



**PUBLIC NOTICE**

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

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

**November 2, 2017**

**Name of Responsible Entities and Recipients:** 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)) and the Village of Sidney, 21 Liberty Street, Sidney, NY, 13838 (Contact: Andrew Matviak, Mayor, 607-561-2324).

The Village of Sidney is the intended recipient of a \$600,000.00 Community Development Block Grant allocated through the HCR's Office of Community Renewal (OCR), which the Village of Sidney will contribute towards the construction of the Proposed Project as described below. 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. While GOSR is the lead Federal Agency for the purposes of completing environmental review and issuing a Finding of No Significant Impact for the Proposed Project, the Village of Sidney will remain the Responsible Entity of the CDBG funding. This notice is intended to satisfy the Village of Sidney's requirement to provide the public notice of its intent to request the release of funds from OCR.

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 and the Village of Sidney.

**Project Description:**

GOSR proposes to provide CDBG-DR funding to Delaware County and its non-profit partner, Delaware Opportunities, Lakewood Development II, LLC and the Village of Sidney to acquire and develop up to 10.5 acres near the intersection of Circle Drive and West Main Street in the Village of Sidney to construct the proposed Circle Drive Development Project (the "Proposed Project"). The Proposed Project would provide up to 22 single-family homes, 10 two-family townhomes, and the infrastructure necessary to support the project. The three parcels intended for the housing components of the project are owned by Saint Luke's Lutheran Church (St. Luke's) and two other private owners. The latter two parcels will need to be annexed from the Town of Sidney to the Village. Additional parcels include a 0.1-acre portion of the Veterans of Foreign Wars (VFW) parcel adjacent to the northeast corner of the Proposed Project site to support the required ingress right-of-way; three sites as alternate locations for a water booster pump (Alternate Site 1 is 0.9 acre, Alternate Site 2

is 0.4 acre, and Alternate Site 3 is 0.5 acre); and a 0.3-acre portion of West Main Street to the north of the Proposed Project area for modification of the existing water main. The total area of the Proposed Project will be 10 to 10.5 acres, depending on the location of the water booster. The St. Luke's and VFW parcels will be rezoned from R-1 to R-2. The St. Luke's, VFW and Patterson parcels will require subdivisions.

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 for project infrastructure, \$3,750,000 SPARC (Small Project Affordable Rental Construction) funding, \$600,000 from CDBG funding for project infrastructure and \$800,000 from additional, non-federal sources.

## **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. On June 15, 2017, GOSR published a FONSI for the Proposed Project, soliciting public comment on the EA and FONSI. GOSR received comments from the public that led GOSR to revise the EA to address comments received. Therefore, GOSR did not submit a request for release of funds pursuant to its June 15 Notice. Instead, GOSR is republishing this Combined Notice regarding its FONSI for the Proposed Project and to provide the public an opportunity to review and comment on the revised EA. Subject to public comments, no further environmental review of the Proposed Project is anticipated. HCR has determined that the Revised EA for the project identified herein complies with the requirements of HUD environmental review regulations at 24 CFR Part 58. HCR and the Village of Sidney have 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 and Revised 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 Revised 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 November 17, 2017 at NYSCDBG\_DR\_ER@nyshcr.org. Written comments may also be submitted to both the following addresses, or by mail, in the proper format, to be received on or before November 17, 2017: Lori A. Shirley, Governor's Office of Storm Recovery, 99 Washington Avenue, Suite 1224, Albany, New York 12260 AND Andrew Matviak, Mayor of the Village of Sidney, 21 Liberty Street, Sidney, NY, 13838, (607)561-2324. Comments may also be received by telephone by contacting Lori A. Shirley at (518) 474-0755. All comments must be received on or before 5 pm on November 17, 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 November, 20 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. Concurrently, the Village of Sidney will submit a request to HCR's Office of Community Renewal for the release of CDBG funds. While GOSR remains the lead Federal Agency, the Village of Sidney remains the Responsible Entity for the CDBG funding.

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 HCR to use CDBG-DR program funds. The Village of Sidney certifies to OCR that Andrew Matviak, Mayor, in his capacity as Certifying Officer of the Village of Sidney, consent 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. OCR's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the Village of Sidney to use CDBG program funds.

**Objection to Release of Funds:** HUD and OCR will accept objections to the release of funds and GOSR's and the Village of Sidney'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, OCR or GOSR and Village of Sidney's Certifying Officers 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;  
AND Christian Leo, President, Office of Community Renewal, Hampton Plaza, 38-40 State Street, Albany, NY 12207.

Lori A. Shirley  
Certifying Officer  
November 2, 2017