing this part of the New York CDBG-DR program.

HCR certifies to HUD that Lori A. Shirley, in her capacity as Certifying Officer, consents to accept the jurisdiction of the U.S. federal courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD’s approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows GOSR to use CDBG-DR program funds.

**Objection to Release of Funds:** HUD will accept objections to its release of funds and GOSR’s certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request

(whichever is later). Potential objectors may contact HUD or the GOSR Certifying Officer to verify the actual last day of the objection period.

The only permissible grounds for objections claiming a responsible entity's non-compliance with 24 CFR Part 58 are: (a) Certification was not executed by HCR's Certifying Officer; (b) the responsible entity has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the responsible entity has committed funds or incurred costs not authorized by 24 CFR Part 58 before release of funds and approval of environmental certification; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality.

Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and shall be addressed to Tennille Smith Parker, Director, Disaster Recovery and Special Issues Division, Office of Block Grant Assistance, U.S. Department of Housing & Urban Development, 451 7<sup>th</sup> Street SW, Washington, DC 20410, Phone: (202) 402-4649.

Lori A. Shirley  
Certifying Officer  
June 15, 2017