

State Environmental Quality Review
Negative Declaration
Notice of Determination of Non-Significance

Project Number: 134-09

Date: June 30, 2010

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Allegany Planning Board, as lead agency, has determined that the proposed action described below will not have a significant environmental impact and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Bonaventure Square

SEQR Status: Type I
Unlisted

Conditioned Negative Declaration: Yes
No

Description of Action:

Two, non-contiguous sites comprise the project area. The primary site is the former Castle property; all buildings and infrastructure, as well as approximately parking spaces, will be located on that site. An eight acre parcel, located on Constitution Avenue, will be used to accommodate overflow parking for events. People who park at the off-site location will walk to the Sportsplex via a dedicated pedestrian access route.

The Bonaventure Square Development is a mixed use development that will contain the following principal uses:

1. up to **35,000 square feet of retail space**, in one or more buildings. Retail uses could include, but are not limited to, bookstore, cafe/coffee shop, small restaurants and/or pizzeria, convenience grocery, and/or offices.
2. up to **52,000 square feet of entertainment/restaurant space**. The facility could include a restaurant, sports lounge, 24-lane bowling facility and video game arcade. The facility may include meeting rooms as an ancillary use to the restaurant.
3. up to **200,000 square feet in the Sportsplex**. This facility will include ice rink(s); a multi-use soccer/lacrosse/football/field hockey field; 6 tennis courts which are convertible for basketball, volleyball and hard-court uses; and training and exercise facilities. Ancillary facilities will include locker rooms and administration space. The principal intended use of the building is for sports, including sports tournaments, but the building could also be a multi-purpose venue for other events, such as concerts and lectures/speakers. A 230-space covered parking lot is included in the total square footage of the building.

4. up to **100 room Hotel**, not to exceed 90,000 gross sq. ft. Ancillary uses could include a lobby, indoor pool, jacuzzi, fitness room, business center and meeting rooms, small convenience shop for hotel guests only, and guest laundry.
5. up to an 80,000 sq. ft. **Apartment building**, containing no more than 165 total beds, which will be configured in one bedroom and two bedroom apartment units.

The project includes the construction of approximately 643 on-site parking spaces and approximately 600 space off-site parking lot, for a total of 1243 parking spaces.

A possible future component of the Development is a **District Energy Facility**, with up to 2 megawatts (MW) in generating capacity. The building would be no more than 5000 square feet in size. This facility, which may or may not be constructed depending upon additional feasibility studies, would provide a co-generation combined district heating and power facility, which would be used by one or more of the buildings on site. If the district energy facility is not built, then each building would be supplied with traditional gas, electric and heating/cooling from traditional utilities and facilities. Because the likelihood of this future component of the project being constructed is unknown at this time, and because the five project components listed above are not functionally dependent upon the construction of this facility, the environmental analyses contained below does not include potential impacts from this facility. If this facility is deemed feasible in the future, at such later time a complete environmental assessment pursuant to SEQR will be conducted. This assessment will include, at a minimum, noise, air quality and community character impacts.

Location:

The project is located at 3168 NYS Route 417, on the former Castle property, across from St. Bonaventure University. The site consists of tax map parcels 94.061-1-31.3; 94.061-1-40.2; and 94.061-1-31.4. The off-site parking area is located on Constitution Avenue and is an eight acre portion of tax map number 94.003-1-14.2. The pedestrian connection between the sites will be located on lots 7 and 8 of the Cranberry Road townhouse subdivision.

Reasons Supporting This Determination:

Stormwater

More than one acre of ground will be disturbed for this project, so the applicant will be required to prepare a Stormwater Pollution Prevention Plan that meets the requirements of NYSDEC. For purposes of SEQR review a Preliminary Stormwater Analysis for Bonaventure Square, April 2010, was prepared by Foit-Albert Associates.

According to the preliminary Plan, stormwater over most of the site will be collected and directed into two underground detention systems. The intent is that the systems will be sized large enough to receive all the runoff from 1 year, 10 year and 100 year storm events, without any runoff leaving the site. For a smaller area of approximately 2.4 acres in the southeast corner of the property, stormwater will flow to a bio-retention facility located near the Route 417 right-of-way. In the event of a 100 year storm there will be a discharge from the bio-retention facility of only slightly more than 10% of the existing

condition run-off in the 100 year storm. Therefore, it appears that the preliminary design is adequate to ensure that the quantity of runoff can be handled appropriately. NYSDEC regulations also require pre-treatment of stormwater for certain priority pollutants, for stormwater quality. These measures are described in concept in the Preliminary Stormwater Analysis, but they need to be completely designed.

Conditions/Mitigation:

Prior to Site Plan approvals, the project engineer shall finalize the design of the SWPPP to describe adequate water quality treatment measures and to finalize design for water quantity measures. Prior to final design, the project engineer shall perform field measurements of the infiltrative capacity of the soils.

Water Supply

The site lies within the Town of Allegany Consolidated Water District and water will be supplied from that district. The projected water usage is approximately 76,000 gallons per day, which is well within the capacity of the Village of Allegany water system to supply. The project engineer estimates a fire flow demand of approximately 2,000 gallons per minute. Based on previous computer modeling, that figure can be achieved from the existing water distribution system.

Conditions/Mitigations

Prior to any site plan approval, the applicant shall provide runs of the computer model based on the actual required fire flow for each component of the development.

Sanitary Sewerage Disposal

The site is located in the Town of Allegany Sewer District Number 1. The Town of Allegany combines with the Village of Allegany and contracts with the City of Olean for treatment of sanitary sewerage generated in both the Village and the Town of Allegany. The contract provides that the combined flow from the Town and Village will be up to 1 million gallons per day.

The project engineer estimates that at buildout the development would result in flows of approximately 76,000 gallons per day. An analysis of the average daily sewage flows indicates that there is downstream capacity in the system to handle that flow, and that the amount is below the contractual limits with the City of Olean. The City of Olean was included as an involved/interested agency during SEQR review and has not indicated that there are any concerns associated with this project.

Gas tank removal

The former use of the site contained a gas station. The property owner has provided a letter from NYSDEC stating that the old gas tanks on site have been properly removed.

Aesthetic Resources

The site is located in a visually sensitive area. The Town, in conjunction with the Village of Allegany and St. Bonaventure University conducted a study of the Route 417 corridor, which made recommendations for future development of that area. Those recommendations have been codified in the town of Allegany zoning ordinance as Section 4.14, the 417 East Corridor Overlay Zoning District.

Conditions/Mitigations

At the time of site plan review, the buildings and other site features will conform to the requirements of the Corridor Overlay District, as determined by the Planning Board.

Open Space and Recreation

The project will provide, among other features, a 24-lane bowling facility. This type of facility is needed in the area, so this will be a beneficial impact on recreational resources.

Traffic

The project is located on Route 417, a New York State Highway. Portions of the site abut Castle Drive, a cul-de-sac, and Cranberry Road; both of these roads are town roads. The current site plan provides two points of access to Route 417: one opposite Francis Drive, which would be the main entrance, and the other at the eastern edge of the property. An emergency vehicle access only connection is proposed with Castle Drive. In addition, an exit only connection at the rear of the site is proposed to Cranberry Road. Portions of the ring road around the site are proposed to be dedicated to the Town.

A Traffic Impact Study (TIS) for the project was prepared by SRF Associates and reviewed by NYS Department of Transportation. The TIS recommended that the traffic volume warranted a traffic signal at the main entrance to the development, across from Francis Drive. However, NYSDOT did not concur with that determination; therefore no traffic signal is proposed at this time.

According to a parking analysis prepared by SRF Associates, a maximum of 643 on-site parking spaces would be needed to accommodate uses on site, at peak usage. An additional 600 spaces would be needed to accommodate event parking. This is a total of 1243 spaces needed between the two sites. Adequate parking between the two sites is available to accommodate this amount of parking.

Conditions/Mitigations

1. Since the site is located across the street from St. Bonaventure University, and some university use of the site--including the proposed bookstore and parts of the sportsplex--would be used by Bonaventure students, pedestrian safety is a concern. To mitigate this impact, a crosswalk(s) on Route 417, as well as pedestrian crossing signs, shall be installed, subject to the concurrence of NYSDOT. The crosswalk shall be installed at the main entrance to the development, across from Francis Drive.
2. The option for portions of the ring road to be dedicated to the Town has necessitated a 50 foot wide right-of-way. In order to accommodate the right-of-way, the main exit/entrance to the site is 18-19 feet deep, which can accommodate only one vehicle waiting to exit the site. This will lead to stacking on the ring road, and could potentially cause congestion on site and on Route 417, if exiting vehicles block incoming vehicles. To mitigate this impact, stop signs will be installed on the ring road, at the expense of the applicant, to both the east and west of the entrance/exit. This will allow entering vehicles to have free-flowing access to the site.

3. An exit only, left turn only vehicular connection is proposed at the rear of the site to Cranberry Road. It would be located on a vacant parcel between two lots that are in residential use. This road segment is proposed to be dedicated to the Town. This exit is proposed in order to facilitate vehicles leaving the site after events, but it would also be permanently open and available at all times to other users of the site. There is a potential for vehicular traffic to disturb the character of the neighborhood. This is mitigated by prohibiting right hand turns, which will direct vehicles to Constitution Avenue and away from the site as quickly as possible. Landscaping and/or fencing will also be used as a buffer for the adjacent properties. This portion of the site will also be used as the pedestrian access to the overflow parking lot, which creates a potential conflict between vehicular and pedestrian traffic. Careful design of the vehicular and pedestrian access, to ensure adequate space and separation for each, will be required to mitigate this conflict.

Archaeological and Cultural Resources

Robert L. Dean of Heritage Preservation & Interpretation Inc. provided a letter, April 8, 2010, stating that the Castle property is located within an area that has been significantly disturbed, and stating his professional opinion that an archaeological survey was not warranted.

A Phase 1A/B Cultural Resource Investigation was conducted for the off-site parking area by Heritage Preservation & Interpretation Inc. in the spring of 2010. The report indicated that the site has been "seriously disturbed by prior activity" and was shown as being entirely covered by railroad yards in 1940. Subsequent field tests confirmed this conclusion. No cultural resource sites were identified. This report was submitted to NYS Office of Parks, Recreation and Historic Preservation (NYSOPRHP), who concurred that the development of the off-site area for parking would have no impact on cultural resources. (Letter of June 8, 2010).

Noise Impact

Adjacent residential properties could be affected by noise from delivery vehicles and other activities on site.

Conditions/Mitigations

This potential impact can be mitigated by adequate buffering and setbacks. In addition, deliveries can be limited to normal business hours to limit the time during which noise may occur. NYS law requires that engines must be shut off during deliveries.

Fire Protection

The sportsplex will be the tallest building on site, with a height of up to 60 feet, measured to the highest point of the roof. This building will cover approximately 100,000 square feet in area and will have a fabric roof. This height may present some challenges to the Allegany Fire Company in the event of a fire; however, under current mutual aid agreements, the City of Olean will respond to a fire along with the Allegany Fire Company, and the City's equipment is adequate to reach this height. In addition, despite its height, the building will only contain two stories. Therefore, existing fire protection is adequate for this project.

Documents relied upon to make this determination

- Preliminary Stormwater Analysis for Bonaventure Square, April 2010, prepared by Foit-Albert Associates
- Preliminary water demand and sewer load analysis, prepared by Kirk Wilson, Foit-Albert Associates, April 13, 2010
- Memorandum from Mark Alianello, Consulting Engineer, dated June 14, 2010
- Memorandum from Mark Alianello, Consulting Engineer, dated May 7, 2010

- Traffic Impact Study, prepared by SRF Associates, April 2010.
- Shared Parking Analysis, prepared by SRF Associates, letter report from A. Dake, March 3, 2010.
- email from E. Rutkowski, NYSDOT, June 14, 2010
- Memorandum from Mark Alianello, Consulting Engineer, dated June 22, 2010

- Phase 1A/B Cultural Resource Investigation, Bonaventure Square off-site parking, prepared by Robert L. Dean, Heritage Preservation & Interpretation Inc., April 2010
- Letter from Nancy Herter, NYS Office of Parks, Recreation and Historic Preservation, June 8, 2010
- Letter from Robert L. Dean of Heritage, Preservation & Interpretation Inc., April 8, 2010

- Telephone conversation with Mary Hohmann, NYSDEC, June 25, 2010.
- Letter from Ross Wilson Associates, dated June 22, 2010

- Letter from R. Crossen, NYS Department of Environmental Conservation, February 16, 2006

For Further Information:

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