



Governor's Office of Storm Recovery



Andrew M. Cuomo
Governor

Lisa Bova-Hiatt
Interim Executive Director

September 25, 2015

MEMORANDUM

**RE: NOTICE OF FINDING OF NO SIGNIFICANT IMPACT (FONSI)
AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS (NOIRROF)**

*New York State Housing Trust Fund Corporation (HTFC)
38-40 State Street
Albany, NY 12207
(518) 473-4732*

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: Thomas J. King.

This combined notice satisfies two separate procedural requirements for project activities proposed to be undertaken by HCR. As a result, the comment periods for the FONSI/NOIRROF and the RROF have been combined.

Project Description: The Governor's Office of Storm Recovery (GOSR), operating under the auspices of HCR's HTFC, is the responsible entity for direct administration of the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant – Disaster Recovery (CDBG-DR) program in New York State. GOSR proposes to provide funding to carry out the Joseph L. Allen Apartments project, located at 770-782 Albany Street, Schenectady, Schenectady County, New York.

DePaul of Rochester is proposing the redevelopment of the existing properties at a site located at the corner of Albany and Hulett Streets in Schenectady, New York. The existing buildings at the site would be demolished, and a new three-story, 51-unit, multi-family residential complex would be constructed along with associated site improvements, including landscaping and parking.

Currently, the 1.38-acre site is comprised of nine contiguous parcels (770, 774, 776, 778, 780, and 782 Albany Street and 312, 314, and 316 Hulett Street) that include commercial and residential buildings (in poor to fair condition) and three connected parking lots. Six of the properties are occupied by one-story to multi-story buildings, and three properties are designated parking lots. Current zoning for the lots includes residential, apartment, commercial, office, retail, warehouse, and row storage. Surrounding buildings consist of small businesses, churches, and residential buildings in a downtown main street-type urban setting.

The Project would disturb the entire 1.38-acre site. The new building would be an elongated "L" shape building of



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wood-frame construction. There would be three stories and 51 apartments (approximately 52,000 square feet). The building would include Energy Star features, target resiliency standards, and achieve significant efficiencies with green building measures. There would be one studio unit, 46 one-bedroom units, and 4 two-bedroom units. Each unit would have a kitchen and bath. Site amenities would include community rooms, staff offices, lounges, laundry, storage and other community space for the residents. On-site parking spaces for residents are included in the design. The development would connect to the existing water, sewer, and storm drain utilities. No new utility-related construction is required.

The estimated total project cost is \$17,650,928, funded with up to \$4,725,000 from the CDBG-DR program.

FINDING OF NO SIGNIFICANT IMPACT

An Environmental Assessment (EA) for the proposed project has been prepared and is maintained on file. The EA is incorporated by reference into this FONSI. Subject to public comments, no further review of the proposed project is anticipated. A full copy of the EA, including a completed National Environmental Policy Act of 1969 (NEPA) Environmental Assessment Checklist and area map, is available for public inspection during normal business hours in accordance with 24 CFR Part 58 at the office listed below or online at <http://www.stormrecovery.ny.gov/environmental-docs>.

GOSR has determined that the EA for the project identified herein complies with the requirements of HUD environmental review regulations at 24 CFR Part 58, et al.

GOSR has also determined that the project, as proposed, will have no significant adverse environmental or socioeconomic impacts, either direct, indirect, or cumulative. There will be no significant impact on the human environment, and the project will not negatively impact the quality of the environment. Therefore, GOSR has determined that the project does not require the preparation of an environmental impact statement under NEPA.

Public Review: Public viewing of the EA is available online at the website listed above and is also available in person Monday – Friday, 9:00 AM – 5:00 PM at the following address:

*HCR, Governor's Office of Storm Recovery
38-40 State Street
Albany, NY 12207
Contact: Lori A. Shirley (518) 474-0755*

Further information may be requested at NYSCDBG_DR_ER@nyshcr.org or by calling HCR at (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/Findings and NOIRROF: Any individual, group or agency may submit written comments on the project. Those wishing to comment should specify in their comments which distinct parts of this Combined Notice they intend to address. Comments should be submitted via email, in the proper format, on or



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before October 12, 2015 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 October 12, 2015:

Lori A. Shirley
HCR, Governor's Office of Storm Recovery
38-40 State Street
Albany, New York 12207.

Comments may be received by telephone at (518) 474-0755. All comments must be received on or before 5pm on October 12, 2015 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

Written notice of environmental clearance will be required prior to the removal of any limitation on commitment of federal funds in accordance with regulations at 24 CFR Part 58.70.

On or about October 13, 2015, 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 Thomas J. King, in his 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, decision-making, and action, and that these responsibilities have been satisfied. Moreover, HCR certifies that an environmental review of the proposed project described herein has been completed. 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 the RROF and/or FONSI certification for a period of fifteen (15) days. The last day of the objection period is October 28, 2015. Potential objectors may contact HUD 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 the responsible entity'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



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- (d) 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 7th Street SW
Washington, DC 20410
Phone: (202) 402-4649

Thomas King, Esq.
Certifying Officer
September 25, 2015