



# Governor's Office of Storm Recovery



Andrew M. Cuomo  
Governor

Lisa Bova-Hiatt  
Executive Director

## PUBLIC NOTICE

### COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT (FONSI) AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

#### Meadows at Middle Settlement Senior Apartments

December 18, 2015

**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 carry out the Meadows at Middle Settlement Senior Apartments (Meadows Apartments) project located at 4300 Middle Settlement Road in the Town of New Hartford, Oneida County, New York.

The Meadows at Middle Settlement is an existing 149-unit housing development built in 1974 for senior and disabled residents. The property is fully developed with 21 two-story housing structures, one one-story housing structure, two one-story non-housing/community structures, parking lots, access road, and yard areas. All or part of five housing structures are within the 100-year floodplain. In 2013, 18 units were lost to flooding.

Meadows Senior Living LP is proposing to redevelop a four-acre portion of the ten-acre senior apartment complex. The redevelopment would include demolishing 11 existing structures (with 93 units) including four housing structures and the community center structure that are located in the 100-year floodplain. The demolished structures would be

replaced by three new three-story housing buildings and a new community center structure constructed outside the 100-year floodplain. The three new housing structures would contain a total of 93 units (84 one-bedroom units and nine two-bedroom units), double loaded corridors, and elevators, and would be designed to better accommodate mobility impaired residents.

The estimated total project cost is \$23,500,000, funded with up to \$7,000,000 from the CDBG-DR program.

### **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 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: NYS Homes & Community Renewal, Governor’s Office of Storm Recovery, 38-40 State Street, Albany, New York 12207. 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 with “notice” their comments address. Comments should be submitted via email, in the proper format, on or before Monday, January 4, 2016 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 Monday, January 4, 2016: Governor’s Office of Storm Recovery, 38-40 State, Albany, New York 12207, Attention: Lori A. Shirley. Comments may be received by telephone by contacting Lori A. Shirley at (518) 474-0755. All comments must be received on or before 5pm on Monday, January 4, 2016 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 Tuesday, January 5, 2106, 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  
December 18, 2015