

DRAFT ENVIRONMENTAL
IMPACT STATEMENT
FOR
VISTA DEVELOPMENT GROUP, LLC
VISTA TECHNOLOGY CAMPUS

LEAD AGENCY

Town of Bethlehem Town Board
Town of Bethlehem, New York

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List of Abbreviations

ABBREVIATIONS	REFERS TO:
BMP.....	Best Management Practices
DEIS.....	Draft Environmental Impact Statement
EAF.....	Environmental Assessment Form
EPA.....	U.S. Environmental Protection Agency
EPM.....	NYSDOT Environmental Procedures Manual
GPM.....	Gallons Per Minute
GSF.....	Gross Square Feet
MEDD.....	Mixed Economic Development District
MGD.....	Million Gallons Per Day
NAAQS.....	National Ambient Air Quality Standards
NYSDEC.....	New York State Department of Environmental Conservation
NYSDOH.....	New York State Department of Health
NYSDOT.....	New York State Department of Transportation
NYSOPRHP.....	New York State Office of Parks, Recreation & Historic Preservation
NWI.....	National Wetlands Inventory
PDD.....	Planned Development District
PUD.....	Planned Unit Development
PSI.....	Pounds Per Square Inch
ROW.....	Right of Way
SEQRA.....	State Environmental Quality Review Act
SF.....	Square Feet
USACOE.....	United States Army Corps of Engineers

1.0 Executive Summary

1.1 Submission Objectives

Vista Development Group, LLC, has committed to undertake the development of Vista Technology Campus. The Town Board determined that the Project may potentially result in one or more adverse environmental impacts and therefore, has required the preparation of this Draft Environmental Impact Statement (DEIS).

The Applicant also seeks to rezone portions of the parcel located in the Town of New Scotland for uses equivalent to those uses permitted on the parcels within the Town of New Bethlehem. Portions of the property not subject to the rezoning request will remain zoned as R-2 and no development is proposed for those areas. This will allow the Town of New Scotland to evaluate the requested zoning amendment and to fully participate in the SEQRA review of this project with the Town of Bethlehem as lead agency.

1.2 Project Description

The Project proposes the development of approximately 1.4 million square feet of building space. The bulk of building space will consist of research and technology office/development space. Secondary uses will include a hotel, medical office building, general office building, a bank, and a mix of retail uses and restaurants. Most buildings will range in size from 1 to 3 stories in height, with the hotel proposed at 4 stories. The Project site consists of four parcels of property covering approximately 451 acres. Of these, approximately 330 acres are situated within the Town of Bethlehem and approximately 128 acres within the Town of New Scotland. Development of the site is designed pursuant to the Town of Bethlehem's Mixed Economic Develop District (MEDD) zone. Development will occur on approximately 150 acres of the site.

An internal non-motorized recreational/interpretive trail at the wetland mitigation area will be provided for the use and enjoyment of Campus tenants and visitors. A perimeter trail is also being considered that would be developed in connection with the Town of Bethlehem's proposed regional trail system recommended by and referred to as the "Bethlehem Greenways Concept" in the Town of Bethlehem August 2005 Comprehensive Plan. No public trails are anticipated to connect with the internal interpretive trails on the Vista Campus. See Figure 2d for the proposed preliminary internal and regional trail routes on the Project Site.

NYSDOT completion of the proposed Slingerlands Bypass will provide rapid and easy access to the site. The Bypass will also significantly reduce congestion within the project area and redistribute local traffic. Access to the site is proposed via two entrances. One is a limited right-in/right-out access road on the Slingerlands Bypass. Another is a full-access roundabout also on the Slingerlands Bypass. The bypass will be a state-maintained roadway that will provide east-west access from NYS Route 85 around the western side of the Price Chopper Plaza to NYS Route 140. In the vicinity of the project site, the Slingerlands Bypass will consist of two 12-foot wide travel lanes in each direction with 5-foot wide paved shoulders. The Bypass project has already undergone NEPA and SEQR reviews and construction is anticipated to begin in the Fall of 2006.

1.3 Project's Public Benefit

The Project's size and target market of high technology tenants has the potential to provide significant economic and fiscal benefits to the Town of Bethlehem, the Town of New Scotland and Albany County in the form of tax revenues, job growth at all income levels, and a diversified economic base. An economic and fiscal impact analysis calculated that the Vista Technology Campus would contribute more than \$3.7 billion in new earnings and \$10 billion in new industrial output over a 20-year period. During those twenty years, the project will create and sustain an annual average of over 5,000 jobs, \$185 million in salaries and nearly half a billion dollars of new output for Albany County. Furthermore, the project will result in a net positive contribution to the Bethlehem Central School District of approximately \$50 million over the next 20 years. The effect of such a contribution may mean either an increase in services or a reduction in property tax rates (or a combination of both).

1.4 Summary of Project Impacts and Mitigation

The following issue areas are summaries of detailed discussions presented in the DEIS. The summaries concisely describe the likely impacts of the Project and the steps that will be taken to mitigate these impacts.

Topography

The site is relatively level except for a network of creeks and ravines on the outer portions of the Project site. Most of the Project site has slopes ranging between 0 – 15 percent, with approximately 45 percent of the property exhibiting slopes greater than 15 percent. Comparison of the current USGS Topographic Map of the site with those dating back to 1893 indicates that this site has undergone little grade changes over the past 100+ years.

Excavated material will be graded into appropriate areas of the Project site. This will exclude those wetlands to be regraded and filled per ACOE authorization. Wetlands, steep slopes, and other potentially sensitive ecological and cultural sites will be avoided or appropriately mitigated to the maximum extent practical. Stormwater management practices and other erosion control practices will be identified in a Stormwater Pollution Prevention Plan (SWPPP) that will be prepared prior to the start of construction. These techniques will be implemented to reduce, to the maximum extent practicable, any impacts arising from stormwater pollution, erosion, and siltation. Graded overburden will be compacted and contoured to blend into the existing topography.

Geology

Dente Engineering conducted a preliminary geotechnical study on the site during July 2004. The subsurface investigation identified silt and clay layers on the site. No bedrock was encountered during the subsurface investigation, which went to depths up to 51.5 feet. The slopes that exist in

the project area were found to be stable. Generally speaking, construction occurring near steep slopes can alter slope stability, result in slope failure, increase erosion, damage property, and impact public safety. Based on subsurface conditions at the site, slope setback limits were selected to provide a customary factor of safety for the structures, parking and roadway areas of the site under the assumption that slope failures could occur in the future. The cause of potential failure of existing slopes would likely be the result of natural erosion of the slope face or along the toe of slope by the Normanskill and its tributaries.

Groundwater

Depth to subsurface water varies from 10 to 15 feet. Multiple perched saturated zones exist on the site. Seasonal variations in these zones are likely in the surficial layers, while such variations would be unlikely in the deeper cohesive soils. Since no contamination requiring remedial action has been identified on the site, groundwater flows were not investigated.

The Stormwater Pollution Prevention Plan (SWPPP) is required by law. The SWPPP establishes what actions and structural improvements will be implemented to limit stormwater runoff pollution during and after construction. Furthermore, the Applicant will be required to perform inspections weekly and after significant rain events during construction to ensure that the erosion and sediment control measures are properly implemented and functioning. NYSDEC staff typically review construction activities. Low impact lawn care practices will be used instead of conventional practices wherever feasible.

Surface Water

The surface water resources on the Project site include intermittent streams that feed two tributaries of the Normans Kill. All three features are designated by the New York State DEC as a “Class C, Standard C”, and are not protected under 6 NYCRR Part 608. A portion of the Project site is within the 100-year flood zone; no development is planned for such areas. With the exception of one small pond, no streams or other permanent waterbodies occur in the project development area. The upper reaches of several intermittent drains will be affected by the proposed development. As discussed below, the potential for indirect impacts to the drainage ways will be limited by proper erosion and sediment controls and stormwater runoff controls during construction as well as vegetation stabilization and stormwater control during construction.

Mitigation measures will include the full implementation of the Stormwater Pollution Prevention Plan (SWPPP), which will also establish BMPs and other construction techniques to be used during and after construction to control erosion, pollution, and runoff rates. Other measures will include construction of detention and/or retention basins to limit peak runoff from the Project to pre-development rates. Construction of wet ponds, grassy swales and other water quality protection measure will mitigate impacts on the quality of stormwater runoff.

Wetlands

The NYSDEC Freshwater Wetlands map indicates that no state regulated wetlands occur within the Project site. Additionally, no wetlands have been identified onsite that are listed on The National

Wetland Inventory Map. According to the Wetland Delineation Report provided by Clough, Harbour & Associates, 19 wetlands and 18 ravines were found within the ACOE jurisdictional area. An additional analysis conducted by Terrestrial Environmental Specialists (TES) provided modifications to the delineation. These modifications were field approved by the ACOE.

The Project will result in the filling of 2.37 acres of wetlands under the jurisdiction of the ACOE. To compensate for direct wetland impacts on the project site, two methods of mitigation are proposed. These are: 1) the establishment (creation) of 3.2 acres of wetland (depicted on DEIS Figure 8.b), and 2) a deed restriction to retain land in its natural state. On-site wetland creation of approximately 3.2 acres will replace the loss of approximately 1.54 acres of wet meadow and scrub-shrub wetland habitat and 0.83 acre of deciduous forest wetland at a 1:1 ratio for the wet meadow/scrub-shrub wetland and 2:1 ratio for the forested wetland. In addition, approximately 155 acres of land will be deed restricted to remain in its natural state. This deed restricted area consists of upland deciduous forest, emergent wetlands, floodplain forest, and a portion of the Normans Kill. The deed restricted areas could be donated to the Towns or a land trust entity. Details of the mitigation plan are provided in the Wetland Impact Analysis Report provided in Appendix E.

As originally identified in the Design Feasibility Study by Creighton Manning Engineering (see Appendix I), the construction of the roundabout on the Bypass will have additional wetland impacts within the NYSDOT Right-of-way. Although impacts of 0.13 acres were originally envisioned, design efforts were made to minimize the impacts, which have resulted in a reduction of impacts to 0.08 acres. Since these impacts are due to the construction of the roundabout to provide access to the VISTA access boulevard, the impacts are associated with the Project and will be mitigated by such.

Stormwater

The entire site consists of undeveloped forest, inactive agricultural fields in various stages of re-growth, and active cultivated fields. Stormwater runoff that does not infiltrate onsite ultimately drains into the Normans Kill. There currently are approximately 8.5 acres of impervious surface on the site that includes an access drive, three residences and associated lawns, and several barn structures. The Project will result in the addition of commercial and industrial structures, roads, parking areas, walkways, landscaping, and areas devoted to stormwater management facilities. These site improvements will result in an increase in impervious area of approximately 60 acres. These changes may impact existing stormwater runoff rates and stormwater quality on the site.

In order to mitigate the potential adverse effects of increases in impervious surfaces, a Stormwater Pollution Prevention Plan (SWPPP) has been developed for the Project in accordance with the technical standards published by the NYSDEC. The SWPPP will address the design, implementation and maintenance of both the erosion and sediment control measures to be used during construction and the post-construction stormwater management facilities. The Applicant will be required to perform inspections weekly and after significant rain events during construction to ensure that the erosion and sediment control measures are implemented and functioning properly.

Climate

A wind rose diagram consisting of information collected in 2005 from Albany International Airport shows that winds arrive out of the WNW 23 percent of the time. The second most frequent direction is from the SSE at 19 percent of the time. No significant adverse impacts on climate are anticipated to result from the Project.

Air Quality

An analysis was conducted to ensure that the additional traffic generated by the Project will not result in a violation of the New York State or National Ambient Air Quality standards. (see Figure 9: Air Quality Impact Analysis)

As discussed in DEIS Section 3.1.3.2 sensitive receptor sites within five miles of the Project Site were identified and depicted on Figure 9.

Based upon the evaluation, no impacts on identified sensitive receptors as a result of construction or implementation of the Project are anticipated, as the closest site downwind of the Project Site is the North Bethlehem Town Park at a distance of approximately 1.7 miles. The short-term air quality impacts associated with construction are anticipated to be kept very localized through the use of dust inhibitors found in the NYSDOT Standard Specifications for Construction..

Vegetation

According to a letter dated May 12, 2004 from the NYSDEC, there are “no records of known occurrences of rare or state-listed animals or plants, significant natural communities, or other significant habitats, on or in the immediate vicinity of your site.” Likewise, in a letter dated May 13, 2004 from the United State Department of Interior, Fish and Wildlife Service that “no Federally listed or proposed endangered or threatened species under our jurisdiction are known to exist in the project impact area.”

A Vegetation and Wildlife Report was prepared for conditions surveyed on the development site. Field surveys were conducted on March 21, May 9, and May 16, 2006. Forested cover types dominate approximately half of the site while the remainder includes a variety of non-forested cover types, such as agricultural open field, scrub-shrub uplands, and wet meadow. A description of each vegetation cover type is provided in the Vegetation and Wildlife report.

The bulk of development will take place in areas that are currently agricultural or inactive fields. These land cover types generally have lower habitat value than more mature cover types. Approximately 63 of 101 acres of open meadow and agricultural fields will be developed or altered. Approximately 35 acres of 327 acres of forest cover on the site will be developed or altered. Approximately 50 acres in and around the buildings will be managed and unmanaged lawn and open fields.

All disturbed areas that are open will be re-vegetated as appropriate. Disturbed areas along the edges of roads will be seeded immediately after construction is complete. The entrances to the site will be landscaped with decorative plantings and an entrance sign. Any landscaping plan will be subject to a site plan review conducted by the locality.

Fish and Wildlife

According to a letter dated May 12, 2004 from the NYSDEC, there are “no records of known occurrences of rare or state-listed animals or plants, significant natural communities, or other significant habitats, on or in the immediate vicinity of your site.” Likewise, in a letter dated May 13, 2004 from the United State Department of Interior, Fish and Wildlife Service that “no Federally listed or proposed endangered or threatened species under our jurisdiction are known to exist in the project impact area.”

Field surveys were conducted on March 21, May 9, and May 16, 2006. No amphibians or reptiles were seen during the field surveys. The lack of water features on the site limit the likelihood of snakes, turtles, frogs, salamanders, and other amphibians on the site. The only amphibians observed during the field surveys were toads. A variety of avian species were observed on the site, which are typical for the ecological communities identified there.

A variety of mammalian species could potentially occur on the Vista Technology Campus site based on the geographic range of mammals and the nature of the habitat present on the site. A variety of common small-sized mammals are expected to inhabit the forested portion of the site. Medium-sized mammals are likely to include the Virginia opossum, eastern cottontail, red fox, and striped skunk. Deer were observed on the site during the investigation. Deer are highly adaptable and coexist in and around developed areas. Suitable habitat on and off site and away from neighboring residences are large enough to provide suitable habitat for deer that alter their home range in response to development of the site.

Protected Habitats and Species

According to a letter dated May 12, 2004 from the NYSDEC, there are “no records of known occurrences of rare or state-listed animals or plants, significant natural communities, or other significant habitats, on or in the immediate vicinity of your site”. Likewise, in a letter dated May 13, 2004 from the United State Department of Interior, Fish and Wildlife Service that “no Federally listed or proposed endangered or threatened species under our jurisdiction are known to exist in the project impact area”.

State and federal agency information together with recent onsite investigations of the site seems to characterize the habitats and species on the site as typical and not extraordinary for this area. No listed species or unique habitats were observed during field reviews of the site. Therefore, no adverse impacts are anticipated.

Transportation

Existing access to the site is via LaGrange Road, an unimproved road intersecting Cherry Avenue and Route 85 near the Price Chopper Plaza. Significant onsite road improvements will facilitate onsite traffic.

The incorporation of pedestrian and public transportation amenities will also facilitate the improvements to traffic circulation.

The Traffic Impact Study for the proposed Vista Tech Campus indicates that with the recommendations presented in this DEIS, the study area will be able to accommodate the Project. The study area consists of roads that will likely be impacted by the Project, as well as seven defined intersections on these roads. The potential traffic impact of the proposed project was determined by documenting the existing traffic conditions in the area, projecting future traffic volumes, including the peak hour trip generation of the site, and determining the operating condition of the study intersections after development of the proposed project.

Intersections

By Phase I of the buildout, Year 2010, there will be unavoidable impacts to the following intersections:

- > New Scotland Road (Rt. 85)/Kenwood Avenue: Rt. 85 EB and overall Intersection degrades from LOS B to C.
- > Cherry Avenue Extension (Rt. 140)/Kenwood Avenue (Rt. 443)/Cherry Avenue: Cherry Avenue Extension WB and Cherry Avenue NB Route 140 degrades from LOS C to D.

Since these LOS drops are minor, they will not have a significant impact.

By Phase II of the buildout, Year 2015, there will be unavoidable impacts to the following intersections:

- > Maher Road/New Scotland Road (AM Peak Hour): New Scotland Road NB Left Turn lane drops from LOS A to a LOS B. This is accompanied by an improvement to the Maher Road left turn movement, which improves from a LOS E to a LOS C.
- > New Scotland Road/Cherry Avenue Extension/Bypass (PM Peak Hour): Bypass SB traffic drops from a LOS A to a LOS C while the overall intersection drops from a LOS A to a LOS B.
- > Cherry Avenue Extension (Rt. 140)/McCormack Road North (PM Peak Hour): Cherry Avenue Extension SB Left drops from a LOS A to a LOS B.
- > Cherry Avenue Extension (Rt. 140)/Kenwood Avenue (Rt. 443)/Cherry Avenue (AM Peak Hour): although overall intersection LOS remains the same as without the project, Kenwood Avenue EB drops from a LOS E to a LOS F; Kenwood Avenue WB drops from a LOS C to a LOS D; and Cherry Avenue drops from a LOS C to a LOS D.
- > Cherry Avenue Extension (Rt. 140)/Kenwood Avenue (Rt. 443)/Cherry Avenue (PM Peak Hour): although overall intersection LOS remains the same as without the project, Cherry Avenue Extension (Rt. 140) SB Left drops from a LOS E to a LOS F while the SB Thru/right drops from a LOS D to a LOS E.

While the level of service (LOS) drops are impacts, only the LOS drops to E or F, along with a drop of more than one letter are considered to be significant. Although the majority of LOS drops are minimal, the LOS drops at the Cherry Avenue Extension (Rt. 140)/Kenwood Avenue/Cherry Avenue intersection along with the New Scotland Road/Cherry Avenue Extension/Bypass intersection may require geometric improvements to improve operations and will require monitoring. Lane and signal improvements for certain intersections are identified in the Traffic Impact Study, which is located in DEIS Appendix I.

Link Capacity

The ability of the following existing two-lane undivided roadways to accommodate the additional site traffic was also evaluated: New Scotland Road (west of Cherry Avenue Extension), Blessing Road, Cherry Avenue, and Kenwood Avenue. The proposed project will not add a significant amount of traffic on any of these roadways, as site traffic will be dispersed in various directions. With the exception of Blessing Road, this distribution of site traffic results in projected traffic increases under 10% of existing volumes on each respective local road. Increases caused by the Project are well within the existing capacity of this roadway and will not alter the existing character, which is operating as a local collector roadway.

Accident Analysis

The NYSDOT Safety and Information Management System Accident provided accident details on NY Route 85 and NY Route 140 for the latest three years of available data from June 1, 1999 and May 31, 2002. The construction of the Slingerlands Bypass will significantly reduce congestion within the project area and redistribute local traffic. Since the primary accident type is a rear-end collision, which will be lessened by a reduction in area congestion and conversion of existing intersections to modern roundabouts, there is no proposed accident related mitigation.

Existing Land Use

The current use on the four parcels is primarily as open farm fields and woodland patches. Activity on the site has historically been rural residential and agricultural. Several residential buildings and barns are located along LaGrange Road. A small cemetery is located near the center of the Project site.

The Project proposes land uses that are consistent with the Comprehensive Plan for these parcels of land. The Comprehensive Plan for the Town of Bethlehem established that the site is suitable for industrial and commercial uses because of the site's location in the Albany region, its proximity to transportation links, and the need for a diversified tax base. The clustering of uses, and setbacks from certain wetlands, steep slopes, and forested areas will result in significant portions of the site remaining in an undisturbed state.

In addition, the Project will incorporate an internal walking trail at the wetland mitigation area and a perimeter trail expected to connect with the future town-wide greenway system. These amenities will allow Campus tenants and visitors significant recreational opportunities and will provide the Town of Bethlehem with noteworthy mileage towards the Town's proposed greenway system. These amenities are

currently not provided on the Project Site and therefore, are a positive impact on the quality of life for the residents of and visitors to the Town of Bethlehem.

Agricultural Land Uses

Currently, the Project site is not in active agricultural use. The proposed project area does not include any agricultural lands located in an Agricultural District. The Project property is within 500 feet of an Agricultural District (in the Town of New Scotland). However, proposed buildings and other site improvements will be located on portions of the site outside of the 500-foot limit. Odors, runoff, and other potential impacts from the Project will be sufficiently mitigated by both distance and large topographical differences between the two areas. Furthermore, The Town of Bethlehem Comprehensive Plan has designated this area suitable for commercial and industrial activity. Significant amounts of open space will remain undeveloped around the Project.

Existing Zoning

Portions of the site located in the Town of Bethlehem is currently zoned MEDD. Pursuant to §128-12 of the Town of Bethlehem Zoning Ordinance, the purpose of the MEDD zone is to encourage the consolidation of individual lots to allow the development of planned office, industry, service, small-scale retail, and technology-based businesses. Portions of the site located in the Town of New Scotland is currently zoned Residential-2 (R-2) . The purpose of the R-2 district is to discourage growth on unsuitable lands and encourage development of natural areas suitable for passive recreation.

The Applicant seeks to rezone portions of the parcel located in the Town of New Scotland for uses equivalent to those uses permitted in the Town of New Bethlehem's MEDD. A formal application was submitted on September 13, 2006 to the Town Board of the Town of New Scotland pursuant to the Town's Zoning Law, Chapter 190, Section 53, Planned Unit Development (PUD). Portions of the parcel within the Town of New Scotland not subject to the rezoning request will remain zoned as R-2 and no development is proposed for these areas. Undeveloped R-2 zoned areas and large topographical differences will buffer between neighboring areas and uses. The rezoning request will allow the Town of New Scotland to evaluate the requested zoning amendment and to fully participate in the SEQRA review of this project with the Town of Bethlehem as lead agency. Positive impacts are expected to result from rezoning since the Project will realize several goals in the Comprehensive Plan for the Town of New Scotland.

Land Use Plans

The Town of Bethlehem Comprehensive Plan and Generic Environmental Impact Statement was adopted August 24, 2005. The Town of New Scotland adopted its Town of New Scotland Comprehensive Plan in May 1994. The Town of New Scotland Comprehensive Plan is currently under a Town Board appointed committee review process to determine if the Town Board should consider amendments to the Plan. The DEIS discusses how the Project will realize several stated goals in each of these plans.

Water Supply

The existing water supply system has adequate capacity to provide water to the Project for commercial, industrial and firefighting purposes. Therefore, no impacts associated with providing adequate water to the Project for commercial, industrial, and firefighting purposes are anticipated. This will, however, result in an increased demand for water. The current water district boundary will need to be extended to encompass the Project site in the Towns of Bethlehem and New Scotland in order to provide service to all developed portions of the site. A petition will be submitted to the Town Boards of Bethlehem and New Scotland for the purposes of extending the existing Water District.

The project will be served by a new water main. This will connect to the existing 12-inch main at the intersection of New Scotland Avenue and the Future Bypass. This will increase the reliability of the water main under the new roadway and at the connection point to the Vista Site. Onsite, the water main will be a 12-inch main located within the rights-of-way for the internal access roads to be dedicated to the Town upon completion.

A hydraulic analysis using the Haestad WaterCAD Model program was used to determine that based on per capita usage and the estimated Project buildout, the average domestic daily demand is estimated to be 36,626 gpd for Phase One and 102,530 gpd for Phase Two, for a total estimated maximum domestic daily demand of 139,156 gpd (194 gpm). Based on the hydrant flow information, there is sufficient flow to provide the minimum 1500 gpm at the base of the sprinkler riser at the highest first floor elevation (Building 'E') plus the maximum daily demand of 194 gpm with 20 psi at the main.

Sewage Treatment

Sewage from the Project will be conveyed to the Bethlehem Sewage Treatment Plant (STP) where there is sufficient capacity to treat Project sewage. The NYSDEC Permitted Capacity of the STP is 5.9 MGD and current average flow is 4.5 MGD according to Town officials. The anticipated flow from the site will be 139,156 GPD (0.1392 MGD) establishing that adequate capacity currently exists in the system. The west portion of the site located in the Town of New Scotland will require extension of the Bethlehem Sewer District into New Scotland. A petition will be submitted to the Town Boards of Bethlehem and New Scotland for the purposes of extending the Sewer District. The sewer main will be constructed within the Town of Bethlehem right-of-way and the onsite roadway system. All proposed buildings will connect to these sewer mains via lateral connections.

The onsite system will consist of approximately 6,175 lineal feet of gravity sewer main and 3,750 lineal feet of sewer force main. Three pumping stations of various sizes will be required for the proposed project. The Town is conducting an analysis of several existing pump stations impacted by the Project's sewage generation. At the conclusion of the study, the impact of the Vista flows and other sources of sewage generation from potential development within the Route 85/New Scotland corridor will be analyzed to determine the appropriate mitigation measures. At the direction of the Town (Lead Agency), this information will be addressed in the FEIS portion of the SEQRA Process.

Utilities

National Grid Company supplies electric and natural gas utilities to users in the area, and will provide electricity and gas to the Project site. Verizon provides telecommunication services, while Time Warner Cable provides cable, broadband Internet connection and digital phone service to the area, and will be one of the providers of these services to the Project site. “Will Serve” letters for the above referenced utility providers are included in DEIS.

The electric service to the Site will need to be upgraded to meet the needs of the full build-out. Service will be overhead wires from the New Scotland Avenue through an existing easement located adjacent the existing gas easement between the proposed bypass and New Scotland Avenue. Such improvements to the distribution system would be constructed per the procedures set forth in the Public Services Law as implemented by the New York State Public Service Commission (PSC). Depending upon future development in the area, it may be necessary at later phases of the proposed development for the utility provider to enhance its distribution system in the area.

Existing Gas Service in the vicinity of the Site consists of an existing 8-inch main in New Scotland Avenue. The main maintains a pressure of 45 psi and is sufficient to serve the Project. A new main will be constructed from New Scotland Avenue along the Bypass to the Site entrance, essentially following the conduit bank for telephone and cable TV service.

Solid Waste Disposal

The Project will increase the amount of solid waste generated in Albany County. A breakdown of the potential monthly volume of waste generated at each of the proposed buildings is presented in the DEIS. Solid waste volumes are based on industry averages for type of use. The rate of solid waste generation will depend upon the type of businesses and the number of employees. Solid waste management will be contracted for by the various building tenants.

Cultural Resources

A Cultural Resources Survey was performed for 275 acres of the site, consisting of proposed development and their surrounding lands. Methods to assess the site included field walkovers and test pits. The survey identified three areas of potential prehistoric value and six sites of potential archeological value. These sites were designated as the Peter McCutcheon House Site, the Christian LaGrange Site, and loci 1 through 7. Approximately two thousand individual test pits were initially excavated on a 5 meter grid pattern overlain on 275 acre of the site. Of these test pits, only 71 (3.5%) contained artifacts or cultural material. These materials consisted primarily of modern refuse. Subsequent investigations resulted in an additional 180 test pits being excavated on the LaGrange Farm site. Additional materials were excavated from these test pits as well. The report for several of the sites does not indicate that these sites warrant additional investigations. Several of these sites will be disturbed through site development. Others, through careful site design, will not be disturbed. See Figure 18: Cultural Resources Map.

Environmental Conditions

A Limited Phase 1 Environmental Site Assessments (ESA) was conducted for the Project site in accordance with the American Society for Testing and Materials (ASTM) Standard Practice E 1527-00, by Clough, Harbour & Associates (CHA) in April 2004. None of the parcels appear on any federal or state regulatory databases for hazardous waste sites, hazardous waster generators, registered tanks, spills, leaking tanks, or solid waste landfills.

Evidence pertaining to the possibility of former fuel tanks and fueling equipment in use with the airport operations was identified onsite. Soil samples were then analyzed and the following substances were detected at concentrations below levels recommended for soil clean up (TAGM 4046 standard): MTBE and sec-butylbenzene, p-isopropyltoluene, acenaphthene, fluorine and pheanthrene within test pit TP-7 (6-8 feet). Total metals concentrations did not exceed the regulatory limits for the 8 soil samples collected from the test pits and soil boring on April 13, 2006.

The investigation report prepared by CHA concludes that based on the data collected from the subsurface investigation, no further investigation is needed at this time. If additional contaminants are discovered in the course of site preparation and construction, the appropriate state and federal regulatory agencies will be contacted and the Applicant will ensure that a remediation program is developed and implemented.

According to the New York state Department of Health Basement Radon Database, the Project site is located in an area in which the average indoor basement radon level is reported as 2.1 picocuries per liter (pCi/l). The federal recommended allowable continuous exposure level for radon is 4.0 pCi/l.

Visual Resources

Pursuant to the NYSDEC Program Policy Dep-00-2 Assessing and Mitigating Visual Impacts, sensitive receptor sites were identified and the visibility of the Project from these sites evaluated. Based upon the analysis, it was determined that the majority of the receptor sites identified are at or beyond a distance of five miles from the project site. Pursuant to the NYSDEC Program Policy, sites over 5 miles away are received as background by the human eye. Beyond 5 miles, most activities are not a point of interest to the casual observer, and are indistinguishable from their surroundings.

The major receptor sites identified are as follows along with their visibility based upon the Viewshed Map:

- > The John Boyd Thacher State Park, located approximately 6 miles to the west of the Project area-limited visibility.
- > State wildlife management area and adjacent state purchased lands (near Black Creek Marsh) located approximately 5 miles to the west of the Project Site-no visibility.
- > The Onesquethaw Valley Historic District, listed on the National Register of Historic Places, located approximately 5 miles southwest of the Project Site-no visibility.
- > Numerous sites and buildings on the National Register in Albany approximately 4-5 miles from the Project area-limited visibility.

- > Numerous sites to the east and in Guilderland to the north-no visibility.
- > NYS Route 5 Scenic Highway-limited visibility.

Due to the significant distance at which the Project Site it is located from Thacher Park, the Project's buildings (if visible above the vegetation) are likely to blend in well with the background. Furthermore, several highly visible elements dominate the viewshed including a high voltage power line and the Empire State Plaza. These elements are more likely to capture the attention of observers from this point than the proposed Project. Based upon the existing condition of the Thacher Park viewshed and the distance to the Site; the Project is not anticipated to result in significant adverse visual impacts from Thacher Park.

Four line of sight profiles were constructed to establish the visibility of the Project site from nearby residences on Surry Mall, which is located to the immediate south of the Project site. As indicated in the analysis, intervening topography and tree stands effectively obscure the Project site from visibility.

The office, office/technology and manufacturing buildings will be located far off from the By-Pass and are not anticipated to be the dominant visual structures. The proposed commercial uses will incorporate consistent and distinctive architecture styles that will compliment the Town of Bethlehem and enhance the Town's gateway.

Based upon the analyses, the proposed Project is not anticipated to result in a significant adverse impact on any identified sensitive receptor site pursuant to the NYSDEC Program Policy Dep-00-2 *Assessing and Mitigating Visual Impacts*.

Community Services

Community facilities within the Town of Bethlehem and the Town of New Scotland near the Project site primarily include municipal facilities, schools, emergency services, library, post office, and senior services.

General Government

The Project is located in the Town of Bethlehem and the Town of New Scotland in Albany County. The Towns will assume ownership and responsibility for the maintenance of the proposed public roads and associated water and sewer lines on the Project site.

Educational Facilities

The Project site is located within the Bethlehem Central and Voorheesville School Districts, which encompasses the northern half of the town. The Project is expected to result in positive impacts to both the Bethlehem and Voorheesville School Districts.

Police Protection

State, county, and local police protection is available to respond to and serve the Project site. The anticipated increase in police protection for the Project is expected to be small. Each tenant locating in Vista Tech Campus is expected to implement security systems customized to their particular needs. Coordination with the involved service providers is continuing to ensure no impacts result and services will be provided appropriately.

Fire Protection & EMS

The Town of Bethlehem has many fire and emergency services prepared to assist. Many of these are volunteer services. There are seven fire departments serving Bethlehem. Two response units, Medic unit 2, located in Delmar, and Medic unit 3, located in Selkirk, serve the Town of Bethlehem. Full-time paramedics man both. In addition, there are three volunteer ambulance services each covering a portion of the Town. Bethlehem's Emergency Management Office coordinates all town services in the event of a natural or man-made disaster. Coordination with the

Slingerlands and Delmar Fire Districts is continuing to ensure they can provide fire protection to for the Project.

Population and Income

The 2000 US Census reported that 31,304 people live in the Town of Bethlehem. In the 1990's, Bethlehem's population grew by 13.6 percent (3,752 persons). Between 1980 and 2000 the population grew by 28.8 percent (7,008 persons). By 2030, the US Census projects that the Town of Bethlehem's population to reach approximately 37,500 persons, a 20% increase over the 2000 population.

In 2000, approximately 68.4% of the Town's working age population was in the labor force. The unemployment rate was 3.5%. According to the 2000 Census, over 55% of those persons in the Town ages 16 and over have occupations in management and other professional services. The median household income for the Town of Bethlehem is \$63,169, which is more than \$20,000 higher than county and statewide averages. In Bethlehem, 2.3 percent of all families were below the poverty level in 1999.

Housing

Bethlehem's central location in the Albany area is convenient for a number of reasons which will contribute to growth pressures in the area. These include region's quality of life bolstered by significant natural resources, nearby rural landscapes, quality schools, and the emerging technology industry in the region. These factors impacting housing demand will continue with out without the Project. According to the 2000 U.S. Census, almost 12,500 households resided within the Town. The average family size in 2000 was 2.53 persons. The US Census also counted 12,112 occupied housing units of which 8,845 were single-family homes. The remainder consists of a mix of semi-attached units and small- to medium-sized

apartment buildings. Over 55% of the structures were built between 1950-1989. Less than 18% of the units have been constructed since 1990.

Noise

Existing noise level measurements were conducted during June 2006 at the four locations. Observed background levels were between 42 and 49 dBA (Decibel, A weighted). Predicted noise increases for surrounding areas are anticipated to be within levels established by the NYSDEC for determining the significance of noise impacts. The Town of Bethlehem has no ordinance regulating noise intensity. Existing noise levels in the study area include noise from the major roadways and other background noise (birds, insects, and human activity in neighboring residential areas).

Light Pollution

Lighting levels will be provided in accordance with Town and Industry standards. The design and location of lighting at the Vista Campus will take into consideration four areas of concern: avoiding excessive and unnecessary lighting; light trespass on to neighboring properties; glare and sky glow.

1.5 Alternatives to Proposed Action

The DEIS discusses the following three reasonable alternatives:

- > *No Action.* Under the no action alternative, the site would remain undeveloped, as it currently is.
- > *Alternative Location- Mixed Economic Development District zone along NYS Route 9W Corridor.* This Alternative includes the development of the Vista Technology Campus at the MEDD located between NYS Route 9W and the NYS Thruway.
- > *The Compact Alternative.* Under this Alternative, the Project would occupy a smaller area of the site through a compact design that could include taller buildings and a mix of uses throughout. Specifically, retailers and eateries could be located on the ground floor with the technology offices and related uses on the upper levels.
- > *Reduced Size Alternative.*

Based upon the analysis in this DEIS, these three alternatives would result in either the loss of important benefits to the Towns of New Scotland and Bethlehem or would create environmental impacts more significant than those anticipated for the current proposal. For example, at the alternative location, impacts to steep slopes and wetlands would be greater. Furthermore, transportation specific site constraints posed by the location at Alternative 2 make the site less attractive to prospective tenants. Last, the compact alternative proposes to mix uses in such a manner that renders unfeasible certain sensitive research and development activities that are critical to the successes of the Technology Campus and the public benefits it will provide.

1.6 Irreversible and Irrecoverable Commitment of Resources

Open Space, Community Character, and Zoning

The Project, like any development project, involves a trade-off between open space – with the environmental and aesthetic benefits it provides – and development. The Project will provide construction-related and long-term employment for local citizens as well as employees relocating to the area. The Project will also result in increased local spending during construction, by new employees as well as their families. The Project design has been carefully planned to preserve the existing natural character and resources of the Site and surrounding areas to the maximum extent practicable while continuing to meet the needs of the Project’s tenants. Appropriate and adequate mitigation measures have been proposed to prevent the degradation of the surrounding land use from its current rural/suburban residential character.

Vegetation, Habitats, and Topography

Some vegetation will be permanently lost as part of the Project and converted to impervious surfaces; the remainder of the site will remain pervious in one form or another. Further, all disturbed areas will be revegetated, and numerous mitigation measures will be employed to minimize the potential for additional impacts related to the removal of vegetation. The mitigation measures to be included in the SWPPP, combined with proper construction techniques and BMP’s, will all work to mitigate potential adverse impacts related to slope disturbances.

Water Resources

The Project proposes permanent disturbances to wetlands under the jurisdiction of the ACOE related to the construction of the proposed buildings, parking lots, roads and utilities. These impacts will require an Individual Permit from the ACOE and a Water Quality Certification from NYSDEC. The proposed compensatory mitigation, combined with the use of proper construction techniques, BMP’s, and compliance with the required permits, approvals, and the SWPPP, the potential for permanent losses to these resources on the site will be mitigated to the maximum extent practicable and the amount of wetland on the Project site will be increased.

Commitment of Energy and Construction Materials

The development of the Project will also require a commitment of energy and construction materials. Construction materials include concrete, steel, glass, asphalt, and other related materials and equipment. This commitment of resources will span the proposed twelve-year implementation period. The increased need for and utilization of building materials for the Project is not anticipated to result in any adverse impacts by itself.

1.7 Growth-Inducing Aspects of the Project

Population Increase

Population growth is function of births, deaths, and migration. Determining the potential effect on population growth from any project is inexact and complex. The effects occur over long time frames and will be spread over the entire Albany area labor market. For purposes of this document, the Albany area includes the following counties: Albany, Schenectady, Rensselaer, and Saratoga. Many of the jobs created by the ‘Research’ and ‘Office’ buildings are highly technical and scientific in nature.

These positions require extensive education, training and experience and may draw from a national pool of technological expertise to fill the positions. Such workers would move to Albany, increasing its population. The other sectors on the site, such as restaurants, retail stores, the bank, hotel and other services will likely be satisfied by the local labor market and not directly result in in-migration from outside the Albany area.

The following assumptions for population growth are used in this study:

- > *The worst-case scenario is assumed—all new positions created in the Office and Research use buildings will be filled by persons in-migrating into the Albany area.*
- > *The other building uses on the site (restaurants, retail stores, the bank, hotel and other services) will likely be satisfied by the local labor market and will not result in in-migration from outside the Albany area.*
- > *Jobs estimated by the multiplier effect (spin-off employment such as mechanics, health care workers, tellers, and teachers) will be filled by the local labor market and will not result in in-migration from outside the Albany area.*

These assumptions are simply a starting point from which to assess the growth inducing impacts of the Project. Obviously, it is unrealistic that 100 percent of these jobs will be filled by in-migration, since the local labor market could fill many non-research (secretarial and human resources) and research positions created at the Research and Office use buildings.

Thus, this study assumes that in-migration will fill the 4,090 new jobs created directly onsite by the Research and Office use buildings. This growth equals an annual average increase of 409 new jobs between 2009 and 2019. The US Census calculated that the average household size for New York State is 2.6 persons. Annual growth multiplied by the average household size would equal 1063 new residents migrating annually between 2009 and 2019 to the Albany area. Over the course of a decade and using the assumptions defined above, the Project adds 10,630 new residents to the Albany area between 2009 and 2019. This ten year time frame, which does not commence until year three of the project, allows time for municipalities to adjust to increasing demand for public services and also allows the private market to accommodate increased demand for housing, goods, and services.

The US Census estimates that annual population growth since 2000 for the four county area ranged between 3,500 and 6,500 persons a year. Current estimated growth rates using US Census data for the total four county area ranges from 0.3 percent to 0.8 percent. Again, assuming that 100 percent of the jobs will be filled by in-migration, then annual population growth induced by Vista (1,063 people/ year) could adjust annual growth rates upwards to between 0.35 percent and 1.04 percent.

The Albany area is already a growing region and Vista Technology Campus will be a factor in that growth. However, it should be emphasized that these projections are overestimated. Factors likely to lower these projections include intra-local moves and the local labor market's ability to fill jobs, especially the non-technological positions.

Economic Impacts

The Vista Technology Campus will generate a variety of economic impacts for the municipality and the region. An Economic and Fiscal Impacts Analysis conducted by Camoin Associates made several projections regarding the economic impacts of the Project.

Tax Revenues to the Town of Bethlehem

The Project's net contribution in tax revenues over 20 years will be more than \$2.4 million to the Town of Bethlehem's overall fiscal resources. This corresponds to an average annual positive contribution of over \$124,000.

Tax Revenues to the Bethlehem Central School District

The Bethlehem Central School District will generate an additional \$50.8 million in fiscal resources as a result of the project over the same period. This corresponds to \$2.5 million average annual contribution to the school district.

Projected Earned Incomes

The report forecasts that 4,390 jobs of various kinds would be generated onsite between 2009 and 2019. Using constant dollars over 20 years, total earnings at year 3 begin at approximately \$27 million and grow to approximately \$276 million dollars by year 12. Impacts from approximately one-quarter billion dollars of additional annual incomes will be felt locally in the Towns of Bethlehem and New Scotland and regionally. The exact share of this impact is indeterminate. The bulk of the approximately one-quarter billion dollars in annual earnings will be injected into the local economy to support demand for things like housing, food, health care, education, entertainment, and other goods and services.

Projected Economic Output

Economic output is measured as the value of goods and services generated onsite by the Project. As with the employment figures, no economic output is generated until year 3, after which growth occurs until year 12 when tenant occupancy of the site reaches 90 percent. Economic output begins at \$74 million dollars in year 3 and grows to \$743 million by year twelve. Total economic output over 20 years and in constant dollars is projected to reach approximately \$10 billion. This

Induced Development Potential

Induced development potential refers to the Project's likelihood of creating and supporting land development in the area. The annual salaries, economic output, and population growth will support development for new housing and office space. In addition, specific public and service infrastructure improvements on- and offsite will provide additional capacity to support new growth.

Housing

Employees and their families from outside the region will create demand for new and existing housing. The 2004 American Community Survey (conducted by the US Census Bureau) identified approximately 11,000 vacant housing units in Albany County alone. It is reasonable to expect that housing preferences (urban versus suburban, ownership versus renting) will be accommodated at a regional level, such as Albany and nearby counties. Job growth will occur across 12 years, allowing the housing market to adjust over time to accommodate additional demand for housing. New housing demand will be met by the market through a combination of new construction and renovation of existing housing.

1.8 Effects on the Use and Conservation of Energy

Proposed Energy Sources and Alternatives

Short-term energy usage is a function of construction activity and will coincide with general site development. Since full build-out of the Project is expected to take approximately twelve-years, the short-term energy uses shall exist on a variable basis during that period. Essentially, energy use shall require fossil fuels (i.e., gasoline and diesel) for the operation of all types of construction equipment, including generators for temporary on-site power during construction.

Long-term energy use is a function the Vista Technology Campus operations including building support functions (lighting, power, mechanical systems). Support functions will generally require low voltage (120 volts) for office, safety lighting, power outlets and mechanical equipment. Additional power requirements will vary among the different tenants that will locate at the Campus. Tenants will have the choice to incorporate solar power and the use of other renewable energy sources as their specific operations, needs and requirements may allow.

2.0 Description of the Proposed Project

2.1 Introduction

Vista Development Group, LLC, a subsidiary of BBL Development Group (hereinafter referred to as the “Applicant”) of Albany, New York has committed to undertake the development of Vista Technology Campus (the “Project”). The Project site consists of four parcels of property covering approximately 451 acres. Of these, approximately 330 acres are situated within the Town of Bethlehem and approximately 128 acres within the Town of New Scotland. The Applicant seeks to rezone portions of the parcel located in the Town of New Scotland for uses equivalent to those uses permitted on the parcels within the Town of New Bethlehem. Portions of the property not subject to the rezoning request will remain zoned as R-2 and no development is proposed for those areas. This will allow the Town of New Scotland to evaluate the requested zoning amendment and to fully participate in the SEQRA review of this project with the Town of Bethlehem as lead agency.

Development of the site is designed pursuant to the Town of Bethlehem’s Mixed Economic Development District (MEDD) zone. Development will occur on approximately 150 acres of the site. The Project proposes the development of approximately 1.4 million square feet of building space. The bulk of building space will consist of research and technology office/development space. Secondary uses will include a hotel, medical office building, general office buildings, a bank, and a mix of retail uses and restaurants. The onsite residence of William Jones will be subdivided from the Project Site and retained by him (see Figure 2.b: Jones Subdivision). See Figure 1 and 2.a for location of site and project concept. Areas undeveloped in the Vista Technology Campus and left in their natural state will be set aside for conservation. An internal non-motorized recreational/interpretive trail at the wetland mitigation area will be provided for the use and enjoyment of Campus tenants and visitors. A perimeter trail is also being considered that would be developed in connection with the Town of Bethlehem’s proposed regional trail system recommended by and referred to as the “Bethlehem Greenways Concept” in the Town of Bethlehem August 2005 Comprehensive Plan. No public trails are anticipated to connect with the internal interpretive trails on the Vista Campus. See Figure 2d for the proposed preliminary internal and regional trail routes on the Project Site.

Vista Development Group submitted an application to the Town of Bethlehem Town Board on December 20, 2005 for the approval of this project as a Mixed Economic Development District (MEDD). The Town Board determined that the Project may potentially result in one or more adverse environmental impacts and therefore, has required the preparation of this Draft Environmental Impact Statement (DEIS).

2.2 Public Need for the Project

The Project’s size and target market of high technology tenants has the potential to provide significant economic and fiscal benefits to the Town of Bethlehem, the Town of New Scotland and Albany County in the form of tax revenues, job growth at all income levels, and a diversified economic base. An economic and fiscal impact analysis calculated that the Vista Technology Campus would contribute more than \$3.7 billion in new earnings and \$10 billion in new industrial output over a 20-year period. During those twenty years, the project will create and sustain an annual average of over 5,000 jobs, \$185 million in

salaries and nearly half a billion dollars of new output for Albany County (See Appendix C: Economic and Fiscal Impacts Analysis). This project and its focus on the high-technology industrial sector will compliment several other high-technology initiatives in the greater Albany Capitol region, such as the Harriman Research and Technology Park, the Luther Forest Technology Park, and the Saratoga Technology and Energy Park (STEP).

2.3 Municipal Objectives

The Project is consistent with the Town of Bethlehem's Comprehensive Plan, dated August 24, 2005 (the "Plan"). In fact, several aspects of the Plan refer specifically to this Project. The following excerpts from the Plan illustrate how the Project promotes or implements key items in the Plan:

1. *Encourage and support development of the Vista Technology Campus (VTC) and remaining lands in the vicinity (page 4.40).*

The Project fills a site-specific need identified in Town's comprehensive plan in order to improve the tax base, to facilitate the Slingerlands By-Pass Extension, and to promote economic development in the Town.

2. *It is necessary for the Town to expand its non-residential tax base and to diversify the tax base. Providing for mixed-use light industry, office and technology development areas will assist in achieving such balance and diversity (page 4.21).*

Vista Technology Campus is a non-residential, mixed-use development, which will increase the tax base without requiring the services associated with residential development.

3. *Maintain and enhance pedestrian connections within and between neighborhoods, recreation facilities, and hamlet center. ... Bike lanes or off-street bike paths may also be appropriate on the busiest of these roads (page 4.11).*

Vista Technology Campus will include an extensive network of sidewalks, trails and provisions for bicycling. Careful consideration will be given to integrating the site with neighboring hamlet centers and regional trails.

4. *Particular focus should be given to the placement of buildings and on the design of parking areas. When ever possible, buildings should be clustered to allow green space to remain. ... Parking should be integrated throughout the mixed-use areas, with generous landscaping to reduce large continuous areas of pavement (page 4.22).*

The proposal for the site will protect several wetlands and areas of cultural significance. Buildings and roads will be designed and constructed in a manner that enhances these

features through the use of open space, road alignments, building orientation, and landscaping. To promote alternatives to single-occupancy automobile use, bus stops will be incorporated into the site design. The mixed-use area consisting of a range of retailers, eateries, a hotel and other professional services will be located nearest to the Slingerlands Bypass. The grounds surrounding this mixed-use area will feature landscaping and areas of natural and undisturbed vegetation. Large portions constituting the site's outer edge will be left undisturbed and conserved in its natural state.

5. *Encourage the use of Leadership in Energy and Environmental Design (LEED) standards for new development and redevelopment of buildings and sites in the Town (page 4.34.)*

LEED standards criteria will be implemented in the design and construction of buildings where feasible. These standards may be used in stormwater design, water efficient landscaping, optimized energy performance, use of low-emission materials, and use of recycled or rapidly renewable resources.

6. *Consistent with generally accepted engineering and design practices, it is critical that the Town protect the many stream corridors in the Town from development, help reduce pollution of these streams and protect all its water resources, many of which drain into the Hudson River (page 4.30).*

The proposed development will be designed in a manner that limits erosion of the site's numerous steep slopes. The proposed design achieves this by shifting development away from the stream corridors in and around the site. Instead, development is focused on flat terrain of open meadows at the center of the property.

Furthermore, the Project will develop a stormwater management program that reduces or eliminates polluted runoff from the site and is compliant with NYS DEC's Phase II Stormwater program. Low impact development practices, which can be effective at reducing the impacts from stormwater runoff, will be considered and implemented where feasible.

7. *Promote the use of alternative, renewable energy sources for public and private buildings... This sector of the energy market is changing and growing rapidly, and numerous technologies are becoming available to harness renewable sources of energy such as solar, wind, hydro, and more. The New York State Energy Conservation Construction Code and NYSERDA are resources available to developers (page 4.33).*

Sustainable materials and energy alternatives will be considered for implementation where its use is feasible. Indeed, conservation technology and energy alternatives are rapidly changing. The market for sustainable materials and energy that produce a smaller environmental footprint is improving each year. Given the proposed 12-year build-out schedule, new alternatives arriving in the market are expected to likewise improve.

8. *Utilize the Planned Development District tool found in the zoning regulations (page 4.41).*

The Project is proposed pursuant to the PDD section of the Town's Code and provides a mix of creative architectural and planning concepts that is consistent with the "spirit and intent" of the PDD ordinance.

2.4 Project Background and History

The Applicant submitted a Mixed Economic Development District (MEDD) application dated December 20, 2005, to the Town of Bethlehem Town Board for the proposed Project pursuant to the requirements of §128-36 of the Town of Bethlehem Zoning Law. On December 28, 2005, the Town of Bethlehem Town Board declared their intent to serve as Lead Agency and issue a Positive Declaration on February 22, 2006. On the same date, the Town Board also initiated the Public Scoping Process, which required the development of the Scoping Document.

A Draft Scoping Document, dated February 15, 2006, was prepared for this project and released for review and comment by the public and all involved and interested agencies. A 30-day public comment period was held from February 27, 2006 through March 27, 2006. A public scoping session was held on March 22, 2006. The scoping document was revised and submitted to the Bethlehem Town Board (lead agency), who adopted the document April 26, 2006. (See Appendix B: Final Scoping Document).

A formal application for the development of the site was submitted to the Town of New Scotland pursuant to the Town's Zoning Law, Chapter 190, Section 53, Planned Unit Development (PUD). The application also sought to rezone portions of the parcel located in the Town of New Scotland for uses equivalent to those uses permitted in the Town of New Bethlehem's MEDD. Portions of the property within the Town of New Scotland not subject to the rezoning request will remain zoned as R-2 and no development is proposed for these areas. Furthermore, the only access to the portions of the site in the Town of New Scotland is currently through the Town of Bethlehem, via proposed on- and off-site road improvements. As such, negative impacts in the Town of New Scotland are anticipated to be minimal. The rezoning request will allow the Town of New Scotland to evaluate the requested zoning amendment and to fully participate in the SEQRA review of this project with the Town of Bethlehem as lead agency.

2.4.1 Geographic Boundaries and Site Description

The Project site is situated approximately six miles from Downtown Albany. The easterly bound of the Project site is approximately 1,000 ft. west of New Scotland Road. The Slingerlands Bypass (Route 85) is located approximately 1,200 ft. south and east of the Project Site, which is proposed to be extended south and ultimately intersect New Scotland Road and NYS Route 140 (Cherry Avenue Extension). I-90 is located approximately 3 miles northeast of the Project Site. LaGrange Road, a dead-end gravel roadway, currently provides access to the site interior. (Refer to Figure 1, Project Location).

The Project Site is located within property comprised of four separate tax map parcels, totaling approximately 451 acres. Three parcels are in the Town of Bethlehem (74-1-29.10, 74-1-30, and 74-1-60) and one parcel is in the Town of New Scotland (73-2-27). Large sections of these properties are not scheduled for development. Project development will be limited to areas within the jurisdictional boundary of the Army Corps of Engineers (ACOE) wherein detailed surveys and investigations were conducted for, among others, historic resources and wetlands. The jurisdictional boundary encloses approximately 212 acres of land.

The site is relatively level except for a network of creeks and ravines on the outer portions of the Project site. The portion of the site where development is proposed is relatively flat at an elevation of approximately 200 feet above sea level. Elevations drop away along the northern, southern, and western edges of the site to an elevation of about 140 feet in surrounding ravines (see Figure 3: Existing Conditions and Figure 5.b: Steep Slopes & Flood Plains). The site is a mostly open farm field with woodland patches. Activity on the site has historically been rural residential and agricultural. A few residential structures and barns are located along LaGrange Road. A small cemetery is located in the center of the Project site. A portion of the site was the location of the Tri-City Airport for several years. The field was a grassy runway, and some associated outbuildings, including the former hangar/barn referred to as Building 3, are collapsed on site.

A wetlands delineation conducted in July 2006 identified some Waters of the US including wetlands regulated by the US Army Corps of Engineers situated within the developable area (see Appendix E: Wetlands Report). A Table embedded within Figures 8.a and 8.b detail the extent of these wetlands. There are no known occurrences of rare or state-listed animals or plants, significant natural communities, or other significant habitats, within the project site area. Likewise, no Federally listed or proposed endangered or threatened species under Federal jurisdiction are known to exist in the Project area. A site specific study of flora and fauna has been conducted by TES and can be found in Appendix H.

2.4.2 Description of Access to Site

As depicted on Figure 2.a: Project Concept, access to the site is proposed via two entrances. One is a limited right-in/right-out access road on the Slingerlands Bypass. Another is a one full-access roundabout also on the Slingerlands Bypass. The Slingerlands Bypass will be a State-maintained roadway to be classified as an urban principal arterial that will provide east-west access from NYS Route 85 around the western side of the Price Chopper Plaza to NYS Route 140. In the vicinity of the project site, the Slingerlands Bypass will consist of two 12-foot wide travel lanes in each direction with 5-foot wide paved shoulders. The Bypass project has already undergone NEPA and SEQR reviews and construction is anticipated to begin in the Fall of 2006.

The majority of vehicle trips are anticipated to arrive from and depart toward the City of Albany and nearby interstate connections— I-787, I-87, I-90. Interstate access nearest to the site is I-90, via NYS Route 85 and approximately 3 miles away. Approximately 9,800 linear feet (LF) of new roads are proposed for circulation within the Site. These roads will be dedicated at specified times (See later section, Phasing).

2.4.3 Project Design and Layout

Project Design and Layout

The proposed Project involves the development of approximately 1.4 million square feet of mixed office and commercial uses. Tenants for office space will primarily be high technology businesses and research firms. Other uses on the site include a hotel, a medical office building, restaurants, a bank, and other retail uses. Most buildings will range in size from 1 to 3 stories in height. The hotel will be the tallest structure, tentatively proposed at 65 feet (four stories). Building heights and square footages are detailed in Table 1, below.

An extensive network of sidewalks and crosswalks will be designed and constructed throughout the site. The main Campus road will consist of two 14 ft. dual use travel lanes that will allow for shared bicycle use. Bicycle racks will also be provided in appropriate locations. As mentioned above the Project is also anticipated to incorporate a system of internal non-motorized recreational and interpretive trails along with a perimeter trail system that would be linked to and constructed in coordination with the proposed future Town of Bethlehem Greenways system. The construction of the internal and perimeter trail systems will be phased over the build-out of the Campus. The construction of the perimeter trail will be directly coordinated with and dependent upon the construction of the town-wide greenway system. (see Figure 2d Preliminary Recreational Trail Routes)

The internal trail system will consist of separate looped trails, with some following the edges of the proposed wetland mitigation areas and incorporating interpretive signage regarding the wetland mitigation project. The base of the internal trails will be un-improved unless limited grading and stabilization is required in certain areas. The system will provide Campus employees and visitors with the opportunity to recreate during the workday and is not anticipated to serve the general public.

The perimeter trail system, once constructed will be open to the general public that is using the town-wide greenway system.

The pedestrian trail, sidewalk and bicycle network will link the onsite buildings with each other. Careful consideration will be given to integrating the Campus sidewalks and the bike lanes with adjacent pedestrian and bicycle networks to allow non-motorized access to and from the Campus and to enhance connections with the neighboring hamlet centers. Such connections will provide several benefits to onsite workers. The onsite pedestrian and bicycle amenities and local connections will lessen the need for onsite vehicle trips. It will also provide a safe and dedicated pathway away from the road for pedestrians. Also, these paths, walkways and bicycle lanes will provide onsite opportunities for passive recreation.

In addition, in coordination with the Capital District Transportation Authority (CDTA) appropriate bus stops and associated amenities within the Project Site will be identified.

The historic Christian LaGrange House and a small cemetery located in the center of the Project Site will be protected and incorporated into the project as an adaptive re-use opportunity for passive recreation. The home occupied by William Jones will be subdivided from the project area as a 26-acre parcel. This parcel will be connected to the new municipal water and sewer lines constructed in the project.

Table 1: Proposed Building Program for Vista Technology Campus

Building ID	Stories	Use	Area (SF)
A	1	Retail/Restaurant	2,400
B	1	Retail	14,820
C	2	Office	22,000
D	1	Retail	9,600
E	2	Medical Office	90,000
F	2	Retail/Office	50,000
G	1	Bank	3,000
H	4	Hotel w/ Restaurant	67,400
I	2	Office	60,000
J	2	Office	60,000
K	2	Office	60,000
L	2	Office	60,000
M	2	Office	16,000
N	2	Office/Technology	110,000
O	2	Office/Technology	67,200
P	2	Office	67,200
Q	2	Office	43,000
R	3	Office	52,300
S	2	Office	152,380
T	2	Office	30,700
U	2	Office	43,000
V	2	Office/Technology	102,000
W	2	Office/Technology	72,500
X	2	Office/Technology	72,500
Y	2	Manufacturing	72,000
		Total:	1,400,000

Proposed architectural styles and landscaping schemes are provided in Figures 15.e – 15.h.

Anticipated Population Increase

The Project proposes no residential units to be built on site. However, the anticipated job growth will result in population growth in communities around the region. It is anticipated that jobs created by the project will be filled by qualified employees already in the region and from outside the region. Because the Project's labor pool is potentially nation-wide (especially for the highly skilled positions), a segment of prospective employees will likely move into the region from other areas. This growth will place new demand for existing fire, police, transportation, and education services. An assessment of potential impacts on other facilities in the Bethlehem/ New Scotland area has been conducted as part of this DEIS.

Public Water Utilities

The project will be served by a new water main that will be connected to the existing 12-inch main at the intersection of New Scotland Avenue and the Future Bypass (New Scotland/Cherry Avenue roundabout). The Town is planning to reconstruct the portion of the 12-inch main that runs under the proposed Cherry Avenue/New Scotland Avenue roundabout, and tentatively replacing it with a 16-inch main in the vicinity of the proposed roundabout. This will increase the reliability of the water main under the new roadway work and at the connection point for the water main to the Vista Site. The new water main will follow the south Side of the bypass right-of-way for approximately 1500 feet, from the Cherry Avenue roundabout to the south driveway into the Site. Installation of the main will be coordinated with NYSDOT to avoid disruption of the completed Bypass. The primary onsite water main will follow the internal access road that will become a public road upon completion. A discussion of the water capacity and configuration on the site is presented in Section 4 of this DEIS.

The current water district boundary will need to be extended to encompass the Project site in the Towns of Bethlehem and New Scotland in order to provide service to the various phases of the development. A petition will be submitted to the Town Boards of Bethlehem and New Scotland for the purposes of extending the existing Water District.

The Towns encourage the Applicant to conserve water to the maximum extent practicable, and low-impact and conservation practices will be used where feasible. The current proposal recommends the use of well water for lawn and landscaping maintenance.

Public Sewer Utilities

Sanitary sewer infrastructure will be installed throughout the Project Site. The Project will be served by municipal sewer services provided by the Town of Bethlehem. The nearest feasible connection to this system is on the northeast corner of the New Scotland Avenue and Cherry Avenue intersection. The proposed sanitary sewer system for the Project will consist of an on-site network of gravity sewers and secondary pump stations with force mains to convey the effluent to the municipal sewer system. Three pumping stations of various sizes will be required for the Project. See Figures 14.a and 14.b.

The entire site area within the Town of Bethlehem is designated part of Sewer District Extension 14 Area One. The west portion of the site, located in the Town of New Scotland, will require extension of the Bethlehem Sewer District into the Town of New Scotland. A petition will be submitted to the Town Boards of Bethlehem and New Scotland for the purposes of extending the Sewer District.

2.4.4 Construction Phasing

It is anticipated that full build-out of the Project will occur over a period of approximately twelve (12) years. Phase I entails the construction of approximately 8 buildings (approx. 240,000 square feet) for use as restaurants, retail, banking, hotel, and a medical office building. These will be located in the southern portion of the site. The comprehensive plan for the site is regarded by the Applicant as a living document responding to the contingencies of the office market in the Greater Albany area. As such, Phase II

structures will be built in the course of the remaining 12-year build-out period. As new structures are constructed lots will be subdivided, which will be necessary for financing and tenant ownership (see Figure 2.c: Project Phasing).

Road and utility construction for Phase I areas will be completed concurrently with Phase I construction. Roads will be laid out for the entire Project site during Phase I, however the top course will be placed on roads servicing Phase I buildings (up to the Medical Office Building). All roads beyond Phase I construction will be limited to the base course. The top course for these roads will be added prior to their dedication to the municipality.

2.4.5 Easements and Rights of Way

Additional land will be dedicated to the proposed roundabout as designed. The width of the break in access for LaGrange Road will need to be widened to accommodate the full-width of the Vista access driveway. Additional ROW will also be required east of the Bypass on the Windsor parcel.

2.5 Alternatives

As required by SEQRA, reasonable alternatives to the Project are being considered, including the No Action Alternative. The following three Alternatives are analyzed in DEIS Section 5 Alternatives:

1. *No Action.* Under the no action alternative, the site would remain undeveloped, as it currently exists.
2. *Alternative Location- Mixed Economic Development District zone along NYS Route 9W Corridor.* This Alternative includes the development of the Vista Technology Campus at the MEDD located between NYS Route 9W and the NYS Thruway.
3. *The Compact Alternative.* Under this Alternative, the Project would occupy a smaller area of the site through a compact design that could include taller buildings and a mix of uses throughout. Specifically, retailers and eateries could be located on the ground floor with the technology offices and related uses on the upper levels.
4. *Smaller Scale Alternative.* Under this Alternative, the Project, while similar in program would be reduced by approximately 30 percent in total square footage.

2.6 Approvals

The development of the Project will require certain reviews, approvals and permits from agencies as set forth below.

2.6.1 Mixed-Economic Development District Application Approval

Vista Development Group submitted an application to the Town of Bethlehem Town Board on December 20, 2005 for the approval of this project as a Mixed Economic Development District (MEDD). The application was submitted September 13, 2006 pursuant to Chapter 128, Article V of the Town of Bethlehem Municipal Code. The Planned Development District regulations are intended to provide for new residential, commercial or manufacturing uses in which economies of scale or creative architectural or planning concepts may be utilized by the developer. This provides both flexibility and ensures consistency with existing zoning practices. Primary uses in the District, as noted in the Town's zoning ordinance, include laboratories for research, testing and experimental purposes; offices for research and development; manufacturing of computers, computer peripherals, electrical appliances, electronic equipment, medical instruments and other similar products; manufacturing of precision instruments and equipment such as watches, electronics equipment, photographic equipment, optical goods and similar products.

2.6.2 Jurisdictional Agencies, Permits and Approvals

This project will require approvals from a number of agencies as listed in Table 2-4 below. It is noted that approvals will be required from both the Towns of Bethlehem and New Scotland, as the Project is located in both municipalities. Various correspondences are presented in Appendix A: Correspondences.

Table 2-4: Agency Approvals	
Agency	Action
U.S. Army Corps of Engineers	404 Clean Water Act permit for impact to Waters of the United States, including wetlands.
New York State Department of Environmental Conservation	Approval of Stormwater Pollution Prevention Plan, Water Quality Certification, Sign-off on water and sewer
New York State Department of Transportation	Review of Traffic Study, approval of access to Route 85 (Slingerlands Bypass) and approval of public and private utilities located within Route 85 right-of-way.
NYS Office of Parks, Recreation and Historic Preservation	Review of project for any impact to historic structures or archaeological resources and approval of an Avoidance and/or data Recovery Plan, if so required
Albany County Health Department	Approval of municipal water and sewer systems
Town of Bethlehem, Town Board	Lead Agency for SEQRA process, approval of Project Master Plan, approval of new water and sewer districts, acceptance of road and municipal utilities
Town of Bethlehem Planning Board	Site Plan and Subdivision approvals
Town of New Scotland, Town Board	Approval of re-zoning within the Town of New Scotland
Town of New Scotland, Planning Board	Site Plan and Subdivision approvals
Albany County Department of Economic Development, Conservation, and Planning	239-M referral for review of proposed actions within 500 feet of municipal borders

3.0 Existing Conditions

3.1 Natural Resources

3.1.1 Surface Soils and Geology

3.1.1.1 Topography

The site is relatively level except for a network of creeks and ravines on the outer portions of the Project site. The portion of the site where development is proposed is relatively flat at an elevation of approximately 200 feet above sea level. Elevations drop away along the northern, southern, and western edges of the site to an elevation of about 140 feet in surrounding ravines. The majority of the Project site has slopes ranging between 0 – 15 percent, with approximately 45 percent of the property exhibiting slopes greater than 15 percent. A topographic map is depicted in Figure 3: Existing Conditions. Steep slopes are depicted on Figure 5.b: Steep Slopes & Flood Plains.

Comparison of the current USGS Topographic Map of the site with those dating back to 1893, indicates that this site has undergone little grade changes over the past 100+ years. The adjacent ravine slopes and stream courses appear to have undergone only slight changes over this time frame. Indications of slope instability are not evident from the maps. These conclusions and recommendations for slope setbacks were established in a report prepared by Dente Geotechnical Engineering. See Appendix D: Geotechnical Report and Figure 6: Conceptual Grading Plan.

3.1.1.2 Geology

The Project site's current geologic character is the product of geologic processes following the last glaciation 15,000 years ago. The rock material located at the site was deposited by glacial activity and seasonal runoff into Glacial Lake Albany. The lake eventually emptied and a new drainage pattern of streams and creeks formed across the exposed lake bottom to create the numerous ravines and valleys seen on the site and in the surrounding area. The site is best described as a westerly extending peninsular formation resulting from erosion channels of the Normanskill and two of its unnamed tributaries onto the ancient glacial lakebed.

Dente Engineering conducted a preliminary geotechnical study on the site during July 2004. A subsurface investigation determined through four exploratory test borings found a surface mantle of nearly eighteen inches of topsoil and organic litter, such as leaves and branches. Onsite gravel roadway areas have a mantle of six inches of sand and gravel. Beneath the mantle and to the exploration depth of 51.5 feet soils typical of glacial lake deposits were encountered. These layers consisted of layers of silt and clay sized sediment with occasional seams of silt and sand. Trace organic materials were also identified. At ten to fifteen feet below grade in test bores across the site, the soils were gray and saturated, indicating the water table. No bedrock was encountered during the subsurface investigation. Soils were found to be cohesive and pre-consolidated, meaning that these soils were subjected to pressures (thick glaciers) greater than that accounted for by the overlying soils alone.

Bedrock depth is estimated to be greater than one hundred feet. This depth corresponds to the bedrock topography mapped by NYSGS in their “Bedrock topography and Glacial Deposits of the Colonie Channel between Saratoga Lake and Coeymans, New York”. Bedrock is mapped in the area by the State Education Department as Normanskill Shale, a thin bedded black shale of the Lorraine, Trenton and Blackrock group.

The slopes that exist in the project area are usually found to be stable. Based on subsurface conditions, the following safe set back limits were established for site planning purposes. The report notes that refined setback limits should be based on proposed grading plans. See Appendix D: Geotechnical Report and Figure 6: Conceptual Grading Plan.

- > Parking areas, driveways, and other similar improvements should be located outside of a zone defined by a line extending up from the toe of adjacent slopes at an inclination of 1V:4H for slopes less than 50 feet in height. The inclination should be no greater than 1V:5H for slopes greater than 50 feet in height.
- > Building structures should be located outside a zone defined by a line extending up from the toe of the adjacent slope at an inclination of 1V:4V for slopes less than 40 feet in height. The inclination should be no greater than 1V:5V for slopes greater than 40 feet in height.

According to the Albany County Soil Survey, prepared by the US Department of Agriculture in June 1992, the following soils are present within the Project site: Colonie loamy fine sands, Hudson silt loams, Rhinebeck silty clay loan, Scio silt loams, Udipsamments and Unadilla silt loam. Refer to DEIS Figure 5.a: Soils Map.

3.1.2 Water Resources

3.1.2.1 Groundwater

Due to the methods employed for subsurface exploration, (see DEIS Section 3.2.8 Environmental Conditions) groundwater depths could not be precisely measured. Depth measurements recorded during the soil boring operations indicate that that groundwater levels exist at depths between ten and fifteen feet at the investigated locations. This information is detailed in the Goetechnical Report included in Appendix D. Multiple perched saturated zones exist on the site above the true groundwater table. Seasonal variations in these zones are likely in the surficial layers, while such variations would be unlikely in the deeper cohesive soils. Since no contamination requiring remedial action has been identified on the site, groundwater flows were not investigated with monitoring wells.

The geotechnical studies conclude that groundwater exists at the site as an unconfined aquifer. The surface of the unconfined aquifer will mirror the surface topography and thus it flows radially out from the center of the site towards the surrounding ravines. The lateral and vertical transmission of water through the aquifer is very slow due to the presence of silt and clay soil types. As a result, the aquifer is a poor source for a public water supply and is utilized only for private individual wells. The unconfined aquifer is replenished by infiltration and precipitation. Groundwater depth is expected to vary by several

feet throughout the year depending on precipitation levels and infiltration conditions on the site. Periods of extended drought could depress the groundwater elevation by ten feet or more.

Modern water supply wells in the project area would have to tap the deep shale bedrock generally greater than one hundred feet below the surface grade on the site. The quality of water in the shale is usually poor due high mineral content and the presence of hydrogen sulfide. The quantity of water supplied is dependent upon the bedrock fracture pattern within the bedrock intercepted by the well.

Two water wells are located on the site. One is located near the McCutcheon House. The other is located near the residence identified as Locus 6. Through an analysis of the land use data for properties within ½ mile of the proposed area of disturbance on the Project Site, 21 numbers of properties were identified as likely to contain private water wells. Due to the fact that no mapping currently exists depicting the current municipal water lines in either the Towns of Bethlehem or New Scotland, these sites were selected based upon their size relative to nearby smaller lots requiring municipal water. See Figure 4a: Private Wells Assumed Locations.

Based upon data obtained from the NYS Department of Health, no area of the Project Site proposed for development occurs over an unconsolidated aquifer. See Figure 4: Water Resources.

3.1.2.2 Surface Water

The surface water resources on the Project site include intermittent streams that feed two tributaries of the Normans Kill. All three features are designated by the New York State DEC as a “Class C, Standard C”, and are not protected under 6 NYCRR Part 608.

According to the Flood Insurance Rate Maps (FIRM) published by the Federal Emergency Management Agency (FEMA), a portion of the Project site is within the 100-year flood zone. The northwestern portion of the Project site within the oxbow of the Normans Kill, and an additional section in the western portion of the site is within the 100-year flood zone. No development is planned in these areas. See Figure 4: Water Resources.

3.1.2.3 Wetlands

The NYSDEC Freshwater Wetlands map indicates that no state regulated wetlands occur within the Project site. Additionally, no wetlands have been identified onsite and which are listed on The National Wetland Inventory Map. According to the Wetland Delineation Report, (DEIS Appendix E) provided by Clough, Harbour & Associates, 19 wetlands and 18 ravines were found within the ACOE jurisdictional area. (See Figure 4: Water Resources and Figure 8.a: Existing Wetlands). An additional analysis conducted by Terrestrial Environmental Specialists (TES) provided modifications to the delineation. These modifications were field approved by the ACOE.

3.1.2.4 Stormwater

The existing site is essentially undeveloped forest, inactive agricultural fields in various stages of re-growth and active cultivated fields. There are approximately 8.5 acres of impervious surface on the site that includes an access drive, three residences and several barn structures. While the site has widely varying topography, the stormwater runoff that does not infiltrate onsite ultimately drains into the Normans Kill.

The topography of the Project site consists of ten (10) smaller drainage areas to be used in the existing conditions runoff calculations. The boundaries of these drainage basin areas are shown on Figure 7.a: Pre-Development Drainage Map. Each of the sub-drainage basins flows to a design point where the runoff leaves the drainage basin. Sub drainage basin areas 1.1S through 1.5S drain to the stream on the south side of the Site, exiting the site at Design Point-1 (DP-1). All other drainage areas flow to the north and northeast from the existing ravine areas exiting the site at Design Points DP-2 through DP-10. Existing runoff calculations were performed for each of the areas utilizing Soil Conservation Service TR-55 methodology and the HydroCAD 7.0 computer program. See Figures 7.a: Pre-Development Drainage Map and 7.b: Post-Development Drainage Maps.

Table 3-2 below, provides a summary of the Pre-Development Runoff for the Project site.

Table 3-2: Pre-Development Stormwater Runoff		
Existing Design Point	10-yr Storm (cfs)	100-yr Storm (cfs)
DP-1	77.4	160.5
DP-2	30.2	45.7
DP-3	34.0	65.0
DP-4	21.9	43.7
DP-5	47.1	86.6
DP-6	38.03	75.72
DP-7	13.7	26.3
DP-8	30.0	62.0
DP-9	19.4	39.8
DP-10	24.0	49.5
TOTAL	335.73	654.82

3.1.3 Climate and Air Resources

3.1.3.1 Climate

The proposed development is located in the eastern portion of Albany County, approximately 6 miles southwest of the City of Albany. National Oceanic & Atmospheric Administration (NOAA) and a weather station at the Albany International Airport, approximately 8 miles from the study area, have been collecting weather data since July 1929. Information provided by the National Climatic Data Center (NCDC) states the following about the climate in the Albany area:

The climate at Albany is primarily continental in character, but is subjected to some modification by the Atlantic Ocean. The moderating effect on temperatures is more pronounced during the warmer months than in winter when outbursts of cold air sweep down from Canada. In the warmer season, temperatures rise rapidly in the daytime. However, temperatures also fall rapidly after sunset so that the nights are relatively cool. Occasionally there are extended periods of oppressive heat up to a week or more in duration.

Winters are usually cold and sometimes fairly severe. Maximum temperatures during the colder winters are often below freezing and nighttime lows are frequently below 10 degrees. Sub-zero readings occur about twelve times a year. Snowfall throughout the area is quite variable and snow flurries are quite frequent during the winter. Precipitation is sufficient to serve the economy of the region in most years and only occasionally do periods of drought exist. Most of the rainfall in the summer is from thunderstorms. Tornadoes are quite rare and hail is not usually of any consequence.

Wind velocities are moderate. The north-south Hudson River Valley has a marked effect on the lighter winds and in the warm months, average wind direction is usually southerly. Destructive winds rarely occur.

3.1.3.2 Air Quality

As part of the SEQRA requirements, an air quality assessment was conducted for the proposed Project. The air quality assessment conducted conforms to the procedures followed by the New York State Department of Environmental Conservation (NYSDEC). Currently, the NYSDEC follows the procedures of the New York State Department of Transportation (NYSDOT) as outlined in Chapter 1.1 of the Environmental Procedures Manual (EPM), last updated January 2001. These procedures address the Clean Air Act Amendments of 1990 and guidance from the Environmental Protection Agency (EPA).

New York State collects air quality data for numerous pollutants at monitoring stations in each county through a program operated by the Bureau of Air Quality Surveillance. The EPA prescribes what pollutants are required to be monitored at different locations based on the characteristics of each region. Therefore, monitoring stations are disbursed throughout New York State with each station monitoring certain pollutants. In addition to the continuous and manual monitors in each county, ambient air quality data from private networks (utility companies) is also an integral part of the state database for pollutants. The data from each monitoring station is recorded and summarized in the *New York State Air Quality Report, Air Monitoring System*. The data tables available for the year 2005 are the most recent data.

A monitoring station located in Albany County in Loudonville, approximately 7 miles from the study area, monitors ozone, carbon monoxide, and sulfur dioxide. This station was in compliance with the New York State and National Ambient Air Quality Standards for ozone for the 4th Highest Daily Maximum 8-hour Average period for the latest 3 years. This station was in compliance for one-hour and eight-hour averages for carbon monoxide in 2005. This station was also in compliance with the three-hour and 24-hour averages for sulfur dioxide in 2005.

An inventory of sensitive receptor sites including but not limited to schools, hospitals, nursing homes, and parks have been identified and are being depicted on Figure 9 Air Quality Impact Analysis.

A wind rose analysis was then conducted for the Project Site, with the results depicted on Figure 9. The Wind Rose diagram represents the direction of the wind along with its frequency and energy. Based upon the analysis, the strongest wind moves through the Project Site from the west-northwest to the east-southeast approximately 35% of the time. The next strongest wind direction is from the south-southeast to the north-northwest, which occurs approximately 20% of the time. Based upon this analysis the following identified sensitive receptor sites downwind from and within five miles of and the Project Site based upon the Wind Rose analysis:

1. Bethlehem Central Junior High School and Memorial Park: Approximately 2.5 miles
2. Teresian House and Daughters or Sarah Nursing Homes: Approximately 4 and 4.5 miles respectively
3. North Bethlehem Town Park and McKownville Park: Approximately 1.7 and 2.2 miles respectively.
4. Normanskill Preserve: Approximately 3 miles.

3.1.4 Terrestrial and Aquatic Ecology

3.1.4.1 Vegetation

A Vegetation and Wildlife Report was prepared for conditions surveyed on the development site. Field surveys were conducted on March 21, May 9, and May 16, 2006. The survey was conducted and vegetation cover types were defined for within the ACOE jurisdictional limit of the site, an area consisting of approximately 212 acres. Forested cover types dominate approximately half of the site while the remainder includes a variety of non-forested cover types, such as agricultural open field, scrub-shrub uplands, and wet meadow. Much of the site had been plowed prior to March 2006. Eleven

vegetation cover types were mapped on the site. A description of each vegetation cover type is provided in the Vegetation and Wildlife report (See Appendix H).

3.1.4.2 Fish and Wildlife

Field surveys were conducted on March 21, May 9, and May 16, 2006. See Appendix H, Vegetation and Wildlife Report. The wildlife surveys included the collection of existing data, literature review, and field surveys. No amphibians or reptiles were seen during the field surveys. The limited number of permanent water bodies greatly reduce the habitat suitability of the site for many amphibian and reptile species. The nature of the site, especially the presence of only one pond, precludes the presence of many turtle species known to exist in the region. The most likely snake species to be found on the site are northern brown snake and common garter snake, which could be present in any of the upland portions of the site.

The lack of permanent streams also limits the variety of amphibians that might occur. Bullfrogs and green frogs, which require permanent water bodies in which to breed, might occur in the one pond located in the eastern portion of the site. Potential use of the site by amphibians is probably limited to such species as the eastern red-backed salamander. Spotted salamanders, as well as other *Ambystomid* salamanders may not find suitable habitat on the site as the wetlands are not very wet and thus may lack sufficient standing water during the spring when these species breed. The only other amphibian species potentially occurring on the site is the eastern American toad. Toads might breed in any shallow depressions holding water during the spring months.

A variety of avian species were observed on the site. These species are typical for the ecological communities identified there. The suitability of fields on the site for avian habitat is limited by their disturbed nature. The less disturbed habitats bordering the open/agricultural fields provide suitable habitat for a variety of avian species.

A variety of mammalian species could potentially occur on the Vista Technology Campus site based on the geographic range of mammals and the nature of the habitat present on the site. The only mammal observed on the site was the white-tailed deer. A variety of common small-sized mammals are expected to inhabit the forested portion of the site. Medium-sized mammals are likely to include the Virginia opossum, eastern cottontail, red fox, and striped skunk.

Deer were observed on the site during the investigation. Deer are highly adaptable and coexist in and around developed areas. The reduction in habitat will shift the focus of deer activity to the forested areas beyond the developed areas of the site. There is considerable expanse of forested habitat north, west, and south of the site. These areas are large enough to provide suitable habitat for deer that alter their home range in response to development of the site.

3.1.4.3 Protected Habitats and Species

According to a letter dated May 12, 2004 from the NYSDEC, there are “no records of known occurrences of rare or state-listed animals or plants, significant natural communities, or other significant habitats, on or in the immediate vicinity of your site.” Likewise, in a letter dated May 13, 2004 from the United State

Department of Interior, Fish and Wildlife Service that “no Federally listed or proposed endangered or threatened species under our jurisdiction are known to exist in the project impact area.” Refer to Appendix A: Correspondences.

State and federal agency information together with recent onsite investigations of the site seems to characterize the habitats and species on the site as typical and not extraordinary for this area. No listed species or unique habitats were observed during field reviews of the site.

3.2 Human Resources

3.2.1 Transportation

Existing access to the site is via LaGrange Road, an unimproved road intersecting Cherry Avenue and Route 85 near the Price Chopper Plaza. Use of LaGrange Road is limited to access to the three residences on the site. This road will be significantly improved from existing conditions to accommodate projected traffic usage.

Traffic counts for NYS Route 85 east of the Site and for NYS Route 140 south of the Site were conducted on December 8 and 15, 2004. These counts were increased by an average annual growth rate of 2.5 percent per year based on information provided by the Capital District Transportation Committee (CDTC) to reflect existing 2005 traffic volumes. The morning peak hour of adjacent street traffic was generally between 7:45 to 8:45 a.m., while the afternoon peak hour was generally between 4:45 to 5:45 p.m.

- > NYS Route 85, Daily Traffic Volume: the average daily weekday traffic volume is approximately 9,295 vehicles per day
- > NYS Route 85, Peak Rates: The two-way volume is approximately 1,715 vehicles during the AM peak hour and approximately 2,070 vehicles during the PM peak hour.
- > NYS Route 140, Daily Traffic Volume: the average daily weekday traffic volume is approximately 18,190 vehicles per day.
- > NYS Route 140, Peak Rates: the two-way volume of traffic is approximately 1,295 vehicles during the AM peak hour and approximately 1,560 vehicles during the PM peak hour.

Existing nearby roads likely to experience impacts from the Project and included for study are NYS Route 85, New Scotland Road, Maher Road, Cherry Avenue, Kenwood Avenue, McCormack Road North. Interstate access nearest to the site is I-87, via NYS Route 85 and is approximately 3 miles away.

Levels of service summaries were provided for several existing intersections likely to experience direct impacts from the Project.

Table 3-3: Existing Level of Service Summary (Dec, 2005)		
Intersection	AM Peak Hour	PM Peak Hour
NYS Route 85/ Blessing Rd	B (16.7)	D (54.5)
NYS Route 85/ New Scotland Rd	E (57.9)	F (407.0)
NYS Route 85/ Price Chopper Plaza	D (44.9)	D (35.6)
NYS Route 85/ Kenwood Ave	B (15.7)	B (14.6)
NYS Route 140/ Cherry Ave	C (30.6)	C (29.7)
KEY: Level of Service (Delay in Seconds per Vehicle)		

The Traffic Impact Study for the proposed Vista Tech Campus indicates that with the recommendations presented in the report, the study area will be able to accommodate the proposed project. See recommendations in Section 4, Mitigation. See Appendix I, Traffic Impact Study. See Figure 10, Traffic Impacts Map.

3.2.2 Land Use and Zoning

3.2.2.1 Existing Land Use

The 451-acre Project site consists of four separate tax map parcels. Three are in the Town of Bethlehem (74-1-29.10, 74-1-30, and 74-1-60) and one is in the Town of New Scotland (73-2-27). The current use on the four parcels is primarily as open farm fields and woodland patches. Activity on the site has historically been rural residential and agricultural. Several residential buildings and barns are located along LaGrange Road. A small cemetery is located near the center of the Project site. A portion of the site was the location of the Tri-City Airport for several years. The field was a grassy runway, and some associated outbuildings, including the former hangar/barn referred to as 'Building 3,' are collapsed on site.

Adjacent offsite land uses to the south and east of the site consist of low-density residential neighborhoods and a retail shopping center. Adjacent land uses to the north of the site include the undeveloped portions of the Normans Kill, active farmland, wooded areas, and rural residential. See Figure 11: Current Land Use.

3.2.2.2 Agricultural Land Uses

Currently, the Project site is not in active agricultural use. The New York State Department of Agriculture and Markets designates none of the four parcels constituting the Project site as an Agricultural District. Abutting the northern point of the Project site and situated across the Normans Kill is a 15.8-acre parcel designated as an agricultural district. This property was certified in July 23, 2003. An Agricultural data statement is provided to identify farm operations within an agricultural district located within five hundred feet of the boundary of property upon which an action requiring municipal

review. By law, the reviewing agency shall consider the agricultural data statement in its review of the possible impacts of the proposed project upon the farming operations within the agricultural district. No impacts on farming operations in this district are presently anticipated. See Appendix J: Agricultural Data Statement.

3.2.2.3 Existing Zoning

According to Town zoning maps, the site is currently zoned MEDD in Bethlehem and R-2 in New Scotland. Pursuant to §128-12 of the Town of Bethlehem Zoning Ordinance, the purpose of the MEDD zone is to encourage the consolidation of individual lots to allow the development of planned office, industry, service, small-scale retail, and technology-based businesses. Residential uses may be permitted as secondary to the nonresidential business development. The proposed use for the Project site is consistent with the recommendations set forth in the August 2005 Town of Bethlehem Comprehensive Plan. See Figure 12: Current Zoning Map.

The purpose of the Residential-2 (R-2) District in the Town of New Scotland is to discourage growth on unsuitable lands and encourage development of natural areas suitable for passive recreation. The Project proposes that only a small fraction of the site within this R-2 zone will be developed, while retaining significant amounts of land for open space and the possibility for use as passive recreational activities. In order to make this lawful, the Applicant submitted a rezoning application to the Town Board of New Scotland on September 13, 2006. The Applicant seeks to re-zone this section of the site to MEDD, equivalent to the Town of Bethlehem's MEDD zone. This is discussed in additional detail in Section 4, Mitigation.

3.2.2.4 Land Use Plans

The Town of Bethlehem has produced a variety of planning documents and studies. These documents include numerous transportation and traffic studies, such as the Route 9W Corridor Report (1989); the Rural Landowners Report (1997); the Land Use Management Advisory Committee Study (LUMAC – 1994); a Survey of Historical Resources (1996); the Bethlehem Tomorrow Booklet about Questions and Answers about the Town (2003); and various other documents produced by the Town, its regional partners, or community groups within Bethlehem. The Town of Bethlehem Comprehensive Plan and Generic Environmental Impact Statement was adopted August 24, 2005.

The Town of New Scotland adopted the Town Comprehensive Plan in May 1994. The comprehensive plan is currently under a Town Board appointed committee review process to determine if the Town Board should consider amendments to the comprehensive plan. The existing comprehensive plan recognizes a “general desire to promote commercial and industrial developments in Town, and that there was a preference for “office park development over heavy manufacturing” (New Scotland Comprehensive Land Use Plan, p.3). In order to improve the tax base, the plan also sets the goal of developing a plan to encourage offices, light industry and manufacturing and that utilities and infrastructure should be developed to support such development (New Scotland Comprehensive Land Use Plan, p.14). The comprehensive land use plan also recommends that “light industrial, warehouse and office uses should be sited together on select, environmentally suitable land under a multi-use industrial park category” (New

Scotland Comprehensive Land Use Plan, p.133) More specifically, the “desired forms of Light industry and Manufacturing sought by the Town are essentially clean land uses with large buffer areas surrounding development zones.” The Comprehensive Land Use Plan also states that it foresees few potential conflicts between agricultural uses and light industrial uses (New Scotland Comprehensive Land Use Plan, p.136).

An “Economic Enhancement Plan” was adopted for the Town New Scotland in June 2001. In January 2005, Route 85/85A Corridor Development recommendations were developed by a Residents Planning Advisory Committee and submitted to the Town Board. A survey of Town of New Scotland residents and conducted as part of the study found that respondents preferred to see eateries, professional offices, banking, and other personal services developed along the corridor.

3.2.3 Water Supply

The Project site will be served by public water supplied by the Town of Bethlehem. The nearest public water line is a 12-inch diameter water main located along New Scotland Avenue, approximately 1500 feet from the proposed south entrance to the Site from the Bypass extension. This portion of the main is at the terminal point in the Bethlehem Water District system. A small portion of the Site, approximately 5 acres along the frontage, is currently within the New Scotland Road-McCormack Road Water District. The water district will need to be extended to encompass the Project site in the Towns of Bethlehem and New Scotland in order to provide service to the various phases of the development. A petition will be submitted to the Town Boards of Bethlehem and New Scotland for the purposes of extending the existing Water District.

The Bethlehem water system is supported by six (6) million gallons of storage located in New Salem and is supplemented by interconnection to the City of Albany water system. The Town Water Plant has the capacity to treat 5 million gallons per day (mgd). The peak daily demand for the Town is in the range of 6 mgd. A flow test performed on a hydrant near the Post Office on New Scotland Avenue in September of 2005, shows a static pressure of approximately 76 pounds per square inch (psi) in the main and a residual pressure of 71 psi with a flow of 750 gallons per minute (gpm). The hydrant flow test information is provided in Appendix K: Engineering Report Water Supply and Sewage Treatment.

The Town’s engineering consultants are currently preparing a comprehensive water system study to be completed in the fall of 2006. The study will incorporate the water demand from the Vista Project in its findings. This information will be used to reevaluate the available flow and pressure to the Site at the completion of the Study. At the direction of the Town, the new data and analysis will be addressed in the FEIS portion of the SEQRA process.

3.2.4 Sewage Treatment

The Project will be served by municipal sewer services provided by the Town of Bethlehem. The Site is within the Bethlehem Sewer District, Extension 14-Area 1. The Bethlehem Sewer District will need to be extended into the portion of the Site located in the Town of New Scotland (See Appendix A, Correspondences). The nearest connection to the public sewer is at the intersection of New Scotland and Cherry Avenue. An 8-inch gravity main at this location conveys effluent to the New Scotland Pump

Station near the New Scotland Avenue crossing of the Normans Kill. The Project intends to use this main for flows from the Phase One portion of the development. The New Scotland Pump Station contributes flow to a 10-inch forcemain that also accepts flow from two (2) additional pump stations, before pumping to the Delaware Avenue Pump Station. Phase Two of the Project proposes to pump effluent from the Site directly into the 10-inch force main near the intersection of Cherry Avenue and McCormack Road.

The Town is currently conducting an analysis of several existing pump stations impacted by the Project sewage generation. At the conclusion of the study, the impact of the Vista flows and other sources of sewage generation from potential development within the Route 85/New Scotland corridor will be analyzed to determine the appropriate mitigation measures. At the direction of the Town, this information will be addressed in the FEIS portion of the SEQRA Process.

Effluent from the development will ultimately be received, treated to standards established by state and federal agencies, and ultimately discharged to the Hudson River by the existing Town-owned Sewage Treatment Plant located at the confluence of the Normans Kill and the Hudson River. Bethlehem Town officials have stated that there is sufficient capacity at the STP for proposed development, assuming no excessive water consumption uses. The permitted capacity at the STP is 5.9 MGD and average flow is 4.5 MGD.

3.2.5 Utilities

National Grid Company supplies electric and natural gas utilities to nearby residences, and will provide electricity and gas to the Project site. Verizon provides telecommunication services, while Time Warner Cable provides cable, broadband Internet connection and digital phone service to the area, and will be the providers of these services to the Project site. “Will Serve” letters for the above referenced utility providers are included in DEIS Appendix A: Correspondences.

National Grid supplies electrical services to the site. The existing electrical service is by overhead wires and is located along New Scotland Avenue. Service for Phase One will be by overhead wires from New Scotland Avenue that will travel through the existing gas easement between the proposed bypass and New Scotland Avenue. The service to the Site will need to be upgraded to meet the needs of the full build-out. National Grid and the Developer are currently evaluating the electrical service options for Phase Two. This will be constructed per the procedures set forth in the Public Services Law and is regulated by the Federal Energy Regulatory Commission (FERC).

Existing Gas Service in the vicinity of the Site consists of an existing 8-inch main in New Scotland Avenue. The main maintains a pressure of 45 psi and is sufficient to serve the Project. A new main will be constructed from New Scotland Avenue along the Bypass to the Site entrance, essentially following the conduit bank for telephone and cable TV service.

3.2.6 Solid Waste Disposal

Three single-family residences on the Project Site produce solid waste and generation on the site is negligible. Waste generation on the site will increase based on the proposed uses. Additional discussion of solid waste generation can be found in Section 4. See Appendix A: Correspondences.

3.2.7 Cultural Resources

A Phase IA/IB cultural resources survey was completed for the Project site Birchwood Archeological Services (See Appendix M: Cultural Resources Survey). The survey was conducted for approximately 275 acres where or near where disturbance of the ground is anticipated to occur. Of this area, approximately 128.5 acres were recently plowed at the time of the investigations. Prior to the onsite investigation, the area was considered potentially sensitive for both pre-historic and historic resources. This was determined by the site's proximity to ten known prehistoric sites and to several historic structures onsite.

The entire 274.8 acre investigation area was surveyed using test pits and field walkovers. The preliminary survey established approximately 2,300 shovel test pits (STP's) using a 15 meter grid projected across the site. About 300 (11 percent) were not excavated due to wetlands, steep slopes and other natural obstacles. Of the 2,000 test pits initially excavated as part of the shovel test pit grid, only 71 (3.5%) contained artifacts or cultural material, consisting primarily of modern refuse. In addition to this preliminary survey, Birchwood Archeological Services conducted a supplemental Phase IB cultural resources investigation at the LaGrange Site. This investigation was conducted to better define the site's archeological boundaries and to aid in planning of the site. Approximately 180 additional test pits were excavated around this site. The findings for both studies are summarized hereafter.

The preliminary survey identified three areas of potential prehistoric value and six sites of potential archeological value. These sites were designated as the Peter McCutcheon House Site, the Christian LaGrange Site, and loci 1 through 7. Seven prehistoric isolated finds were identified at three separate sites and historic finds were identified at four other sites. The findings for these locations are summarized hereafter by site.

> The Peter McCutcheon Farm Site

The Peter McCutcheon Farm site consists of a mid-18th century brick residence and associated landscape features, including two roads, a pond, and the foundation of a barn or other outbuilding. Artifacts recovered from the site include a diverse array of ceramics and other domestic and architectural refuse. Other artifacts include plastic, coal and coal ash, and strap iron fragments. The structure was previously determined eligible for NRHP inclusion under criterion A, C and D. Because of this previous determination, as well as the potential of the site to yield valuable information about rural Albany County in the 19th century, additional archaeological investigations were undertaken. A Phase II study combined additional field investigations with documentary research to determine the eligibility of the deposits.

> The Christian LaGrange House

The Christian LaGrange House is a late 18th century wood framed residence. The site also includes a number of outbuildings, a small cemetery, and other landscape features (garden, cistern and wells). Under the current plans for the property, the Christian LaGrange House and a small cemetery will be avoided as part of the proposed project by creating a large traffic loop. A supplemental Phase IB Cultural resource survey was performed at this site. This survey consisted of 123 test pits arrayed on a 15 meter grid overlaid the LaGrange Farm. 17 test pits revealed historical cultural material relating to residence at

the house. Recovered artifacts include architectural material (brick, wire, nails, flat glass, and screws) and domestic artifacts—mostly porcelain from varying time frames. An additional 62 test pits were excavated to the north of the site in order to define the site boundary. These excavations recovered both historic and modern cultural material. These include architectural materials (nails, bricks, asphalt roofing), domestic artifacts, food remains, and other miscellaneous artifacts (coal, asphalt and a .22 caliber casing).

In light of this additional testing, it appears that artifacts are concentrated in the southwest corner of the house, in the vicinity of the house and outbuildings. As a result, the site boundary appears to be smaller than originally thought and encompasses approximately 1.5 acres excluding the barn area and cemetery. No artifacts were recovered from the cemetery of the southeastern corner of the site. Also, no historic artifacts were recovered from the vicinity of the barn. A concrete pad and a cistern are located near the house. Neither of these features appears significant in the opinion of Birchwood Archaeological Services. Furthermore, the supplementary report recommends that no additional archaeological work will be necessary near the barn or cemetery.

> Locus 1, 2

These two sites are the location of 19th century artifact concentrations. At locus 1, ninety percent of the artifacts represent food remains or food preparation and serving. No architectural refuse was encountered, suggesting that the site represents a domestic refuse deposit and not the remains of a structure or outbuilding. The fact that no additional artifacts were recovered from the test pits suggests that the deposit is likely shallow and that additional subsurface investigations would be unlikely to reveal a significant amount of new information. The report also concludes that additional excavations would unlikely reveal significant new information about life at the LaGrange Farm. For these reasons the cultural resources report recommends no further work is necessary at either of these sites.

> Locus 3, 4, 5

Chert flakes interpreted to be prehistoric artifacts were identified in these three locations. Twenty-seven additional subsurface test pits were excavated in and around these sites in light of these preliminary findings. No additional prehistoric artifacts were recovered from any of these test pits. Evidence of a stone hearth (fragments of fire cracked rock) and charcoal was found at Locus 4. Further investigations identified small flecks of charcoal, which were determined to be modern due to its association with decomposing branches and leaves.

> Locus 6

A late 19th or early 20th century farmhouse with the remains of outbuildings and landscape features (Locus 6) were also identified on the site. No artifacts were recovered from the front or side yards of the house, with almost all of the material from this site being recovered from the rear of the structure. Artifacts recovered from the site include both architectural refuse (nails, brick, and glass) and domestic artifacts (whiteware, gray salt glazed stoneware, pearlware, shell and bottle glass). Other artifacts recovered from the back yard deposits include shoe leather, part of a large dial, possibly from an early appliance, and coal and coal slag. While 19th century artifacts are represented in the assemblage, the majority of the material appeared to date to the mid-late 20th century. Two test pits near the barn remains identified coal and a machine cut nail.

> Locus 7

The remains of a small wood framed structure (Locus 7) occur near the center of the southern boundary of the Project Area to the east of the gas transmission line. Trash dating from the mid through late 20th century is littered around the remains. The structural remains and associated refuse appear recent and the site does not appear eligible for inclusion for the National Register of Historic Places under any of the established criterion.

3.2.8 Environmental Conditions

A Limited Phase 1 Environmental Site Assessments (ESA) was conducted for the Project site in accordance with the American Society for Testing and Materials (ASTM) Standard Practice E 1527-00, by Clough, Harbour & Associates (CHA) in April 2004 (See Appendix N, ESA Reports). Individual site assessments were conducted for the Clark parcel (74.00-1-29.10) and the Jones Parcels (74.00-1-30 in the Town of Bethlehem, 73-2-27 in the Town of New Scotland).

None of the parcels appear on any federal or state regulatory databases for hazardous waste sites, hazardous waster generators, registered tanks, spills, leaking tanks, or solid waste landfills. There are a limited number of such facilities located within specified radii of the subject site, however, none of these facilities appear to present a potential off-site concern relative to the subject site.

CHA has performed the Phase I ESA in conformance with the scope and limitations of ASTM Standard Practice E 1527-00. This environmental assessment pertaining to the Jones Parcel in the Town of Bethlehem revealed evidence of known environmental conditions pertaining to the possibility of former fuel tanks and fueling equipment in use with the airport operations on site. The facilities are believed to have most likely been in the vicinity of the former hangar/barn, which is now collapsed. No petroleum storage tanks or associated piping was observed during the investigation.

Pursuant to finding evidence of recognized environmental conditions on the site, an investigation has been undertaken to further assess subsurface soils for evidence of petroleum storage tanks or petroleum spills that may have occurred during the daily operations of the airport while it was in use. Test pits and soil boring locations were placed in areas of the property that would most likely have been areas of petroleum fueling and maintenance while the airport was in use.

Soil samples were analyzed in a laboratory for concentrations of volatile and semi-volatile organic compounds. The following substances were detected at concentrations below levels recommended for soil clean up (TAGM 4046 standard): MTBE and sec-butylbenzene, p-isopropyltoluene, acenaphthene, fluorine and pheanthrene within test pit TP-7 (6-8 feet). Total metals concentrations reported by the laboratory were compared with TCLP metals regulatory concentrations. Each of the 8 RCRA metals concentrations did not exceed the regulatory limits for the 8 soil samples collected from the test pits and soil boring on April 13, 2006.

The investigation report concludes that based on the data collected from the subsurface investigation, no further investigation is needed at this time. If additional contaminants are discovered in the course of site preparation and construction, the appropriate state and federal regulatory agencies will be contacted and

the Applicant will ensure that a remediation program is developed and implemented (See Appendix N, ESA Reports).

According to the New York state Department of Health Basement Radon Database, the subject site is located in an area in which the average indoor basement radon level is reported as 2.1 picocuries per liter (pCi/l). The federal recommended allowable continuous exposure level for radon is 4.0 pCi/l.

3.2.9 Visual Resources

The northern, southern and western boundaries of the proposed development area on the Project site are characterized by steeply sloping ravines. The proposed buildings will be located in gentle topographic depression that will limit the visibility of these structures from surrounding areas. North and west of the Project Site, existing land uses are characterized as open space, agriculture and rural residential. South and east of the Project Site, existing land uses include suburban commercial and suburban residential. The eastern property boundary will be bordered by the extension of the Slingerlands By-Pass. The existing Price Chopper Shopping Plaza is located southeast of the Project Site.

Pursuant to the NYSDEC Visual Policy, an analysis of sensitive receptor sites was conducted. Based upon this analysis, sensitive visual receptor sites were identified. The majority of those identified are at or beyond a distance of five miles from the project site. Generally, sites over 5 miles away are received as background by the human eye, a distance where most activities are indistinguishable from their surroundings. This limit is established per NYSDEC guidance for visual evaluations.

The receptor sites identified include: the John Boyd Thacher State Park, located approximately 6 miles to the west of the Project area; a state wildlife management area and adjacent state purchased lands (near Black Creek Marsh) located approximately 5 miles to the west of the Project Site; and the Onesquethaw Valley Historic District, listed on the National Register of Historic Places, and located approximately 5 miles southwest of the Project Site. See Figure 15.a – Viewshed Analysis.

3.2.10 Community Services

Community facilities within the Town of Bethlehem and the Town of New Scotland near the Project site primarily include municipal facilities, schools, emergency services, library, post office, and senior services.

3.2.10.1 General Government

The Project is located in the Town of Bethlehem and the Town of New Scotland in Albany County. The Towns will assume ownership and responsibility for the maintenance of the proposed public roads and associated water and sewer lines on the Project site.

3.2.10.2 Educational Facilities

Three schools districts are found in the Town of Bethlehem: the Bethlehem Central School District, the Ravena-Coeymans-Selkirk Central School District, and a small portion of the Guilderland Central School District.

The Project site is located within the Bethlehem Central School District, which encompasses the northern half of the town. The District operates five elementary schools, one middle school, and one high school. Pre-school facilities are offered in one of the District’s elementary schools. For the 2003 – 2004 school year, 5022 students were enrolled in the Bethlehem District according to the New York State District Report Card. This figure is 12 students fewer than the previous school year (5,034) and is 55 students greater than the two years previous (4,965).

The following chart tabulates the number of public school facilities and enrolment figures for school districts located within four miles of the Project site:

Table 3-4: Education Facilities						
School District	Elementary School	Middle School	High School	2002-2003	2003-2004	2004-2005
Guilderland	5	1	1	5,667	5,664	5,645
Voorheesville	1	0	1*	1,292	1,268	1,272
South Colonie	4	2	1	5,739	5,742	5,688
Ravena-Coeymans-Selkirk	2	1	1	2,328	2,337	2,261
Bethlehem	5	1	1	5,034	5,022	5,118
Albany	12	2	1	9,406	9,632	9,237

* Denotes combined Middle and High Schools

3.2.10.3 Police Protection

The Bethlehem Police Department is located at 447 Delaware Avenue in the Hamlet of Delmar. The Albany County Sheriff’s Department and the New York State Police also service the Project site. The Albany County Sheriff’s Department is located at County Courthouse in the City of Albany, approximately twelve miles from the Project site. Headquarters for the New York State Police Troop G is located in Loudonville. The closest Troop G Station is located in the Town of New Scotland on 2019 Indian Fields Road, in Feura Bush, approximately seven miles from the Project site. Letters have been mailed to each, and a follow-up telephone call has been made to Sgt. Mark Bellinger of Troop B in Feura Bush. Sgt. Bellinger is reviewing the Project and will provide a written response. See Appendix A, Correspondences for copies of the letters and the telecom with Sgt. Bellinger.

3.2.10.4 Fire Protection & EMS

The Town of Bethlehem has many fire and emergency services prepared to assist. Many of these are volunteer services. There are seven fire departments serving Bethlehem including the Delmar Fire Department, North Bethlehem Fire Department, Elsmere Fire Company A, Slingerlands Fire Department, Selkirk Fire District #1, Selkirk Fire Company #2 and South Bethlehem Fire Department. In addition, the Bethlehem Volunteer Ambulance Service and the Western Turnpike Rescue Squad also provide services. See Figure 16, Fire District Map.

Two response units, Medic unit 2, located in Delmar, and Medic unit 3, located in Selkirk, serve the Town of Bethlehem. Full-time paramedics man both. In addition, there are three volunteer ambulance services each covering a portion of the Town. The Western Turnpike Ambulance Squad responds to emergencies in North Bethlehem; the Bethlehem Volunteer Ambulance Service, Inc. responds in the Selkirk, Glenmont, South Bethlehem area; and the Delmar Rescue Squad serves Delmar, Elsmere and Slingerlands. Bethlehem's Emergency Management Office coordinates all town service in the event of a natural or man-made disaster.

Direct coordination has been made with the Slingerlands Fire Department which covers the Project Site. According to Chief Jason Tyce, the department is aware of the Project and will be providing their comments on any potential issues they anticipate related to fire protection. A meeting between the Applicant and the Fire Department is being arranged to continue the dialogue and ensure any concerns the department may have are addressed.

See Appendix A, Correspondences for copies of related letters and the telecom with Chief Tyce. Coordination with all involved protective service providers will continue.

3.2.10.5 Population and Income

The 2000 US Census reported that 31,304 people live in the Town of Bethlehem. In the 1990's, Bethlehem's population grew by 13.6 percent (3,752 persons). Between 1980 and 2000 the population grew by 28.8 percent (7,008 persons). This rate of growth is significantly higher than Albany County and the four-county Capital Region as a whole during the same periods, however it is similar to the growth experienced by many of the region's suburban communities during this time.

Population projections for the region indicate that Bethlehem will continue to experience steady population growth. By 2030, the Town's population is projected to reach approximately 37,500 persons, a 20% increase over the 2000 population.

In 2000, approximately 68.4% of the Town's working age population was in the labor force. The unemployment rate was 3.5%. According to the 2000 Census, over 55% of those persons in the Town ages 16 and over have occupations in management and other professional services. Employment in this sector constitutes the single largest segment of the workforce and is consistent with the level of high educational attainment by Bethlehem residents. Sales and office occupations form the second single largest segment (24%) of the workforce. The farming, fishing and forestry occupations have the smallest

percentage of persons in the workforce with 0.1%. A detailed discussion regarding the Projects potential impacts on income and tax revenue is included in Section 4. See Appendix C: Economic & Fiscal Impacts Report.

The median household income for the Town of Bethlehem is \$63,169, which is more than \$20,000 higher than county and statewide averages. In Bethlehem, 2.3 percent of all families were below the poverty level in 1999. By comparison, 16 percent of families in the City of Albany were below the poverty level during that same time period.

Table 3-5: Demographics

	Population 1990	Population 2000	Population % change	Median Household Income 2000 (in 1999\$)	Per Capita Income 2000 (in dollars)
Town of Bethlehem	27,552	31,304	13.6%	\$63,169	\$31,492
Albany County	292,594	294,565	0.7%	\$42,935	\$23,345
New York State	17,990,455	18,976,457	5.5%	\$43,393	\$23,389

Source: 2000 U.S. Census

3.2.10.6 Housing

Bethlehem's location just west of the City of Albany is convenient for a number of reasons which will contribute to growth pressures in the area. These include region's quality of life bolstered by significant natural resources, nearby rural landscapes, quality schools, and the emerging technology industry in the region.

According to the 2000 U.S. Census, almost 12,500 households resided within the Town. The average family size in 2000 was 2.53 persons. The US Census also counted 12,112 occupied housing units of which 8,845 were single-family homes. The remainder consists of a mix of semi-attached units and small- to medium-sized apartment buildings. Over 55% of the structures were built between 1950-1989. Less than 18% of the units have been constructed since 1990.

3.2.11 Noise

The Town of Bethlehem has no ordinance regulating noise intensity. Existing noise levels in the study area include noise from the major roadways and other background noise (birds, insects, and human activity in neighboring residential areas). The site is adjacent to New Scotland Road and NYS Routes 85 and 140, all roads with high traffic volumes and associated noise impacts. The nearby Price Chopper development is also a generator of traffic. Areas to the north and west of the Project site are rural and, as such, are characterized by low ambient noise levels. See Appendix P: Noise Report.

Table 3-6: Typical Day-Night Noise Levels Associated With Different Residential Environments (USEPA 1974)

Rural	40-46 dBA
Quite Suburban	46-53 dBA
Suburban	53-63 dBA
Urban, Low-Density Residential	58-63 dBA
Urban, Medium-Density Residential	63-68 dBA
Urban, High-Density Residential	68-78 dBA
Urban, Downtown Business District	74-81 dBA

Source: USEPA

Existing noise level measurements were conducted during June 2006 at the four locations shown on Figure 1 in Appendix P. These sites (A, B, C, and D) signify the extent of the study area. Observed background levels were between 42 and 49 dBA (Decibel, A weighted).

3.2.12 Light Pollution

Few residences, aside from those currently on the site, are situated nearby the Project site. The existing residential uses on the Project site result in negligible contributions to the ambient light levels. John Boyd Thacher State Park is located approximately 6 miles to the west of the Project area. A state wildlife management area and adjacent state purchased lands (near Black Creek Marsh) are located approximately 5 miles to the west. The Onewsquethaw Valley Historic District, listed on the National Register of Historic Places, is located approximately 5 miles to the southwest. Generally, the human eye cannot distinguish activities from their surroundings at distances greater than five miles away.

Potential Environmental Impacts, Impacts that Cannot Be Avoided and Mitigation Measures

4.1 Natural Resources

4.1.1 Surface Soils and Geology

4.1.1.1 Topography

Potential Impacts- Potential Direct Adverse Impact on Stormwater, Erosion, and Siltation from Storage of Removed Soil.

The geotechnical report indicates there may be locations where existing soil (overburden) may need to be removed in order to provide suitable support for building foundations, floor slabs, and pavements. The site is mantled with topsoil and, in many areas, tilled soil. As such, it should be expected that the surficial one to three feet of overburden are likely wet, loose or soft and contain organics which have been tilled into the soils. The depth of soil to be removed will be dependent on the organic content and seasonal wetness and will need to be evaluated on a case-by-case basis. The excavated soil material will be graded into the Project site. This may adversely impact stormwater, erosion, and siltation. (See Appendix D: Geotechnical Report).

Mitigation

An appropriate area of the Project site will be designated for the grading of excavated overburden. This will exclude those wetlands to be re-graded and filled per ACOE authorization. Wetlands, steep slopes, and other potentially sensitive ecological and cultural sites will be avoided. Stormwater management practices and other erosion control practices will be identified in a Stormwater Pollution Prevention Plan (SWPPP) that will be prepared prior to the start of construction. These techniques will be implemented to reduce to the maximum extent practicable any impacts arising from stormwater pollution, erosion, and siltation. Graded overburden will be compacted and contoured to blend into the existing topography.

Significance of Impact

Since any adverse impacts from grading overburden into the site will be addressed to the maximum extent practicable, no significant adverse impacts are anticipated.

4.1.1.2 Geology

Potential Impacts- Potential Avoidable Impacts on Stability of Steep Slopes Onsite

The slopes that exist in the project area are usually found to be stable. Generally speaking, construction occurring near steep slopes can alter slope stability, result in slope failure, increase erosion, damage property, and impact public safety (Figure 5.b: Steep Slopes & Flood Plains).

Mitigation- Building Setbacks from Steep Slopes

Based on the investigated subsurface conditions and existing topography, safe set back limits were established for site planning purposes. The setback limits were selected to provide a customary factor of safety for the structures, parking and roadway areas of the site under the assumption that slope failures could occur in the future. The cause of potential failure of existing slopes would likely be the result of natural erosion of the slope face or along the toe of slope by the Normanskill and its tributaries. The subsurface geotechnical report (See Appendix D) notes that refined setback limits should be based on proposed grading plans. See Figure 6: Conceptual Grading Plan for the slope setback line.

Parking areas, driveways, and other similar improvements should be located outside of a zone defined by a line extending up from the toe of adjacent slopes at an inclination of 1V:4H for slopes less than 50 feet in height. The inclination should be no greater than 1V:5H for slopes greater than 50 feet in height. The parking setback line encroaches into parking areas behind Buildings ‘V’, ‘O’, ‘D’, ‘H’ and ‘I’, and the roadway in front of Building ‘P’. A small detention basin adjacent to Building ‘S’ is also located in the setback zone. These encroachments will be mitigated by placement of controlled fill and site grading design. Individual geotechnical evaluation of each condition will be provided during the site plan approval process.

Building structures should be located outside a zone defined by a line extending up from the toe of the adjacent slope at an inclination of 1V:4V for slopes less than 40 feet in height. The inclination should be no greater than 1V:5V for slopes greater than 40 feet in height. A small portion of Building ‘Y’ is shown in the slope setback area. The actual slope setback for this building will ultimately be outside of the footprint due to the proposed lowering of the existing grade to the first floor elevation of the building.

Stormwater detention basins located in the slope setback areas will required a natural clay or synthetic liner to prevent the overburden soils from saturating over time. The current development plan has one small basin located near Building ‘S’ that would need to be designed using this criteria.

Significance of Impact

Using the minimum setbacks established for this site will ensure that the steep slopes on the site are not impaired. The slope setback line may be adjusted for individual building site contingent upon a detailed geotechnical investigation and analysis. Such adjustments, if necessary, will be reviewed in the site plan approval process and subsequently subject to the approval of the Town Building Inspector. Therefore, impacts on slope stability are not anticipated to be significant.

4.1.2 Water Resources

4.1.2.1 Groundwater

Potential Impacts- Unavoidable Impact on Groundwater Infiltration and Avoidable Impacts to Groundwater Quality

> Construction Activities

Construction activities, if not properly managed, could result in groundwater quality impacts.

> Increase Impervious Surfaces Impacting Groundwater Infiltration

Groundwater quality may be impacted by increases in impervious surfaces. Under the current design of the Project, impervious area will increase from approximately 1.2 percent of the total site to approximately 15.2 percent. This increase in impervious cover would, without mitigation, reduce groundwater infiltration rates.

> Contaminants in Runoff

The increase in impervious areas particularly associated with roads and driveways may increase the potential for runoff, which could be contaminated with automobile related pollutants such as oil, grease, and other petroleum products. There may be adverse water quality impacts associated with landscape maintenance, such as pesticides and fertilizers.

> Sewage Impacts

Due to the proposed use of municipal sewer services, no adverse impacts to groundwater onsite related to sewage disposal or treatment are anticipated.

> Private Wells

Two water wells are located on the site. One is located near the McCutcheon House. The other is located near the residence identified as Locus 6. Through an analysis of the land use data for properties within ½ mile of the proposed area of disturbance on the Project Site, 21 numbers of properties were identified as likely to contain private water wells. Due to the fact that no mapping currently exists depicting the current municipal water lines in either the Towns of Bethlehem or New Scotland, these sites were selected based upon their size relative to nearby smaller lots requiring municipal water. See Figure 4a: Private Wells Assumed Locations.

No impacts on the quality and/or amount of water associated with the private wells are anticipated due to the following:

- > No hazardous materials are anticipated to be used and/or stored on the site by future tenants;
- > The site will be served by the municipal water system; and
- > Well water will only be used for lawn maintenance on the Vista Campus.

Mitigation

> Construction Activities

The Stormwater Pollution Prevention Plan (SWPPP) will be developed for the Project and will be fully implemented. The SWPPP will be developed in accordance with the standards and requirements of the NYSDEC General SPDES Permit, which regulate stormwater runoff from construction sites. This plan is required by the NYSDEC and spells out the steps that will be taken to limit to the maximum extent practicable stormwater pollution and erosion from construction activity. The Applicant is required to perform inspections weekly and after significant rain events during construction to ensure that the erosion and sediment control measures are properly implemented and functioning. In addition, construction activities may be reviewed by NYSDEC inspectors if public concerns are raised. (See Appendix F: Preliminary Stormwater Management Report)

> Increase in Impervious Surfaces Impacting Groundwater Infiltration

The use of stormwater detention and infiltration systems will capture additional stormwater runoff from impervious cover. This will ensure that rainwater is detained and allowed to infiltrate onsite.

> Post-Construction Contaminants in Runoff

The SWPPP will be developed in accordance with the standards and requirements of NYSDEC General SPDES Permit regulating stormwater runoff from construction sites. The Plan will propose the use of techniques to reduce the pollutant load in stormwater runoff from developed areas, including petroleum products from automobiles. Permanent erosion and sediment control measures to be implemented may include the establishment of a ground cover in areas not scheduled to be paved, storm sewers, catch basins, and the water quality treatment units. Construction details and locations of these practices will be provided in the Project Site Plans. Low impact lawn care practices will be used instead of conventional practices where feasible. (See Appendix F: Preliminary Stormwater Management Report)

> Sewage Impacts

No mitigation practices proposed since no impacts are anticipated.

> Private Wells

No mitigation practices proposed since no impacts are anticipated.

Significance of Impact

> Construction Activities

Due to the fact that the SWPPP will be fully implemented, impacts on groundwater infiltration rates and stormwater pollution associated with runoff and erosion are not anticipated to be significant from construction activities

> Increase Impervious Surfaces Impacting Groundwater Infiltration

Due to the fact that the amount of impervious cover is comparatively small and that stormwater facilities will be designed to detain stormwater runoff onsite, onsite impacts on groundwater infiltration are not anticipated to be significant.

> *Contaminants in Runoff*

Stormwater detention and infiltration practices designed in accordance with NYSDEC standards will reduce the pollutant load coming from parking lots and other impervious surfaces. Low impact lawn care practices will also reduce the number of polluting inputs into groundwater. No significant impacts are anticipated.

> *Sewage Impacts*

No impacts on groundwater infiltration are anticipated.

> *Private Wells*

No impacts to the water quality and/or quantity associated with private wells are anticipated.

4.1.2.2 Surface Water

Potential Impact- Indirect Impacts on Surface Water Quality and Flooding Related to Development and Stormwater Runoff

With the exception of one small pond, no streams or other permanent waterbodies occur in the project development area. As a result no impact will occur to these resources. The upper reaches of several intermittent drains will be affected by the proposed development. As discussed below, the potential for indirect impacts to the drainage ways will be limited by proper erosion and sediment controls and stormwater runoff controls during construction as well as vegetation stabilization and stormwater control during construction. No construction is planned for areas within the 100-year floodplain of the Normans Kill Creek. While no disturbance to the 100-year floodplain is proposed, there does exist the potential for indirect adverse impacts related to erosion and increased stormwater runoff rates during and after construction.

Mitigation

Mitigation measures will include the full implementation of the Stormwater Pollution Prevention Plan (SWPPP), which will also establish BMPs and other construction techniques to be used during and after construction to control erosion, pollution, and runoff rates. Other measures will include construction of detention and/or retention basins to limit peak runoff from the Project to pre-development rates. Construction of wet ponds, grassy swales and other water quality protection measure will mitigate impacts on the quality of stormwater runoff. (See Appendix F: Preliminary Stormwater Management Report)

Significance of Impact

Since no construction is planned for areas within the 100-year floodplain, and BMPs and other mitigation measures will be fully implemented in compliance with the SWPPP, no impact on the 100-year floodplain is anticipated.

4.1.2.3 Wetlands

Potential Impact- Permanent Fill to Wetlands

Several potential development schemes, which would have impacted a significant amount of wetlands, were initially considered for the Project. These alternative plans and details of the wetland impacts from the proposed plan are discussed in the Wetland Impact Analysis Report provided in Appendix E. The proposed plan will result in a much reduced wetland impact and avoids wetland impacts as much as practicable. The Project proposed in this study will directly impact approximately 2.37 acres of wetlands within the jurisdictional boundary of the ACOE. As depicted on DEIS Figure 8.b: Wetland Impacts & Mitigation, these impacts are related to the Project's proposed roads, driveways and building construction, and will impact the following wetlands: C, F, G, H, I, L, M, N, O, Q, T, U, Y, BB, HH, MM, and NN. The proposed impacts will require an individual Section 404 Clean Water Act Permit from the ACOE, a Section 401 Water Quality Certification Permit from the NYSDEC and compensatory mitigation as discussed below. The application to the ACOE Individual Section 404 Permit and the Individual 401 Water Quality Certification Application to the NYSDEC are included in Appendix E.

As originally identified in the Design Feasibility Study by Creighton Manning Engineering (see Appendix I), the construction of the roundabout on the Bypass will have additional wetland impacts within the NYSDOT Right-of-way. Although impacts of 0.13 acres were originally envisioned, design efforts were made to minimize the impacts, which have resulted in a reduction of impacts to 0.08 acres. Since these impacts are due to the construction of the roundabout to provide access to the VISTA access boulevard, the impacts are associated with the Project and will be mitigated by such.

Mitigation

To compensate for direct wetland impacts on the project site, two methods of mitigation are proposed. These are: 1) the establishment (creation) of 3.2 acres of wetland (depicted on DEIS Figure 8.b), and 2) a deed restriction to retain land in its natural state. On-site wetland creation of approximately 3.2 acres will replace the loss of approximately 1.54 acres of wet meadow and scrub-shrub wetland habitat and 0.83 acre of deciduous forest wetland at a 1:1 ratio for the wet meadow/scrub-shrub wetland and 2:1 ratio for the forested wetland. In addition, approximately 155 acres of land will be deed restricted to remain in its natural state. This deed-restricted area consists of upland deciduous forest, emergent wetlands, floodplain forest, and a portion of the Normans Kill. The deed-restricted areas could be donated to the Towns or a land trust entity. Details of the mitigation plan are provided in the Wetland Impact Analysis Report provided in Appendix E.

A general outline of the proposed wetland establishment area is shown on DEIS Figure 8.b. Although this general outline represents almost 4 acres, approximately 3.2 acres of wetland is proposed to be created within this area. This area was selected for wetland establishment because it is an area of abandoned agricultural land and is adjacent to several other on-site wetlands. Once established, the created wetland together with the existing wetlands will provide a nice wetland complex. Another advantage of the wetland creation area is a gas pipeline right-of-way that could be used to establish a trail

system through the wetland creation area. Most of the wetland creation area will be planted with wet meadow vegetation. The borders of the created wetland area will be scrub-shrub wetland.

The second aspect of the mitigation plan is the restriction of development on a large portion of the property surrounding the site. This area is shown on Figure 10 in the Wetland Impact Analysis Report (Appendix E) and is approximately 155 acres in size. It will be restricted from development by a deed restriction and it may be donated to the Town or a land trust entity.

The deed restriction area has considerable ecological value. It is primarily forest land on slopes of ravines and the floodplain to the Normans Kill. A large area of forest within the floodplain of the Normans Kill is included, as well as extensive wetlands along the watercourses.

The ecological value of the deed restriction area is reflected by the following natural resource features included within the area.

- Approximately 155 acres of primarily forest land of both wetland and upland types.
- Extensive areas of steep slopes.
- Approximately 5,600 feet of perennial streams.
- Over 13,000 feet of intermittent streams.
- Approximately 4,000 feet of the Normans Kill.
- Over 18 acres of land within the 100-year floodplain to the Normans Kill.

Preservation of this area will be a valuable asset to the surrounding residents and the Town.

The proposed direct impacts to the wetlands will be minimized, and the chance for indirect impacts will be mitigated through the use of proper construction techniques employed during construction in accordance with industry standards and BMPs. Further, silt fences will be installed below the disturbed areas for the duration of the construction to collect disturbed sediments. These filters will be inspected and cleaned out in accordance with NYSDEC requirements.

In addition, the impacts associated with the roundabout construction at the entrance to the VISTA Campus will be mitigated as part of the roundabout construction project.

Significance of Impacts -Permanent Fill to Wetlands

Through full compliance with the requirements of the Individual Permit from the ACOE, the NYSDEC Water Quality Certification, the implementation of the Compensatory Mitigation Plan (under development) discussed above, compliance with the SWPPP, and the use of proper construction techniques and BMPs, direct adverse impacts to these related to the construction of the Project and the roundabout while permanent, will be offset and fully mitigated through compensatory mitigation measures which will include the creation of two times the acreage of wetlands to be lost. As a result, the impacts are not anticipated to be significant.

Potential Impact-Indirect Impacts to Wetlands

In addition to the direct impacts identified above, the Project will have the potential for indirect impacts to the Jurisdictional wetlands by erosion and sedimentation during construction and stormwater runoff, and other indirect impacts post-construction related to the use of the site.

More specifically, once tenants are established, adverse impacts could result through incremental filling of the wetlands (either voluntary or by accident), through the use of pesticides, herbicides, or fertilizers; dumping of trash; introduction of litter, as well as draining and mowing, all of which could impair the quality and function of the wetlands.

As previously discussed, the Project will result in an increase in impervious surfaces, thus increasing the potential for indirect impacts to the water resources on and off the site through stormwater discharges. Stormwater runoff may impair the wetlands through sedimentation and the introduction of vehicle-related contaminants, such as petroleum products.

Mitigation

To mitigate indirect impacts related to construction and post-construction activities, the SWPPP will be strictly implemented in accordance with NYSDEC requirements. To further mitigate indirect impacts, deed covenants and restrictions on future Campus tenants will serve to preserve and protect the remaining wetlands.

Significance of Impact

The potential for erosion and sedimentation during construction (a short-term impact), the increase in stormwater runoff from impervious surfaces and the potential for this runoff to introduce petroleum and other contaminants (a potential long-term impact) would minimally impact the Project sites wetlands due to the proposed implementation and compliance with the SWPPP and associated provisions and mitigation measures; and due to the indirect nature of the discharge and the distance the runoff must travel before reaching these waterbodies. Therefore, such impacts are not anticipated to be significant.

4.1.2.4 Stormwater

Potential Impact 1 of 2- Avoidable Impacts on Stormwater Quality and Quantity from Construction Activities

Construction activities, if not properly managed, could result in adverse impacts on stormwater quality and quantity.

Mitigation

> Stormwater Pollution Prevention Plan

Since proposed disturbance on the Project site will exceed one acre in size, construction activities on the site are regulated by the NYSDEC (SPDES General Permit for Stormwater Discharges from Construction Activity, Permit NO. GP-02-01). This regulation requires that a Stormwater Pollution Prevention Plan (SWPPP) be developed for the Project in accordance with the technical standards published by the NYSDEC. The SWPPP will address the design, implementation and maintenance of both the erosion and sediment control measures to be used during construction and the post-construction stormwater management facilities. The SWPPP must be completed and submitted for review prior to the start of construction in accordance with the notification requirements detailed in the General Permit. The Applicant will be required to perform inspections weekly and after significant rain events during construction to ensure that the erosion and sediment control measures are implemented and functioning properly. (See Appendix F: Preliminary Stormwater Management Report)

Significance of Impact

Due to the mitigation provisions noted above, the potential for increased stormwater runoff rates and stormwater pollution with respect to construction activities is expected to be short in duration and minimal. These potential impacts from construction activities will be mitigated to the maximum extent practicable, and is therefore not anticipated to be significant.

Potential Impact 2 of 2- Unavoidable Increases in Impervious Cover and Avoidable Indirect Impacts Related to Erosion and Siltation of Water Resources

The Project will result in the addition of commercial and industrial structures, roads, parking areas, walkways, landscaping, and areas devoted to stormwater management facilities. These site improvements will result in an increase in impervious area of approximately 60 acres. These changes may impact existing stormwater runoff rates and stormwater quality on the site.

Mitigation

> Limiting Peak Stormwater Runoff Rates

On-site stormwater management must ensure that post-construction peak runoff rates are limited to pre-construction rates. NYSDEC requires that stormwater calculations are determined for the 10 and 100 year, 24 hour storm events. Preliminary stormwater runoff calculations have been developed for the Project and are provided in Appendix F: Preliminary Stormwater Management Report. The purpose of these calculations is to determine the appropriate location and design of stormwater treatment facilities. These runoff calculations were performed for each drainage area for both pre- and post-construction conditions utilizing Soil Conservation Service TR-55 methodology and the HydroCAD 7.0 computer program. In addition, Water Quality and Channel Protection Volumes are calculated for each of the sub-areas and these volumes must also be treated and detained on-site, in accordance with the NYSDEC Requirements (80% removal of Total Suspended Solids, 40% removal of Total Phosphorus).

Table 4-2 below, provides a summary of the Pre-and Post-Development Runoff for the Project site. Note that the post-development runoff rates include attenuation by the storm detention facilities

Table 4-2						
Pre- and Post-Development Stormwater Runoff						
Existing Design Point	WQv (cf)	CPv (cf)	Existing 10-yr Storm (cfs)	Proposed 10-yr Storm (cfs)	Existing 100-yr Storm (cfs)	Proposed 100-yr Storm (cfs)
DP-1	59,077	86,728	77.4	71.9	160.5	151.1
DP-2	13,611	22,408	30.2	22.0	45.7	35.6
DP-3	22,689	37,009	34.0	33.2	65.0	61.2
DP-4	31,258	52,261	21.9	18.6	43.7	43.3
DP-5	30,184	41,178	47.1	44.4	86.6	86.4
DP-6	10,907	13,960	38.0	34.1	75.7	70.5
DP-7	9,583	13,182	13.7	12.9	26.3	26.2
DP-8	31,050	41,522	30.0	28.2	62.0	61.4
DP-9	13,658	18,099	19.4	11.6	39.8	23.0
DP-10	19,672	28,585	24.0	22.6	49.5	42.8
TOTAL	241,689	354,932	335.73	299.5	654.82	601.5

> Stormwater Management: Stormwater Facilities Design, Construction

The stormwater management facilities for the proposed development must be designed in accordance with NYSDEC regulations (SPDES General Permit for Stormwater Discharges from Construction Activity, Permit No. GP-02-01). The proposed drainage areas have been designed to maintain, in most cases, approximately the same amount of area as the existing drainage areas. DEIS Appendix F contains all of the calculated peak runoff rates, required storage volumes to limit runoff to pre-development rates and calculation methodology for each of the areas. These volumes dictate the use of surface treatment/detention basins from both construction feasibility and financial standpoints. Proposed locations for the basins are shown on Figures 7.a and 7.b, Pre- and Post-Development Drainage Maps. Runoff will be conveyed to these basins both as overland flow, in open channels and through newly constructed storm sewer systems. Once treated and detained as required, the runoff will be discharged to the stream or ravine area at equal to or less than existing flow rates. The long-term post-construction operation and maintenance of stormwater facilities, such as detention ponds and stormwater catch basins, will be defined in the SWPPP developed for the site.

> Stormwater Management: Long-Term Operations and Maintenance

Once the stormwater facilities are constructed, there are several mandated inspection and review procedures to ensure continued safe maintenance of these facilities. The first entails the full implementation of the SWPPP for the site, which defines a long-term operations and maintenance program. The second set of procedures is mandated by the Town’s designation as a Phase II regulated community (NYSDEC SPDES General Permit for Stormwater Discharges from MS4s, Permit No. GP-

02-02). Because of this, the Town has developed a stormwater management plan (SWMP) to address impacts on stormwater from certain municipal and private activities in the Town. The SWMP is organized into six categories, or “Minimum Control Measures.” This includes an inspection program to be conducted by the Town and other guarantees by the landowner that ensure post-construction stormwater facilities are operating appropriately (Minimum Control Measure 5). The SWMP also includes a pollution prevention program for road maintenance as it relates to stormwater runoff (Minimum Control Measure 6).

Significance of Impact

Due to the mitigation provisions noted above, the potential for increased stormwater runoff rates and stormwater pollution with respect to post-construction activities will be mitigated to the maximum extent practicable, and impacts on stormwater quality and quantity is therefore not anticipated to be significant.

4.1.3 Climate and Air Resources

4.1.3.1 Climate

Potential Impacts

It is not expected that the development of the Project will impact the climate in and around Albany.

Mitigation

No climate related mitigation is required.

Significance of Impact

No significant impact on Albany’s climate is anticipated.

4.1.3.2 Air Quality

An analysis was conducted to ensure that the additional traffic generated by the Project will not result in a violation of the New York State or National Ambient Air Quality standards. The analysis is summarized below (see Figure 9: Air Quality Impact Analysis)

As discussed in DEIS Section 3.1.3.2 sensitive receptor sites within five miles of the Project Site were identified and depicted on Figure 9.

A wind rose analysis was then conducted for the Project Site, with the results depicted on Figure 9 Air Quality Impact Analysis. The Wind Rose diagram represents the direction of the wind along with its frequency and energy. Based upon the analysis, the strongest wind moves through the Project Site from the west-northwest to the east-southeast approximately 35% of the time. The next strongest wind direction is from the south-southeast to the north-northwest, which occurs approximately 20% of the time.

Based upon this analysis the following identified sensitive receptor sites downwind from and within five miles of and the Project Site based upon the Wind Rose analysis:

1. Bethlehem Central Junior High School and Memorial Park: Approximately 2.5 miles
2. Teresian House and Daughters or Sarah Nursing Homes: Approximately 4 and 4.5 miles respectively
3. North Bethlehem Town Park and McKownville Park: Approximately 1.7 and 2.2 miles respectively.
4. Normanskill Preserve: Approximately 3 miles.

Potential Impact on Microscale Air Quality

> Analysis Method

In order to determine carbon monoxide (CO) concentrations, various worst-case receptors were chosen adjacent to the Project area. Based on established procedures outlined in the Environmental Procedures Manual (EPM), worst case receptors are typically chosen at signalized intersections where it is anticipated that level of service conditions are expected to be D, E, or F. Un-signalized intersections do not typically warrant a detailed air quality analysis since traffic moves as free flow conditions. Any intersection requiring a detailed air quality analysis based on the level of service criteria may undergo additional screenings based on an analysis of the site conditions. These conditions will consider the reduction in source-receptor distances, traffic volume increases, vehicle emission increases, and speed reduction. The screening process is used to pinpoint locations where CO emissions will be the highest and contribute to the background air quality. Detailed air quality analysis is conducted using CAL3QHC, Version 2.0, which is a computer-based air quality dispersion model. This model is based on traffic parameters from the Highway Capacity Manual (HCM) and is capable of analyzing intersection and free flow receptors.

> Intersections requiring analysis

Based on a review of the Traffic Impact Study prepared for this project, ten study area intersections were assessed for air quality. These intersections are listed below. Additional information on these intersections can be found in the Traffic Impact Study (See Appendix I).

NY Route 85/Blessing Road

- > NY Route 85/New Scotland Road
- > NY Route 85/Price Chopper Plaza Driveway
- > NY Route 85/NY Route 140/Price Chopper Plaza Driveway/Bypass Road
- > NY Route 85/Kenwood Avenue
- > NY Route 140/McCormick Road North
- > NY Route 140/Kenwood Avenue/Cherry Avenue
- > NY Route 85/Maher Road/Bypass Road
- > Bypass Road/East Site Access Road
- > Bypass Road/West Site Access Road

> Intersections that do not require analysis

The following intersections are un-signalized and do not meet the requirements for additional detailed air quality analysis:

- > NY Route 85/Blessing Road (roundabout)
- > NY Route 85/Price Chopper Plaza Driveway (un-signalized)
- > NY Route 85/NY Route 140/Price Chopper Plaza Driveway/Bypass Road (roundabout)
- > NY Route 140/McCormick Road North (un-signalized)
- > NY Route 140/Kenwood Avenue/Cherry Avenue (roundabout)
- > NY Route 85/Maher Road/Bypass Road (roundabout)
- > Bypass Road/East Site Access Road (roundabout)
- > Bypass Road/West Site Access Road (un-signalized)

The two remaining signalized intersections of NY Route 85/New Scotland Road and NY Route 85/Kenwood Avenue were screened based on level of service criteria for the 2015 Build with improvements condition. These two study areas are expected to operate at overall level of service rating of C or better with the improvements outlined in the traffic study as mitigation. No further analysis is required at these intersections.

A detailed microscale air quality analysis is not necessary since this project will not increase traffic volumes, reduce source-receptor distances or change other existing conditions to such a degree as to jeopardize attainment of the New York State and National Ambient Air Quality Standards.

Potential Impacts from Mesoscale Air Quality

A mesoscale air quality analysis is conceptually similar to the microscale air quality analysis; however it covers a larger geographic area, typically larger than the immediate project area. In addition to carbon monoxide, a mesoscale air quality analysis monitors for volatile organic compounds (VOC) and nitrogen oxides (NO_x). In general, a mesoscale air quality analysis is required for projects involving the addition of through travel lanes (substantial in length) on main thoroughfares and major modification to highway interchanges. The proposed Vista Technology Campus will not affect traffic conditions over a large area and does not meet any of the criteria for a mesoscale air analysis found in Chapter 1.1 of the EPM; therefore, a mesoscale air quality analysis is not required.

Potential Impacts from Construction Activity

The air quality within the project area may experience short-term impacts due to project construction. This can include dust and other airborne particulates kicked up by construction activity. This increase is expected to be sporadic and short-term in nature and will be most noticeable in the area immediately adjacent to the construction. The impacts should be minimized by the use of dust inhibitors, such as calcium chloride and other dust-control provisions found in the NYSDOT Standard Specifications for construction. No impacts on identified sensitive receptors as a result of construction are anticipated, as the closest site downwind of the Project Site is the North Bethlehem Town Park at a distance of approximately 1.7 miles. The short-term air quality impacts associated with construction are anticipated to be kept very localized through the use of dust inhibitors.

Mitigation

No mitigation is required as a result of the above described air analysis screenings conducted for the Project. As noted, construction related impacts will be short-term and localized and will be minimized by the use of dust inhibitors, such as calcium chloride and other dust-control provisions found in the NYSDOT Standard Specifications for construction.

Significance of Impact

The construction of the project will not result in a violation of New York State or National Ambient Air Quality standards for carbon monoxide. Construction related impacts will be short-term and localized and will be mitigated by the use of dust control measures.

4.1.4 Terrestrial and Aquatic Ecology

4.1.4.1 Vegetation

Potential Impacts-Unavoidable Temporary and Permanent Loss of Vegetation

Of the approximately 327 acres of forest cover on the site, approximately 35 acres will be removed for construction and transportation improvements. Of the approximately 101 acres of open meadow and agricultural fields, approximately 63 acres will be developed or altered. While there will be unavoidable losses effected by this Project, sufficient areas will be re-vegetated or preserved as open space. The bulk of development will take place in areas that are currently agricultural or inactive fields. These land cover types generally have lower habitat value than more mature cover types.

Mitigation

To limit the loss of vegetation, the following mitigation measures will be implemented. All disturbed areas that are open will be re-vegetated as appropriate. Disturbed areas along the edges of roads will be seeded immediately after construction is complete. The entrances to the site will be landscaped with decorative plantings and an entrance sign. Any landscaping plan will be subject to a site plan review conducted by the locality. Additionally, significant portions of the site will remain as open space as indicated by the approximately 50 acres of managed and unmanaged lawn and open fields.

According to a letter dated May 12, 2004 from the NYSDEC, there are “no records of known occurrences of rare or state-listed animals or plants, significant natural communities, or other significant habitats, on or in the immediate vicinity of your site.” Likewise, in a letter dated May 13, 2004 from the United State Department of Interior, Fish and Wildlife Service that “no Federally listed or proposed endangered or threatened species under our jurisdiction are known to exist in the project impact area.” Therefore there will be no mitigation necessary to avoid impacts to any rare or state- or federally-listed plants, significant natural communities, or other significant habitats. (See Appendix A: Correspondences)

Significance of Impact

Although construction activities will result in the permanent loss of some vegetation, the losses do not include critical or otherwise significant vegetative habitats. Furthermore, significant amounts of open meadow and forest areas on the property will be preserved in their existing condition. Therefore, the unavoidable losses are not anticipated to be significant.

4.1.4.2 Fish and Wildlife

Potential Impacts- Permanent and Temporary Impacts to Habitats

The habitat value of the agricultural portions of the site is minimal and impacts on wildlife will be primarily to those species that inhabit the fields and meadows. Species that live there will be forced to migrate to neighboring habitats. However, the existing woodlands around the site will persist as viable habitat, while large swaths of open space will remain habitable to species living in open meadows.

According to a letter dated May 12, 2004 from the NYSDEC, there are “no records of known occurrences of rare or state-listed animals or plants, significant natural communities, or other significant habitats, on or in the immediate vicinity of your site.” Likewise, in a letter dated May 13, 2004 from the United State Department of Interior, Fish and Wildlife Service that “no Federally listed or proposed endangered or threatened species under our jurisdiction are known to exist in the project impact area.”

State and federal agency information together with recent onsite investigations of the site seems to characterize the habitats and species on the site as typical and not extraordinary for this area. No species or habitats were observed onsite, such that their viability would be threatened by the proposed development. Therefore there will be no mitigation necessary to avoid impacts to any rare or state- or federally-listed plants, significant natural communities, or other significant habitats. (See Appendix A: Correspondences)

There is concern among members of the public about white-tailed deer observed on the site. These observations were confirmed by the Vegetation and Wildlife Report (See Appendix H). It is anticipated that the Project will alter the home range of some deer. Deer are highly adaptable and coexist in and around developed areas. With the exception of several proposed structures by the entrance and a segment of onsite road improvements, most of the development is proposed to take place on open fields. Furthermore, large swaths of woodlands will remain undeveloped onsite. These areas are contiguous with more expansive wooded areas offsite and along the Normans Kill. In light of where development is proposed, the mobility of deer, and the conservation of large swaths of forested areas, it is not anticipated the project will threaten the viability of the deer population in and around the site.

In any area where deer are abundant there can be a concern that habitat loss might elevate deer numbers in nearby areas to nuisance levels. Although the Vista Technology Campus will reduce the area available for deer, it is unlikely that any residential areas will experience a notable increase in deer activity. Those portions of the site that will be developed are mostly open fields that developed from agricultural land, which are of limited value as deer habitat. Also, the site is situated in a large swath of forested habitat

oriented in a north to south manner west of Route 85 and east of the Normans Kill. There is sufficient habitat within this area to accommodate deer that are currently using the site. The current home range of these deer probably encompasses much of this large forested area, as well as scattered residential areas further south of the site.

The closest residential areas to the proposed development are about 1/3 mile to the south and southeast. More residential development exists further to the south. Land to the north and west is largely undeveloped. A mixture of commercial and residential development is found to the east along Route 85. Given the distance to residential areas, the limited value of habitat to be developed, the abundance of suitable habitat immediately adjacent to the site, as well as a large tract of forested land to the north, it is unlikely that the proposed action will result in nuisance levels of deer in residential areas. Nothing more than a minor shift in the pattern of deer activity will probably occur. Also, it should be noted that any changes in deer activity would be gradual because the project will be developed over the course of many years.

Mitigation

Since there are no records of threatened or proposed endangered or listed species on the site, no mitigation practices are proposed at this time.

Since the proposed development will largely be constructed on open fields (not woodlands) and that large expanses of woodlands will be conserved, no mitigation practices are warranted for the displacement of deer from the site.

The preservation of 155 acres of suitable deer habitat surrounding the proposed Vista Technology Campus should be more than sufficient to avoid any notable deer movement towards distant residential areas. Current deer use of the area to be developed is probably of a rather incidental nature. The surrounding forested habitats, which will be preserved, are likely the more critical portions of existing home ranges. Preserving 155 acres of existing habitat should avoid nothing more than a minor shift in current activity patterns. In the unlikely event that the proposed action results in deer reaching nuisance levels in distant residential areas, the only practical mitigation option is to reduce the number of deer in the area by means of sport hunting.

The site is located in Wildlife Management Unit 4J, a management unit that has special hunting regulations designed to reduce deer numbers. Because of the highly developed nature of this area, only bow hunting is allowed in Unit 4J. Hunters are allowed to kill either an antlered or antlerless deer with both a general big game license and an archery license. Special regulations also allow those hunters who kill an antlerless deer under a deer management permit to obtain a bonus permit to kill either an antlered or antlerless deer. Killing an antlerless deer with a bonus permit enables a hunter to secure additional bonus permits as long as only antlerless deer are taken. Thus, the hunting regulations in this area already encourage hunters to reduce the size of the deer herd.

There is no need to propose specific mitigation measures regarding this issue at this time. If in the future a deer problem is documented, the only practical way in which the applicant could effect a local reduction

in deer numbers would be to allow bow hunting within the surrounding 155-acre preservation area. While the need for such action is unlikely, it should be taken into account if and when the land is transferred to a land trust organization.

Significance of Impact

No significant impacts are anticipated at this time.

4.1.4.3 Protected Habitats and Species

Potential Impacts-No Direct or Indirect Impacts to Protected Habitats

According to a letter dated May 12, 2004 from the NYSDEC, there are “no records of known occurrences of rare or state-listed animals or plants, significant natural communities, or other significant habitats, on or in the immediate vicinity of your site.” Likewise, in a letter dated May 13, 2004 from the United State Department of Interior, Fish and Wildlife Service that “no Federally listed or proposed endangered or threatened species under our jurisdiction are known to exist in the project impact area.” Therefore there will be no mitigation necessary to avoid impacts to any rare or state- or federally-listed plants, significant natural communities, or other significant habitats. (See Appendix A: Correspondences)

The suitability of the site as roosting habitat for Indiana bats was assessed. The potential for Indiana bats to roost on the site in the spring and summer months is highly unlikely due to a lack of suitable roost trees

Mitigation

No mitigation practices are proposed at this time.

Significance of Impact

No significant negative impacts are anticipated at this time.

4.2 Human Resources

4.2.1 Transportation

A Traffic Impact Study (TIS) for the Project indicates that with the recommendations presented below, the offsite study area will be able to accommodate the proposed project. Transportation impacts on roads near the Project site were analyzed for: A. Level of Service impacts (both Phase I and Full buildout); B. Link Capacity; and C. Accidents. The potential traffic impact of the proposed project was determined by documenting the existing traffic conditions in the area, projecting future traffic volumes, including the peak hour trip generation of the site, and determining the operating condition of the study intersections after development of the proposed project. The entire Traffic Impact Study (TIS) is contained in Appendix I.

As per the New York State Department of Transportation (NYSDOT) Highway Design Manual (HDM), Driveway Design Policy (Section 5A) “The Department, through the Highway Work Permitting and

SEQR processes, identifies impacts on State highways that would occur from proposed developments. As a condition of the Highway Work Permit, the Department requires developers to mitigate significant adverse traffic impacts on State highways caused by the permitted development.” In addition, “Developers of commercial property and large subdivisions may, as a condition of their permit, be required to mitigate the impacts of their development to maintain the same level of service, safety, operation, and/or other measure of traffic conditions as the affected highway(s) would experience without the development.” Further, “Where strict application of this policy to new or improved driveways may create a severe economic hardship for the property owner, the Department may, at its discretion after an engineering review, grant exceptions to this policy where such exceptions are not likely to interfere with efficient and safe flow of traffic on the highway.” Since the Project driveways will connect to the Slingerlands Bypass (NYS Route 85), the NYSDOT will need to issue a HWP to construct the driveways within the State right-of-way.

The study area for this engineering analysis includes the following intersections:

- > NY Route 85/Blessing Road
- > NY Route 85/New Scotland Road
- > NY Route 85 (New Scotland Road)/Price Chopper Plaza Driveway
- > NY Route 85 (New Scotland Road)/NY Route 140 (Cherry Avenue Extension)/Price Chopper Plaza Driveway
- > NY Route 85/Kenwood Avenue
- > NY Route 140 (Cherry Avenue Extension)/McCormick Road North
- > NY Route 140 (Cherry Avenue Extension)/Kenwood Avenue/Cherry Avenue

Levels of Service - Phase I (2010)

Potential Impacts- Some negative impacts to Levels of Service (LOS) with the Stage I build scenario (2010)

Based on the TIS, there are some impacts to intersection Levels of Service (LOS) with the Stage I build scenario. Namely, the following lane groups experience a drop in LOS:

- > New Scotland Road (Rt. 85)/Kenwood Avenue: Rt. 85 EB and overall Intersection degrades from LOS B to C.
- > Cherry Avenue Extension (Rt. 140)/Kenwood Avenue (Rt. 443)/Cherry Avenue: Cherry Avenue Extension WB and Cherry Avenue NB Route 140 degrades from LOS C to D.

Mitigation Phase I Construction Scenario (2010)

By definition, these LOS drops are considered impacts (*New York State Department of Transportation (NYSDOT) Highway Design Manual (HDM) Section 5A.2.1.2 Mitigation*), however, their significance is minimal. On Department projects, the NYSDOT and the Capital District Transportation Council (CDTC) currently accept a LOS C as a ‘desirable’ standard with a LOS D acceptable as a ‘minimum’. Since these LOS drops are minor and will not interfere with efficient and safe flow of traffic on the highways, an exception to the NYSDOT’s policy to maintain pre-build LOS is being sought. With the proposed staging of the project, there are no other lane group LOS drops within the study area intersections through

Stage I construction. The future integration of the proposed pedestrian, bicycle and public transportation amenities will also aid in reducing traffic demands.

Significance of Impact Stage I Construction Scenario (2010)

The proposed Levels of Service are consistent with current standards, are not significant, and indicate that the project area intersections will operate adequately through Stage I construction.

Levels of Service- Full Buildout (2015)

Potential Impacts- Some unavoidable negative impacts to Levels of Service (LOS) with the full buildout scenario (2015)

Based on the TIS, there are some unavoidable impacts to intersection Levels of Service (LOS) with the Full Buildout Scenario. Namely, the following lane groups experience a drop in LOS:

- > Maher Road/New Scotland Road (AM Peak Hour): New Scotland Road NB Left Turn lane drops from LOS A to a LOS B. This is accompanied by an improvement to the Maher Road left turn movement, which improves from a LOS E to a LOS C.
- > New Scotland Road/Cherry Avenue Extension/Bypass (PM Peak Hour): Bypass SB traffic drops from a LOS A to a LOS C while the overall intersection drops from a LOS A to a LOS B.
- > Cherry Avenue Extension (Rt. 140)/McCormack Road North (PM Peak Hour): Cherry Avenue Extension SB Left drops from a LOS A to a LOS B.
- > Cherry Avenue Extension (Rt. 140)/Kenwood Avenue (Rt. 443)/Cherry Avenue (AM Peak Hour): although overall intersection LOS remains the same as without the project, Kenwood Avenue EB drops from a LOS E to a LOS F; Kenwood Avenue WB drops from a LOS C to a LOS D; and Cherry Avenue drops from a LOS C to a LOS D.
- > Cherry Avenue Extension (Rt. 140)/Kenwood Avenue (Rt. 443)/Cherry Avenue (PM Peak Hour): although overall intersection LOS remains the same as without the project, Cherry Avenue Extension (Rt. 140) SB Left drops from a LOS E to a LOS F while the SB Thru/right drops from a LOS D to a LOS E.

Mitigation Full Buildout Construction Scenario (2015)

By definition, these LOS drops are considered impacts (*New York State Department of Transportation (NYSDOT) Highway Design Manual (HDM) Section 5A.2.1.2 Mitigation*). Although the majority of LOS drops are minor and will not interfere with efficient and safe flow of traffic on the highways (where exceptions to the NYSDOT's policy to maintain pre-build LOS is being sought at this time), two intersections will experience significant impacts due to their LOS drops.

A LOS drop from LOS A to C is projected on the southbound approach to the New Scotland Road/Cherry Avenue Extension/Bypass roundabout and although a LOS C is generally accepted as an adequate LOS, the increase in delay of 13 seconds is considered a significant impact. Mitigation to reduce this increase would involve adding a third lane on the southbound approach of the roundabout to create a right-turn

bypass lane. Due to the negative effects this would have on pedestrian crossings at this approach and the LOS C will not interfere with efficient and safe flow of traffic on the highway, an exception to the NYSDOT's policy to maintain pre-build LOS is being sought.

The LOS drops at the Cherry Avenue Extension (Rt. 140)/Kenwood Avenue/Cherry Avenue intersection result in lane group conditions below the LOS D standard and are considered significant impacts. Since this intersection will be operating near capacity on several approaches without the addition of Project traffic, geometric improvements to improve operations to maintain an efficient flow would be required to maintain pre-build conditions. Since the traffic projections are based on numerous assumptions and judgments (effects of the Bypass opening, accuracy of future Town growth projections, accuracy of entire project build-out and trip distribution), it is proposed that a future traffic impact study be performed at this location, prior to the full-build scenario, to verify that the traffic projections materialize and some form of mitigation at this intersection is actually warranted. The future traffic volumes may be lower than projected and therefore, construction of the full Build-out could proceed with adequate reserve capacity at this intersection. This proposed approach will avoid unnecessarily increasing the size of the intersection which would have a negative effect on pedestrians due to longer crossing times and also a negative effect on the context of the intersection within the Hamlet.

A capacity constraint with the Full Buildout may also develop on the Bypass north of Blessing Road if the NYSDOT does not widen the Bypass as is currently planned. Widening the Bypass is currently envisioned as Phase II of the NYSDOT's Slingerlands Bypass Extension project (which has received both NEPA and SEQRA Record of Decisions) and is also on the CDTC's Transportation Improvement Program (TIP) for construction sometime after the current 5-year plan. Upon completion of VISTA Stage I, it is indicated within the TIS that hourly volumes on this stretch of the existing Bypass will be at the maximum hourly threshold for a two-lane undivided expressway. Since the traffic projections are based on numerous assumptions, it is recommended that the available reserve capacity be measured upon completion of Stage I and prior to initiating the Full Build-out. The future integration of the proposed pedestrian, bicycle and public transportation amenities will also aid in reducing traffic demands.

Significance of Impact Full Buildout Scenario (2015)

The proposed Levels of Service are generally consistent with current standards, and at all but two locations are not significant, and indicate that the project area intersections will operate adequately through Full Build-out of the project. At the Cherry Avenue Extension roundabout, the mitigation necessary was determined to have more negative consequences than benefits and therefore has not been recommended. In order to determine if adequate reserve capacity exists at the Cherry Avenue Extension (Rt. 140)/Kenwood Avenue/Cherry Avenue intersection and on the Bypass north of Blessing Road after completion of Stage I, an after traffic study should be conducted before progressing with the Full Buildout scenario to ensure an efficient and safe flow of traffic can be maintained.

Link Capacity

Potential Impacts- Unavoidable and limited negative increases (less than 10 percent) of traffic volumes

The ability of the following existing two-lane undivided roadways to accommodate the additional site traffic was also evaluated:

- > New Scotland Road (west of Cherry Avenue Extension)
- > Blessing Road
- > Cherry Avenue
- > Kenwood Avenue

Mitigation

As indicated within the TIS, the proposed project will not add a significant amount of traffic on any of these roadways, as site traffic will be dispersed in various directions. With the exception of Blessing Road, this distribution of site traffic results in projected traffic increases under 10% of existing volumes on each respective local road. After completion of Stage I, Blessing Road traffic volumes are projected to increase by 65 vehicles in the AM Peak Hour and 80 vehicles in the PM Peak Hour, with the predominant increase opposing the existing commuter travel direction. AM Peak Hour Build volumes would be 495 vehicles while PM Peak Hour volumes would be 855 vehicles. Both volume levels are well within the existing capacity of this roadway and will not alter the existing character, which is operating as a local collector roadway. Any proposed improvements to this route would most likely have the unintended consequence of encourage additional use of this route over the Bypass. In addition, the Town of Bethlehem has also initiated a TIS for Blessing Road to evaluate overall impacts. The future integration of the proposed pedestrian, bicycle and public transportation amenities will also aid in reducing traffic demands.

Significance of Impact

The projected Build traffic volumes are generally consistent with thresholds as established by CDTC for both Local Roads and Surface Arterials and Collector Roadways. The mid-block capacity thresholds will not be exceeded for any of these links.

Accident Analysis

Potential Impacts-Positive impacts resulting from the construction of the Slingerlands Bypass

Accident data was requested from NYSDOT to determine accident trends along the study area roadways and intersections. Accident summaries and details were provided by the NYSDOT Safety and Information Management System on NY Route 85 and NY Route 140 for the latest three years of available data from the period between June 1, 1999 and May 31, 2002. The analyses and results are contained in the Traffic Impact Study in Appendix I.

Mitigation

The construction of the Slingerlands Bypass will significantly reduce congestion within the project area and redistribute local traffic. Since the primary accident type is a rear-end collision, which will be reduced by a reduction in area congestion and conversion of existing intersections to modern roundabouts, there is no proposed accident related mitigation.

Significance of Impact

The pending construction of the Slingerlands Bypass project will alleviate the existing accident patterns; therefore there will not be a significant impact related to accidents from this project.

Pedestrians, Bicyclists, and Transit Users

Potential Impacts-No adverse impacts are anticipated on Pedestrian, Bicyclist, or Transit users.

Sidewalks, bicycle accommodations (through shared use travel lanes), and transit stops are provided throughout the main study area roadways. As part of the Slingerlands Bypass project, a sidewalk and shared use travel lanes will be added to New Scotland Road and Maher Road (between the Bypass and New Scotland Road), and at all of the study area roundabouts. The proposed roundabout at the VISTA Boulevard will also provide pedestrian and bicycle accommodations as outlined in Section 2.4.3. Additional pavement widening at area intersections beyond that proposed in the Slingerlands Bypass project have been avoided in order to maintain more direct pedestrian and bicycle accommodations.

Through coordination with the Capital District Transportation Authority (CDTA), the Project is proposing one transit stop to serve Phase 1 of the development. This will require a minor extension of existing Route 13 which currently dead-ends in the Price Chopper Plaza. A potential extension would be to exit the Plaza onto the Bypass and then circulate Phase one by entering at the Boulevard and then existing through the LaGrange Road exit and circulating the Cherry Avenue Extension roundabout to return onto New Scotland Road. This may add additional travel time to existing transit riders from the Plaza but will also open up additional transit origins and destinations via the Project. The need for an additional stop for development of Phase II will be determined upon occupancy of that phase.

Mitigation

Since no adverse impacts are anticipated for the named user groups, no mitigation is planned.

Significance of Impact

No adverse impacts on pedestrians, bicyclists, or transit users are anticipated from the development of this Project.

4.2.2 Land Use and Zoning

4.2.2.1 Existing Land Use

Potential Impacts-Unavoidable change in Land Use from Agricultural and Vacant to Industrial and Commercial Uses.

The developed areas of the Project will result in an unavoidable change from agricultural and vacant land to industrial and commercial uses. (See Figure 11: Current Land Use)

Mitigation

The proposed Project is consistent with the Comprehensive plan for these parcels of land. The Comprehensive Plan for the Town of Bethlehem established that the site is suitable for industrial and commercial uses because of the site's location in the Albany region, its proximity to transportation links, and the need for a diversified tax base. The clustering of uses, and setbacks from certain wetlands, steep slopes, and forested areas will result in significant portions of the site remaining in an undisturbed state.

In addition, the Project will incorporate an internal walking trail at the wetland mitigation area and a perimeter trail expected to connect with the future town-wide greenway system. These amenities will allow Campus tenants and visitors significant recreational opportunities and will provide the Town of Bethlehem with noteworthy mileage towards the Town's proposed greenway system. These amenities are currently not provided on the Project Site and therefore, are a positive impact on the quality of life for the residents of and visitors to the Town of Bethlehem.

Significance of Impact

Because proposed uses for the developed area implements targeted and site-specific recommendation of the Town's comprehensive plan, the proposed land uses will result in beneficial impacts on the Town's mix of uses and its tax base. With the incorporation of recreational trails combined with the significant portions of the Site that will remain undeveloped and therefore unchanged, no significant adverse impacts are anticipated by the change in land use. Conversely, the Project will make available open space currently not available for public use and recreation, a positive impact.

4.2.2.2 Agricultural Land Uses

Potential Impacts-Unavoidable Loss of Agricultural Activity and Avoidable Indirect Impacts on Agricultural District

The Project will result in the loss of agricultural activity on the Project site. All projects located within 500 feet of an Agricultural District must submit an Agricultural Data Statement. The Project property is located within this limit. The Agricultural Data Statement is included as Appendix J.

Mitigation

> Proposed Use is Consistent with the Town of Bethlehem Comprehensive Plan

The Town of Bethlehem Comprehensive Plan has designated this area suitable for commercial and industrial activity. The Project proposes uses that are consistent with the Comprehensive Plan and promotes several other goals of the Comprehensive Plan. Significant amounts of open space will remain undeveloped.

> Project is not in an Agricultural District

The proposed project area does not include any agricultural lands located in an Agricultural District. The Project property is within 500 feet of an Agricultural District (in the Town of New Scotland). However, proposed buildings and other site improvements will be located on portions of the site outside of the 500-foot limit. Odors, runoff, and other potential impacts from the Project will be sufficiently mitigated by both distance and large topographical differences between the two areas. (See Appendix J: Agricultural Data Statement). Farming activity occurring in the Agricultural District is protected from encroaching development (and potential lawsuits) by right-to-farm entitlements found in the NYS Agricultural District Program.

Significance of Impact

Proposed uses are consistent with the comprehensive plan and the proposed change is a beneficial impact for the site. Furthermore, nearby farming activity is protected by sufficient distance, topographical differences and by entitlements ensured through the Agricultural Districts Program. No significant impacts are anticipated for the nearby agricultural district.

4.2.2.3 Existing Zoning and Land Use Plans

Zoning: Town of Bethlehem

Potential Impacts: No Adverse Impacts are Anticipated on the Town of Bethlehem Zoning

The Applicant seeks approval for the Project developed in conformance with the requirements established by the Town of Bethlehem for the MED District.

Mitigation

Since no zoning changes are anticipated for the Town of Bethlehem, no mitigation is planned.

Significance of Impact

No adverse impacts on zoning are anticipated from the development of this Project. Several positive impacts are expected to result from this Project, since it will realize several goals in the Town of Bethlehem Comprehensive Plan.

Zoning: Town of New Scotland

Potential Impacts: No adverse impacts and several positive impacts are anticipated to result from a requested zoning change for portions of the Project area in the Town of New Scotland from R-2 to MEDD.

The Applicant seeks to rezone portions of the parcel located in the Town of New Scotland for uses equivalent to those uses permitted in the Town of New Bethlehem's MEDD. A formal application is was submitted on September 13, 2006 to the Town Board of the Town of New Scotland pursuant to the Town's Zoning Law, Chapter 190, Section 53, Planned Unit Development (PUD). Portions of the parcel within the Town of New Scotland not subject to the rezoning request will remain zoned as R-2 and no development is proposed for these areas. Undeveloped R-2 zoned areas and large topographical differences will buffer between neighboring areas and uses. The rezoning request will allow the Town of New Scotland to evaluate the requested zoning amendment and to fully participate in the SEQRA review of this project with the Town of Bethlehem as lead agency. (See Figure 12: Current Zoning)

The New Scotland Comprehensive Land Use Plan (1994) recognizes that "most light industry such as corporate parks... and High Tech industries do not produce odors, noise and other hazardous situations" (p.134). The plan also recognizes that light industry and low-density residential development (as allowed in R-2) may be potentially compatible ("neutral") land uses if consequences such as traffic and visual impacts are mitigated. Such concerns are specifically addressed in their appropriate sections in this Draft Environmental Impact Statement.

It is worth noting here that impacts related to traffic in the Town of New Scotland are not anticipated, since the Applicant proposes that sole access to all developed portions of the site will be from the Town of Bethlehem, via the access points along the new Slingerlands By-pass. No access points from the Town of New Scotland to the Project site will be proposed.

In light of the above comments, no adverse impacts to zoning are anticipated between the MEDD zoned area and the subsequent R-2 zoned areas on the Project parcels in the Town of New Scotland.

Positive impacts are expected to result from this Project since it will realize several goals in the Town of New Scotland Comprehensive Plan. The existing comprehensive plan recognizes a "general desire to promote commercial and industrial developments in Town, and that there was a preference for "office park development over heavy manufacturing" (New Scotland Comprehensive Land Use Plan, p.3) In order to improve the tax base, the plan also sets the goal of developing a plan to encourage offices, light industry and manufacturing and that utilities and infrastructure should be developed to support such development (New Scotland Comprehensive Land Use Plan, p.14). The comprehensive plan for the Town of New Scotland also recommends that "light industrial, warehouse and office uses should be sited together on select, environmentally suitable land under a multi-use industrial park category" (New Scotland Comprehensive Land Use Plan, p.133) More specifically, the "desired forms of Light industry and Manufacturing sought by the Town are essentially clean land uses with large buffer areas surrounding development zones." The Comprehensive Land Use Plan also states that it foresees few potential conflicts between agricultural uses and light industrial uses (New Scotland Comprehensive Land Use Plan, p.136).

Mitigation

The Applicant's petition to rezone portions of the parcel in the Town of New Scotland to MEDD will be buffered by existing R-2 zoned areas on the parcel. R-2 zoned areas on the site will remain undeveloped. This configuration of zones and proposed uses seeks to ensure that growth is consistent with the Town's comprehensive land use plan and compatible with the surrounding land uses.

Significance of Impact

Since a zoning change will enhance the Town of New Scotland's tax base, and result in significant areas set aside as natural open space, the zoning change is anticipated to provide several beneficial impacts. No adverse impacts are anticipated.

4.2.3. Water Supply

Potential Impact - Long-Term Unavoidable and Insignificant Increase in Water Demand:

The existing water supply system has adequate capacity to provide water to the Project for commercial, industrial and firefighting purposes. This is based on the assessment of water flow to the Site, as discussed in Section 3.2.3, Water Supply and provided in more detail in Appendix K: Engineering Report Water Supply and Sewage Treatment. Therefore, no impacts associated with providing adequate water to the Project for commercial, industrial, and firefighting purposes are anticipated. This will, however, result in an increased demand for water.

Mitigation

> Conservation

The Town of Bethlehem encourages the Applicant to conserve water to the maximum extent practicable. Water conservation practices will be implemented over conventional practices when feasible.

> Water District Boundary

The current water district boundary will need to be extended to encompass the Project site in the Towns of Bethlehem and New Scotland in order to provide service to all developed portions of the site. A petition will be submitted to the Town Boards of Bethlehem and New Scotland for the purposes of extending the existing Water District. Copies of the petition are included in the Appendix A, Correspondences. Refer to Figure 13.b: Onsite Water Distribution.

> Offsite Connections to Project

The project will be served by a new water main. This will connect to the existing 12-inch main at the intersection of New Scotland Avenue and the Future Bypass. The Town is planning to reconstruct the portion of the 12-inch main located under the proposed Cherry Avenue/New Scotland Avenue roundabout. This will increase the reliability of the water main under the new roadway and at the connection point to the Vista Site. The new main will follow the south side of the bypass right-of-way from the Cherry Avenue roundabout to the south driveway into the Site, an approximate distance of 1500

ft. Installation of the water main will be coordinated with NYSDOT to avoid disruption of the completed Bypass.

> Onsite Connections and System Layout

Onsite, the water main will be a 12-inch main located within the rights-of-way for the internal access roads to be dedicated to the Town upon completion. A looped system will be formed by the extension of the water main from the intersection of Mayer Road and New Scotland Avenue. The looped system will stabilize the flow and pressure within the system on Site and will permit the maintenance on the system with minimal interruption of water service. Refer to Figure 13.b: Onsite Water Distribution

> Onsite Water Demand

To establish the water flow demands for the proposed development, preliminary engineering calculations (DEIS Appendix K, Engineering Report Water Supply and Sewage Treatment) were performed. A hydraulic analysis using the Haestad WaterCAD Model program was used to determine if the proposed system has the capacity to meet the estimated water demands. Based on per capita usage and the estimated Project buildout, the average domestic daily demand is estimated to be 36,626 gpd for Phase One and 102,530 gpd for Phase Two, for a total estimated maximum domestic daily demand of 139,156 gpd (194 gpm). The Water/Sewer Demand Table in Appendix D of the Report provides the anticipated water use for the each of the proposed buildings using the NYSDEC Table 3 “Hydraulic Loading Rates” from the “Design Standards for Waste Water Treatment Works”, dated 1988.

> Onsite Water Pressure

A flow test performed on a hydrant near the Post Office on New Scotland Avenue in September of 2005, shows a static pressure of approximately 76 pounds per square inch (psi) in the main and a residual pressure of 71 psi with a flow of 750 gallons per minute (gpm). Based on the hydrant flow information, there is sufficient flow to provide the minimum 1500 gpm at the base of the sprinkler riser at the highest first floor elevation (Building ‘E’) plus the maximum daily demand of 194 gpm with a minimum of 20 psi at the main. The hydrant flow test information is provided in DEIS Appendix K, Engineering Report Water Supply and Sewage Treatment. The Town’s engineering consultants are currently preparing a comprehensive water system study to be completed in the fall of 2006. The study will incorporate the water demand from the Vista Project in its findings. This information will be used to confirm the available flow and pressure to the Site at the completion of the Study. At the direction of the Town, the new data and analysis will be addressed in the FEIS portion of the SEQRA process.

Significance of Impact

Based on the above considerations, the existing water supply system has adequate capacity and pressure to provide water to the proposed development for commercial, industrial, and firefighting purposes, and any impact associated with the increased demand for water is not anticipated to be significant.

4.2.4 Sewage Treatment

Potential Impacts – Long-term Unavoidable Increase in Sewer Load

Sewage from the Project will be conveyed to the Bethlehem Sewage Treatment Plant (STP). Bethlehem Town officials have stated that there is sufficient capacity at the STP for the Project. Water intensive uses wanting to locate on the site would have to be considered on a case-by-case basis. The NYSDEC Permitted Capacity of the STP is 5.9 MGD and current average flow is 4.5 MGD according to Town officials. The anticipated flow from the site will be 139,156 gpd (0.1392MGD) meaning that adequate capacity currently exists in the system.

Mitigation

> Sewer District Extension

The entire site area within the Town of Bethlehem is designated part of Sewer District Extension 14, Area 1. The west portion of the site located in the Town of New Scotland will require extension of the Bethlehem Sewer District into New Scotland. A petition will be submitted to the Town Boards of Bethlehem and New Scotland for the purposes of extending the Sewer District.

> Connecting to the Municipal System

The sewer main will be constructed within the Town of Bethlehem right-of-way and the onsite roadway system. All proposed buildings will connect to these sewer mains via lateral connections. Phase One of the proposed sanitary sewer system will consist of an onsite network of gravity sewers and secondary pump stations with force mains to convey the effluent to the existing gravity main on the northeast corner of the New Scotland Avenue and Cherry Avenue intersection. Phase Two will eventually connect to the existing 10-inch force main near the intersection of Cherry Avenue and McCormack Road. The route for the offsite sewer main is shown on Figure 13.a and 13.b. Calculations for the proposed sewer flows are contained in Appendix K: Engineering Report Water Supply and Sewage Treatment.

> Onsite System and Pumping Requirements

The onsite system will consist of approximately 6,175 lineal feet of gravity sewer main and 3,750 lineal feet of sewer force main. Three pumping stations of various sizes will be required for the proposed project. The first pump station will be located in the west portion of the developed site, near Building 'S'. This pump station will convey flow to a gravity manhole located in the proposed roadway near Building 'E'. A second pump station will be located in the north portion of the Site near building 'B' and will also convey flow to the gravity main in the roadway near Building 'E'. A primary lift station will be constructed at the lowest point near the west entrance to the site that will be designed to pump the design flows for Phase One and the ultimate build-out (Phase Two) of the site to the discharge point for the respective development phase. The layout of the proposed onsite system is shown on Figure No. 14, Sanitary Sewer Lines and Districts. The Town is currently conducting an analysis of several existing pump stations impacted by the Project sewage generation. At the conclusion of the study, the impact of the Vista flows and other sources of sewage generation from potential development within the Route 85/New Scotland corridor will be analyzed to determine the appropriate mitigation measures. At the direction of the Town, this information will be addressed in the FEIS portion of the SEQRA Process.

Significance of Impact

No impacts are anticipated related to the ability of the Bethlehem Sewage Treatment Plant to effectively treat wastewater associated with this project

4.2.4.1 Utilities

Potential Impact- Unavoidable Increased Demand for Utilities

> Electrical Demand

Average demand for the various building uses on the site is estimated at 22 watts per square foot of floor area. Based on this usage rate, Phase One of the development will require approximately 5,720 kilowatts, and Phase Two an additional 25,000 kilowatts of electrical demand.

> Electrical Service

National Grid will provide electric service for the Site. Service for Phase One will be by overhead wires from New Scotland Avenue that will travel through the existing gas easement between the proposed bypass and New Scotland Avenue. From this location, electrical service will be placed below ground, under the proposed Bypass, and continue underground throughout the Site. The electrical line will be confined to 10-foot wide utility corridor adjacent to the onsite roadway right-of-way and will be constructed in accordance with the Town and National Grid design standards. The service to the Site will need to be upgraded to meet the needs of the full build-out. National Grid and the Developer are currently evaluating the electrical service options for Phase Two. This will be constructed per the procedures set forth in the Public Services Law and is regulated by the Federal Energy Regulatory Commission (FERC).

> Natural Gas Service

National Grid will provide gas service from the existing 8-inch high pressure main along New Scotland Avenue. A 6-inch main will be constructed along the south side of the proposed Bypass from the Cherry Avenue roundabout to the south Vista entrance, approximately 1500 lineal feet. The gas line will be installed in an easement with electronic and telecom data.

> Telecommunications Service

Telephone, cable, and internet services will be provided through a duct bank parallel to the proposed gas main on the south side of the proposed Bypass. This may include conventional and fiber optic cables. Local providers such as Verizon or Time Warner Cable will provide telecommunications service from their existing network along New Scotland Avenue. Service will be delivered to the site entrance through underground conduit from an existing pole near the proposed Cherry Avenue roundabout.

Mitigation

Mitigation measures will not be necessary for this aspect of the Project.

Significance of Impact

It is anticipated that the private utilities will have adequate capacity to serve the site. “Will Serve” letters are included in Appendix A, Correspondences.

4.2.4.2 Solid Waste DisposalPotential Impacts-Unavoidable Increase in Solid Waste Generation

The Project will increase the amount of solid waste generated in Albany County. The following table is a breakdown of the potential monthly cubic yards of waste generated at each of the proposed buildings. These volumes are based on industry averages for type of use. Recyclable items are included in the table below. Recycling of these items (and their removal from the waste stream into landfills) is an option available to each tenant. Also, note that the rate of solid waste generation will depend upon the type of businesses and the number of employees. Solid waste management will be contracted for by the various building tenants.

Table 4-3: Solid Waste Generation	
Building	Estimated Solid Waste Generation Rates (in Cubic Yards/Month)
A	5.0
B	32.1
C	47.7
D	20.8
E	195.0
F	108.3
G	6.5
H	300.0
I,J,K,L	130.0
M	34.7
N	238.3
O,P	145.6
Q,U	93.2
R	113.3
S	330.0
T	80.2
V	221.0
W, X	157.1
Y	312.0
Total:	3356.7

Mitigation

The Albany Transfer station has sufficient capacity to process waste generated by the full buildout of the Project. This was established with a correspondence with Waste Management on July 10, 2006. (See Appendix A: Correspondences) No mitigation is proposed since the projected increase in solid waste generation is not anticipated to result in impacts on the ability of local waste haulers to dispose of solid waste.

Significance of Impact

No impacts are anticipated as a result of the projected increase in solid waste generation.

4.2.5 Cultural Resources

Potential Impacts-Disturbance to Historic and Cultural Resources

A Cultural Resources Survey was performed for 275 acres of the site, consisting of proposed development and their surrounding lands. Methods to assess the site included field walkovers and test pits. The survey identified three areas of potential prehistoric value and six sites of potential archeological value. These sites were designated as the Peter McCutcheon House Site, the Christian LaGrange Site, and loci 1 through 7. Approximately two thousand individual test pits were initially excavated on a 5 meter grid pattern overlain on 275 acre of the site. Of these test pits, only 71 (3.5%) contained artifacts or cultural material. These materials consisted primarily of modern refuse. Subsequent investigations resulted in an additional 180 test pits being excavated on the LaGrange Farm site. Additional materials were excavated from these test pits as well. The report for several of the sites does not indicate that these sites warrant additional investigations. Several of these sites will be disturbed through site development. Others, through careful site design, will not be disturbed. See Figure 18: Cultural Resources Map.

Impacts, mitigation, and significance of impact are discussed below on a site-by-site basis.

Peter McCutcheon House Site

Impacts

Current plans for this site include the construction of a split-use office/retail building. The Peter McCutcheon House is the remains of a mid 18th century brick former residence at the southeast section of the site. The structure is collapsed and as such is not eligible for designation as a historically significant architectural site.

Because of artifacts recovered from the site, there is the potential that the site is archeologically significant due to some early period artifacts recovered from the site. These include hand wrought nails, fragments of pearlware and a two-piece metal button. Other artifacts recovered from the site include a diverse array of ceramics and other domestic/architectural refuse, including plastic, coal, coal ash, and strap iron fragments.

A letter dated August 16, 2006 from the New York State Office of Parks, Recreation and Historic Preservation (OPHRP) concurs that the above site may yield research data and therefore may be eligible for inclusion on the National Register (NR). In light of this, additional one-by-one meter squares have been excavated at the site. An analysis of artifacts recovered is currently underway. Results of these excavations were not known by the time of the submission of this Draft Environmental Impact Statement. Based upon the results additional Phase III work may be required, with the results to be provided in the Final EIS.

Mitigation

The applicant will fully mitigate for impacts to the site by excavating artifacts and producing a comprehensive report. All artifacts will be preserved and curated according to SHPO guidelines. This preserves the information for posterity and future study.

Significance of Impact

All necessary actions will be taken per SHPO guidance and approval to fully mitigate for impacts to this specific location. As such, no significant adverse impacts are anticipated to result from the project.

Christian LaGrange Site

Impacts

Under the current plans for the property, the Christian LaGrange House and a small cemetery will be left intact as part of the proposed project. The site will be preserved in its entirety and the house and grounds will be maintained as a historic park for passive use. The Christian LaGrange House is a late 18th century wood framed residence. The site also includes a number of outbuildings, a small cemetery, and other landscape features (garden, cistern and wells). A supplemental Phase IB Cultural resource survey was performed at this site, which excavated several areas containing architectural and domestic refuse. No artifacts were recovered from the cemetery of the southeastern corner of the site. Also, no historic artifacts were recovered from the vicinity of the barn. A concrete pad and a cistern are located near the house. Neither of these features appears significant in the opinion of Birchwood Archaeological Services. Furthermore, the supplementary report recommends that no additional archaeological work will be necessary near the barn or cemetery.

Mitigation

Since no road or building construction is proposed for this site, mitigation will consist of limiting ground disturbances on site. Fencing, signage and other safeguards will be placed around this site to prohibit entry on the site by construction crews and their equipment. Storage of equipment and supplies will be prohibited within the site.

The site's central location makes it an ideal passive open space opportunity for public enjoyment. Since paved trails or buried utilities would necessitate ground disturbances and further archeological

investigations, these features will be avoided for the LaGrange Farm Site. Gravel or earthen paths, park benches, and picnic tables will likely be incorporated into the site in order to promote the enjoyment of this open space amenity. Any site improvements of this nature will be placed in areas determined to not be sensitive to buried artifacts. A road in the shape of a horseshoe will be constructed around the perimeter of the LaGrange Farm site. The current landscaping plan proposes the planting of trees along this perimeter. Earth excavations necessary to plant these trees will be planted outside the boundaries of the site established by the cultural resources survey.

Significance of Impact

Since no construction is planned for this site and future uses within the LaGrange Farm site will avoid soil excavations, no significant adverse impacts are anticipated for this site.

Locus 1 and 2

Impacts

Under current plans these sites will be graded to construct transportation improvements and buildings. These two locations near the Town line possess 19th century artifact concentrations. No additional artifacts were recovered from subsurface test pits at these sites. The report also concludes that since these deposits are shallow, additional subsurface investigations would unlikely reveal significant new information.

A letter dated August 16, 2006 from the New York State Office of Parks, Recreation and Historic Preservation concurs with the above study that these two sites do not have the potential to provide research data. Therefore these two sites are not considered eligible for the National Register and no further investigative work is recommended for those locations.

Mitigation

The report for this site (with the review and approval of OPHRP) did not indicate that mitigation practices would be warranted based on these findings.

Significance of Impact

No significant adverse impacts are anticipated to result from proposed construction activities on the site.

Locus 3

Impacts

Under current plans this site will be graded for transportation improvements and buildings. A small chert flake was recovered as part of a Phase I preliminary walkover. A letter dated August 16, 2006 from the New York State Office of Parks, Recreation and Historic Preservation indicated that Locus 3 might yield

research data. In light of this, an additional systematic walkover of the site did not recover any additional prehistoric artifacts. Then, a total of 49 test pits were excavated in five-meter intervals to form a grid directly over the site and the surrounding area. No prehistoric artifacts were recovered from any of the test pits and no soil anomalies or cultural features were encountered. Therefore, the site does not appear eligible for inclusion in the National Register of Historic Places and no further Phase II work appears necessary at Locus 3.

Mitigation

The report for this site (with the review and approval of OPHRP) did not indicate that mitigation practices would be warranted based on these findings.

Significance of Impact

No significant adverse impacts are anticipated to result from proposed construction activities on the site.

Locus 4 & 5

Impacts

Under current plans these sites will be graded for transportation improvements and buildings, contingent upon a finding of no historical significance. Chert flakes interpreted to be prehistoric artifacts were recovered at this site. An additional systematic walkover of the site recovered fragments of fire-cracked rock. Then, a total of 49 test pits were excavated in five-meter intervals to form a grid directly over each site and the surrounding area. This recovered a chert flake and ‘chert shatter.’

A letter dated August 16, 2006 from the New York State Office of Parks, Recreation and Historic Preservation (OPHRP) concurs that the above site may yield research data and therefore may be eligible for inclusion on the National Register (NR). In light of this, four additional one-by-one meter squares have been excavated at the site. An analysis of artifacts recovered is currently underway. Results of these excavations were not known by the time of the submission of this Draft Environmental Impact Statement, and will be provided in the Final EIS. Results of these excavations were not known by the time of the submission of this Draft Environmental Impact Statement, September 22, 2006.

Mitigation

The applicant will fully mitigate for impacts to the site by excavating artifacts and producing a comprehensive report. All artifacts will be preserved and curated according to SHPO guidelines. This preserves the information for posterity and future study.

Significance of Impact

All necessary actions will be taken per SHPO guidance and approval to fully mitigate for impacts to these specific locations. As such, no significant adverse impacts are anticipated to result from the project.

Locus 6

Impacts

Under current plans these sites will be graded for transportation improvements and buildings, contingent upon a finding of no historical significance. This site consists of a late 19th or early 20th century farmhouse with a small associated garage, garden plot, and wood side barn. A “small amount” of 19th century artifacts were encountered in the back yard. This includes fragments from the construction of these structures (nails, brick, glass) and domestic items (whiteware, stoneware, and pearlware). The majority of the material appears to date to the mid-late 20th century.

As part of the Phase II study, 112 additional test pits were excavated at 5-meter intervals to form a grid over the site. Additional artifacts of the kind identified above were recovered. Two additional one-by-one meter squares were excavated at the site. An analysis of artifacts recovered is currently underway. Results of these excavations were not known by the time of the submission of this Draft Environmental Impact Statement, and will be provided in the Final EIS. Coordination with OPRHP is ongoing and currently, OPRHP has suggested that the site eligible for the National Register as it might “reflect broader land use on the LaGrange property.”

Mitigation

The applicant will fully mitigate for impacts to the site by excavating artifacts and producing a comprehensive report. All artifacts will be preserved and curated according to SHPO guidelines. This preserves the information for posterity and future study.

Significance of Impact

All necessary actions will be taken per SHPO guidance and approval to fully mitigate for impacts to this specific location. As such, no significant adverse impacts are anticipated to result from the project.

Locus 7

Impacts

The current plan proposes that the remains of the structure be removed and cleaned up. The site will be graded for transportation improvements and buildings. The site is the location of the remnants of a small wood framed structure constructed on a poured concrete slab. Test pits dug around this point recovered modern litter, such as plastic bags, fragments of asphalt roofing, and modern day beer bottles. The structural remains and associated refuse appear to be from the mid and late 20th century. The site does not appear eligible for inclusion in the National Register of Historic Places under any of the established criteria. The report for this site did not indicate that additional investigations or mitigation practices would be warranted based on these findings.

A letter dated August 16, 2006 from the New York State Office of Parks, Recreation and Historic Preservation (OPHRP) concurs with the above assessment that the site would not be eligible for inclusion on the National Register (NR). No additional investigations or mitigation practices are recommended for this site.

Mitigation

The report for this site (with the review and approval of OPHRP) did not indicate that mitigation practices would be warranted based on these findings.

Significance of Impact

No significant adverse impacts are anticipated to result from proposed construction activities on the site.

4.2.6 Environmental Conditions

Potential Impacts- No Adverse Impacts

A Limited Phase 1 Environmental Site Assessments (ESA) was conducted for the Project site in accordance with the American Society for Testing and Materials (ASTM) Standard Practice E 1527-00, by Clough, Harbour & Associates (CHA) in April 2004 (See Appendix N, ESA Report). Individual site assessments were conducted for the Clark parcel (74.00-1-29.10) and the Jones Parcels (74.00-1-30 in the Town of Bethlehem, 73-2-27 in the Town of New Scotland).

None of the parcels appear on any federal or state regulatory databases for hazardous waste sites, hazardous waster generators, registered tanks, spills, leaking tanks, or solid waste landfills. There are a limited number of such facilities located within specified radii of the subject site, however, none of these facilities appear to present a potential off-site concern relative to the subject site.

Assessments for the presence of petroleum storage tanks or petroleum oil spills that may have occurred during the daily operations of the airport were conducted. No storage tanks were observed. Potential contaminants were not detected at levels above background readings in all but one of 10 test locations. The several volatile and semi-volatile organic compounds were detected, but at levels below those recommended for soil clean up. Based on this assessment of the Project site, no further investigations are needed and no impacts are anticipated from the Project.

Since no contamination requiring remedial action has been identified on the site, groundwater flows were not investigated.

Mitigation

No Mitigation is necessary at this time. If additional contaminants are discovered in the course of site preparation and construction, the appropriate state and federal regulatory agencies will be contacted and the Applicant will ensure that a remediation program is developed and implemented.

The investigation report concludes that based on the data collected from the subsurface investigation, no further investigation is needed at this time. If additional contaminants are discovered in the course of construction, the appropriate state and federal regulatory agencies will be contacted to develop and implement a remediation program for the impacted areas. (See Appendix N, ESA Reports)

Significance of Impact

No adverse impacts related to environmental conditions are anticipated.

4.2.7 Visual Resources

Pursuant to the NYSDEC Program Policy Dep-00-2 Assessing and Mitigating Visual Impacts, sensitive receptor sites were identified and the visibility of the Project from these sites evaluated. Based upon the analysis, it was determined that the majority of the receptor sites identified are at or beyond a distance of five miles from the project site. Pursuant to the NYSDEC Program Policy, sites over 5 miles away are received as background by the human eye. Beyond 5 miles, most activities are not a point of interest to the casual observer, and are indistinguishable from their surroundings.

A viewshed map (Figure 15a) was prepared in ArcGIS 9 mapping software for the purpose of determining the visibility of the proposed Project from any given location, including the identified sensitive receptor sites. The map considers the probable screening effect of mature vegetation (using an average of forty feet in height) on site as well as the effect of the intervening topography.

Potential Impacts- No Significant Adverse Impacts Are Anticipated

The major receptor sites identified are as follows along with their visibility based upon the Viewshed Map:

- > The John Boyd Thacher State Park, located approximately 6 miles to the west of the Project area-limited visibility.
- > State wildlife management area and adjacent state purchased lands (near Black Creek Marsh) located approximately 5 miles to the west of the Project Site-no visibility.
- > The Onesquethaw Valley Historic District, listed on the National Register of Historic Places, located approximately 5 miles southwest of the Project Site-no visibility.
- > Numerous sites and buildings on the National Register in Albany approximately 4-5 miles from the Project area-limited visibility.
- > Numerous sites to the east and in Guilderland to the north-no visibility.
- > NYS Route 5 Scenic Highway-limited visibility.

While Thacher State Park is located approximately 7 miles from the Project Site, photographs from the Park towards the site have been provided to assist in this analysis (Figure 15.d – View from Thacher Park). Figure 15.d provides a panoramic view (Photo 1) looking east from Thacher Park, which demonstrates that the Project site would be screened by a ridgeline at the Park. When viewed from another point to the north at the Park (Photo 2), the Project site would be visible. In Photo 2, Voorheesville High School in the foreground and the Empire State Plaza in the background (of the Project

site) have been provided as reference points. The Voorheesville School and the Empire State Plaza are located approximately 2.5 miles and 12.5 miles from Thacher Park respectively.

Due to the significant distance at which the Project Site it is located from Thacher Park, the Project's buildings (if visible above the vegetation) are likely to blend in well with the background. Furthermore, as depicted in Photo 2 of Figure 15.d, several highly visible elements dominate the viewshed including a high voltage power line and the Empire State Plaza. These elements are more likely to capture the attention of observers from this point than the proposed Project. Based upon the existing condition of the Thacher Park viewshed and the distance to the Site; the Project is not anticipated to result in significant adverse visual impacts from Thacher Park.

The viewshed map also indicates some visibility from portions of the City of Albany east of I-87 and I-787. However, the limited visibility of the Project from these areas is likely overstated since the viewshed map does not take into consideration the height and density of buildings and urban infrastructure that are characteristic of Downtown Albany. In fact, the density of urban development there likely precludes any street level views of the distance.

A few sparse areas in the viewshed to the west of the Project area indicate that the site may be visible, but these appear extremely limited. Furthermore, the viewshed map indicates that the Project will be entirely screened from view when observed from existing state and town parks.

Four line of sight profiles were constructed to establish the visibility of the Project site from nearby residences on Surry Mall. Surry Mall is to the immediate south of the Project site (See Figure 15.c, Line of Sight Profiles). The observation points and visual targets are identified on the map. As indicated in the line of sight analysis, intervening topography and tree stands effectively obscure the Project site from visibility.

Artist renderings of the Project from the proposed Slingerlands By-Pass extension have been provided to assist in evaluating the possible views of the site by travelers (See Figures 15.e and 15.f). Figure 15.e depicts a view of the Project when traveling north on the Slingerlands By-Pass adjacent to the existing Price Chopper Plaza. Figure 15.f depicts a view of the Project when traveling southwest on the Slingerlands By-Pass near the roundabout. Based upon these renderings, only the Project's proposed retail and hotel uses are anticipated to be visible from the By-Pass. The office, office/technology and manufacturing buildings will be located far off from the By-Pass and are not anticipated to be the dominant visual structures.

Architectural Designs

In addition, the proposed retail and hotel buildings will be appropriately designed to blend with their surroundings. Figure 15.g Conceptual Architectural Styles depict a variety of styles that the buildings may incorporate. *Note: These conceptual designs are not intended to reflect the actual building designs; instead, they are meant to represent potential styles.*

Based upon the above analyses, the proposed Project is not anticipated to result in a significant adverse impact on any identified sensitive receptor site pursuant to the NYSDEC Program Policy Dep-00-2 *Assessing and Mitigating Visual Impacts*.

Mitigation

Since the Project site will not be visible to any major environmental or cultural resources of federal, state, or local significance, or to the adjacent residential development, no mitigation is proposed.

Significance of Impact

No significant impacts are expected.

4.2.8 Community Services

4.2.8.1 General Government

Potential Impacts-Unavoidable Increase in Need and Maintenance for Municipal Services

Generalized demand on service provision will be inevitable. Employees at the site and population growth induced by the development will cause increased use of roads, recreational services, municipal utilities, and other municipal services. Additional costs are expected to be offset by an overall increase in economic activity and tax revenues.

Mitigation

No mitigation practices are anticipated at this point. Because of the long-term phasing of the project and the anticipated increases in economic activity, impacts on general government services will be realized over many years and accompanied by increased tax revenues. This phasing of the project will also allow the community time to plan appropriate adjustments to public service capacity.

Significance of Impact

No significant impacts are expected.

4.2.8.2 Educational Facilities

Potential Impacts- Positive Impact on Bethlehem Central and Voorheesville School Districts Through Increased Tax Revenues

Camoin Associates has calculated that the Project will result in a net positive contribution to the Bethlehem Central School District (BCSD). A map of area school districts is depicted in Figure 17: School District Map. The total net benefit to the BCSD will be approximately \$50 million over the next

20 years. The table provided below shows the annual tax revenues expected to be generated over the next 20 years. The effect of such a contribution may mean either an increase in services or a reduction in property tax rates (or a combination of both).

Table 4-4 Fiscal Impact Results			
Bethlehem Central School District			
Year	Revenues	Cost	Net
1	\$0	\$0	\$0
2	\$386,919	\$0	\$386,919
3	\$895,271	\$202,798	\$692,473
4	\$1,406,376	\$405,642	\$1,000,734
5	\$1,920,179	\$608,441	\$1,311,738
6	\$2,436,732	\$811,285	\$1,625,447
7	\$2,955,980	\$1,014,590	\$1,941,390
8	\$3,477,982	\$1,217,434	\$2,260,548
9	\$4,002,682	\$1,420,232	\$2,582,450
10	\$4,530,135	\$1,623,077	\$2,907,058
11	\$5,060,283	\$1,825,875	\$3,234,408
12	\$5,593,158	\$2,028,673	\$3,564,485
13	\$5,620,403	\$2,028,673	\$3,591,730
14	\$5,647,648	\$2,028,673	\$3,618,975
15	\$5,672,169	\$2,028,673	\$3,643,496
16	\$5,693,966	\$2,028,673	\$3,665,293
17	\$5,713,038	\$2,028,673	\$3,684,365
18	\$5,729,385	\$2,028,673	\$3,700,712
19	\$5,743,008	\$2,028,673	\$3,714,335
20	\$5,753,906	\$2,028,673	\$3,725,233
Total Net Benefits:			\$50,851,789

Mitigation

No mitigation activities are proposed

Significance of Impact

No significant negative impacts are anticipated.

4.2.8.3 Police Protection

The Bethlehem Police Department is located at 447 Delaware Avenue in the Hamlet of Delmar. The Albany County Sheriff's Department and the New York State Police also service the Project site. The Albany County Sheriff's Department is located at County Courthouse in the City of Albany, approximately twelve miles from the Project site. Headquarters for the New York State Police Troop G is located in Loudonville. The closest Troop G Station is located in the Town of New Scotland on 2019 Indian Fields Road, in Feura Bush, approximately seven miles from the Project site.

Letters have been mailed to each, and a follow-up telephone call has been made to Sgt. Mark Bellinger of Troop B in Feura Bush. Sgt. Bellinger is reviewing the Project and will provide a written response. See Appendix A, Correspondences for copies of the letters and the telecom with Sgt. Bellinger. Coordination with the Town of Bethlehem Police Department is also underway as this department will likely have the majority of the responsibility for police services at the VISTA Campus.

Potential Impacts- Increased Need for Protective Services

The anticipated increase in police protection for the Project is expected to be small. Each tenant locating in Vista Tech Campus will likely implement security systems customized to their particular needs. Individual security systems will be subject to subsequent environmental review.

Mitigation

No mitigation activities are proposed beyond the normal security measures tenants will incorporate. Coordination with each involved agency continues to ensure any and all issues are sufficiently resolved.

Significance of Impact

No significant impacts are anticipated.

4.2.8.4 Fire Protection and Emergency Services

Direct coordination has been made with the Slingerlands Fire Department, which covers the Project Site. According to Chief Jason Tyce, the department is aware of the Project and will be providing their comments during the SEQR public comment period. A meeting between the Applicant and the Fire Department is being arranged to continue the dialogue and ensure any concerns the department may have are addressed. Fire Districts are indicated on Figure 16: Fire District Map.

See Appendix A, Correspondences for copies of related letters and the telecom with Chief Tyce.

Potential Impacts- Increased Need for fire protection and emergency Services

The anticipated increase in fire protection and emergency services for the Project is expected to be minimal.

Mitigation

Construction materials used on site will be selected to minimize fire hazards. Buildings in Phase II of the Project will be constructed with fire ratings for research and development facilities. Fire suppression systems will be incorporated into all structures. Per Town code, all structures will be inspected for code enforcement and fire safety on a schedule established by the Town. Coordination with all involved protective service providers will continue.

Significance of Impact

No significant impacts on local fire protection and emergency services are anticipated.

4.2.8.5 Population and Income

Potential Impacts- Positive Impacts on Job Growth and Income Earnings

It is anticipated that the Vista Tech Campus will support by year-12 (at full occupancy) approximately 4,390 jobs. By including indirect effects, it is estimated that Vista Tech Campus will support a total of approximately 8,300 new jobs in the Albany County Region (See Appendix C: Economic and Fiscal Impacts Report).

Table 4-5 - New Jobs at Site and in County		
Type of Space	Direct Employment	
	Onsite	Total (Direct & Indirect)
Research & Development	390	527
Office	3700	7459
Wellness	180	199
Restaurant	210	146
Total:	4390	8331

Residents from inside and outside the Capital Region will fill the positions created by the Research & Development and Professional Office space on the site. The large demand for labor may induce population growth on a regional level. While these employment projections seem large, it is important to remember that they will be generated over the course of 12 years. This will allow the private market and localities time to accommodate induced population growth. In fact, growth estimate Figures for Vista are commensurate with overall rates of job growth. The New York State Department of Labor indicated that between July 2005 and July 2006 1,200 jobs were added by the private sector in the Albany-Schenectady-Troy. The unemployment rate in July 2006 for the same area was 4.2%.

The Vista Tech Campus is expected to have a positive effect on average overall incomes. By year 12, the Project will provide aggregate annual earnings of approximately one-quarter billion dollars (approximately \$276,760,000). These earnings will support the local economy on many levels, including items such as entertainment, housing, durable home goods, and sales taxes. Assuming a 90% occupancy rate supporting an average of approximately 7500 jobs, the average income will be approximately \$34,000. Researchers and other management positions will likely fetch salaries exceeding \$70,000.

Mitigation

No mitigation practices are proposed

Significance of Impact

Since growth is projected to occur over twelve years and will provide new jobs in a variety of economic sectors, no significant negative impacts are anticipated.

4.2.8.6 Housing

Potential Impacts- The Increase in Population will Result in Impacts on the Housing Stock and Likely New Construction at the Regional Level.

Full occupancy by year 12 of the Project may potentially result in approximately 8,300 direct and indirect jobs. Both existing and new residents in the Capital Region will fill the highly technical and skilled labor market necessary to fill positions in the Research & Development sector and the Office sector jobs. In particular, employees and their families from outside the region will create demand for new and existing housing. The 2004 American Community Survey (conducted by the US Census Bureau) identified approximately 11,000 vacant housing units in Albany County alone. It is reasonable to expect that housing preferences will be varied and accommodated at a regional level, such as Albany and nearby counties. Job growth will occur across 12 years, allowing the housing market to adjust over time to accommodate additional demand for housing. New housing demand will be met by the market through a combination of new construction and renovation of existing housing.

Mitigation

No mitigation practices are proposed.

Significance of Impact

No significant adverse impacts are anticipated

4.2.9 Noise

Potential Impacts-Increased Noise Levels From Traffic and Onsite Uses

To determine if the project will cause a noise impact, predicted noise increases to background noise levels were established for surrounding areas. Four receptor sites were chosen. Two of these sites are located along Middlesex Drive, south of the Project. The remaining two sites are located along Maher Road, north of the Project. Predicted noise increases from the Project at these sites were compared to the NYSDEC criteria for assessing impacts.

Increases in background sound levels range from 1 to 3 dBA (Decibel, A weighted). These changes are below the 6dBA increase threshold established by the NYSDEC. These changes also do not exceed an ambient absolute threshold of 65 dBA established by the NYSDEC. For this reason, the proposed project will not create a noise impact (See Appendix P: Noise Report).

Mitigation

No mitigation practices are proposed at this point.

Significance of Impact

No significant impacts are anticipated from this Project.

4.2.10 Light Pollution

Potential Impacts-Potential negative impacts on ambient night time light levels.

The project will provide outdoor nighttime lighting for safety. This will result in unavoidable increases in ambient nighttime light levels. The light levels will be established at appropriate levels for safety and use of parking areas, services areas and building entrances. A review of existing light levels relative to adjoining neighborhoods will be conducted with the intent on minimizing the emanation of light from the site to adjoining off-site areas.

Mitigation

Lighting levels will be provided in accordance with Town and Industry standards. The design and location of lighting at the Vista Campus will take into consideration four areas of concern: avoiding excessive and unnecessary lighting; light trespass on to neighboring properties; glare and sky glow.

General Guidelines/Standards

- > All buildings, roads and parking areas will be illuminated with only enough light to ensure safe use by Campus tenants and visitors.
- > All lights will be aimed downward and full-cutoff shielded fixtures or equivalent lighting under opaque canopies will be used when practical to avoid light trespass and glare and avoid unnecessary lighting.
- > All fixtures will be installed carefully to maximize their effectiveness on the targeted area and to minimize their impacts elsewhere.

- > When practical, energy-efficient low-pressure sodium (LPS) or high-pressure sodium lamps may be utilized.
- > Where feasible, some lights may be placed on timers to turn them off each night after they are no longer needed. Dimmers and/or sensors may also be used where feasible.
- > No light will be allowed to spill off the property.
- > Each component of the proposed Campus will require site plan approval from the Planning Board. The lighting requirements of §128-70(F)(4) of the Town of Bethlehem Zoning Ordinance will be complied with and individual lighting plans will be required for each component of the proposed Campus. Coordination among Project components will be strongly encouraged to share lighting requirements and to ensure excessive and unnecessary lighting does not result.
- > Lighting on the Campus will generally correlate with the intensity of lighting on the adjacent Price Chopper Plaza.

Significance of Impact

With the implementation of the above listed mitigation measures, the fact that the light fixtures will be provided in accordance with Town code and used to illuminate critical areas for safety, no significant adverse impacts are anticipated.

5.0 Alternatives

This section of the DEIS will discuss the following four reasonable alternatives:

1. *No Action.* Under the no action alternative, the site would remain undeveloped, as it currently is.
2. *Alternative Location- Mixed Economic Development District zone along NYS Route 9W Corridor.* This Alternative includes the development of the Vista Technology Campus at the MEDD located between NYS Route 9W and the NYS Thruway.
3. *The Compact Alternative.* Under this Alternative, the Project would occupy a smaller area of the site through a compact design that could include taller buildings and a mix of uses throughout. Specifically, retailers and eateries could be located on the ground floor with the technology offices and related uses on the upper levels.
4. *Smaller Scale Alternative.* Under this Alternative, the Project, while similar in program would be reduced by approximately 30 percent in total square footage.

The Proposed Project, the Vista Technology Campus, will be referred to as the Preferred Alternative in this section.

Alternative 1: No Action Alternative

Under the No Action Alternative, the Project would not be implemented, and the Site would remain undeveloped until another project is proposed. Specifically, no change in land use would occur, the vegetation would remain, no change in impervious areas would occur. Likewise, the following positive economic impacts would not occur:

Loss of Positive Economic Impacts

- > The Bethlehem Central School District would not see a net benefit of approximately \$50 million over the next 20 years, and therefore, an increase in services or a reduction in property tax rates (or a combination of both) would not result.
- > Approximately 4,390 direct jobs and 3,910 indirect jobs would not be created in the Albany County Region.
- > There would be no positive effect on average overall incomes, and the approximate \$276,760,000 of aggregate earnings estimated to occur from the Preferred Alternative would not occur. This would translate into a loss of economic benefits to local entertainment business, housing, durable home goods, and sales taxes.
- > Without the Preferred Alternative, the local economy would not see an additional 7500 jobs with the average income of approximately \$34,000. In addition, the researchers and other management

positions employed at Vista would likely obtain salaries exceeding \$70,000. These jobs would not exist under the No Action Alternative.

Construction of the Slingerlands By-Pass Roundabout and Utility Upgrades

Without the implementation of the Preferred Alternative, improvement to roadway circulation through the addition of another round about and the upgrade in utilities would not occur.

Alternative 2: Alternative Location- Mixed Economic Development District zone along NYS Route 9W Corridor.

Under this Alternative the Vista Technology Campus would be developed in one of the MEDD zones located between NYS Route 9W and I-87 in the southeastern portion of the Town as depicted on DEIS Figure 19.a: Alternative Location Map. The alternate location along NYS Route 9W is not well suited for the proposed Project for several reasons that include, but are not limited to, highway accessibility, environmental constraints such as wetlands, soil types, and steep slopes, and the potential for development to be highly visible from surrounding areas. Specifically, the alternate location does not have direct access from I-87. As a result, drivers would need to utilize exit 23 of I-87 and head south on NYS Rt. 787 to Rt. 9W to finally access the site. This limited access would render the site less attractive to prospective high-technology tenants.

As depicted on DEIS Figure 19.b: Alternative Site Environmental Conditions Map, the alternate location exhibits significantly more prime farmland, NYSDEC jurisdictional wetlands, hydric soils and slopes in excess of 16%. Due to prospective tenant's need for large footprint buildings, the alternative site's environmental constraints would severely limit the design and layout of the Project and perhaps its viability. Therefore, in order to maintain the Project's current square footage of building space at the alternate location, a significant amount of wetlands and steep slopes would need to be disturbed. In addition, if Vista were developed at the alternate location, the project would be more visible to surrounding areas including, but not limited to I-87 and Route 9W due to the relatively flat topography of the area.

Conversely, while the preferred site contains USACOE jurisdictional wetlands, which are proposed to be disturbed and fully mitigated, the site has a minimal amount of prime farmland, no large NYSDEC and ACOE regulated wetlands have been identified, and no slopes in excess of 16% are anticipated to be disturbed. The extension of the Slingerlands By-Pass will provide direct access to the site from I-87 and will result in less Project related traffic on local roadways. Further, if located at the preferred site, the Project is not anticipated to be significantly visible from surrounding major roadways. As depicted on DEIS Figure 15.a. Viewshed Analysis, the current site has limited visibility within a five-mile radius.

Alternative 3: The Compact Alternative

Under Alternative 3, the Vista Technology Campus would occupy a smaller area of the site through a compact design of taller buildings and multiple uses throughout the site. Specifically, retailers and eateries could be located on the ground floor with the technology offices and related uses on upper levels.

This multi-story, compact design Alternative presents significant limitations on the type of buildings required by prospective tenants. The target industries and business for Vista Technology Campus requires large and open spaces suitable for a variety of uses. Uses may include large machinery, clean rooms, and highly technical equipment that are extremely sensitive to ground vibrations. Even daily operations associated with residential and commercial activities can create vibrations at a level that are detrimental the mechanical precision required for advanced research and manufacturing. As such, it would be to infeasible for high technology research and light manufacturing to locate in a building with mixed uses.

The current Project design has incorporated a cluster of retail and office uses at the eastern portion of the site, immediately adjacent to the proposed extension of the By-Pass. This clustering will facilitate pedestrian connections between the Vista Campus and the adjacent commercial and residential lands zoned Hamlet and Commercial Hamlet.

The remainder of the Project buildings have been sited in four main clusters as depicted on DEIS Figure 2.a Project Concept Plan. This arrangement has been strategically designed in an effort to minimize potential impacts on wetlands and steep slopes, allow for shared parking, thereby limiting the amount of impervious areas, and consolidation of utilities.

Alternative 4: Smaller Scale Alternative

Under Alternative 4, the Project would consist of 30 percent less square feet of office and commercial space. The intent of this Alternative analysis is to determine if the smaller size Project would negate the need for highway improvements and reduce certain impacts such as the loss of pervious areas and impacts to wetlands.

A Project reduced in size by 30 percent would directly affect Project viability and involve a sacrifice of the mixed-use approach currently proposed and strongly recommend by the Town of Bethlehem Comprehensive Plan. A loss in the commercial component of the Project and the potential loss of a viable Project would translate into a reduction or a complete loss of the Project's positive economic impacts. Major employment opportunities along with increases in real property and sales tax revenue would be significantly diminished or lost completely without the Project.

While a smaller-scale Project would conceivably result in less total ground disturbance and removal of vegetation, the impacts on wetlands is not estimated to be significantly less than what is currently proposed. This is due primarily to the fact that a major portion of the anticipated wetland disturbance is related to the Project roads, which have been laid out in accordance with the site topography and in coordination with the NYSDOT proposed Slingerlands By-Pass and associated round a bouts. A 30 percent reduction in Project size would not significantly affect the wetland impact associated with the site roads. In addition, the current Project design will result in the impact of approximately 2.37 acres of wetlands, which is a 3.8+/- acre less disturbance when compared to the original Project design. The current Project Design has succeeded in significantly reducing wetland impact.

A Project reduced by 30 percent would also not negate the need for the construction of the Slingerlands By-Pass. This highway improvement has been proposed for several years and would be required even if the Vista Technology Campus Project were not under consideration. In addition, since a reduction in Project size would mean the elimination of the commercial component to maximize the square feet of office space, the Project would continue to result in traffic demands requiring certain off-site mitigation. A reduction in overall square feet of the Project would not translate into noteworthy reductions in traffic impacts.

Alternative Analysis Conclusion

Based upon the above analysis, these four alternatives would result in either the loss of important benefits to the Towns of New Scotland and Bethlehem or would create environmental impacts more significant than those anticipated under the Preferred Alternative. Furthermore, transportation specific site constraints posed by the location at Alternative 2 make the site less attractive to prospective tenants. Alternative 3 would propose to mix uses in such a manner that renders certain sensitive research and development activities unfeasible, while Alternative 4 may directly affect Project viability and significantly diminish or completely negate the positive economic benefits of the Project without realizing notable benefits of a smaller design.

6.0 Irreversible and Irretrievable Commitment of Resources

6.1 Open Space, Community Character, and Zoning

The Project, like any development project, involves a trade-off between open space – with the environmental and aesthetic benefits it provides – and development. The Project, as documented in this study, will provide construction-related and long-term employment for local citizens as well as employees relocating to the area. The Project will also result in increased local spending during construction, by new employees as well as their families.

The change in character of the Project site itself may be the most prominent irreversible commitment of resources. While not fundamentally irreversible in terms of physical science, development of this site effectively alters its character permanently. The Project design has been carefully planned to preserve the existing natural character and resources of the Site and surrounding areas to the maximum extent practicable while continuing to meet the needs of the Project's tenants.

The Project Site has been zoned MEDD specifically for the type of development being proposed, and therefore, the Project is not in conflict with the uses the Town has determined to be acceptable and compatible through their Comprehensive Plan and Zoning Regulations. All access to the site is achieved through the Town of Bethlehem and a substantial buffer is being maintained between the development portion of the site within New Scotland and adjacent agricultural uses.

Appropriate and adequate mitigation measures have been proposed to prevent the degradation of the surrounding land use from its current rural/suburban residential character.

6.2 Vegetation, Habitats, and Topography

As previously discussed, some vegetation will be permanently lost as part of the Project and converted to impervious surfaces; the remainder of the site will remain pervious in one form or another. Further, all disturbed areas will be revegetated, and numerous precautions, provisions, and mitigation measures will be employed to minimize the potential for additional impacts related to the removal of vegetation.

The Project, through the removal of vegetation and alteration of the existing forms of vegetation, including the conversion of wooded areas to lawns and landscaped areas, will result in the permanent alteration of habitat for resident species of deer, birds, and small mammals. Wildlife species that would be impacts are common and abundant in this area. This loss of habitat is considered to be minimal and the impact short-term due to the proposed construction of lawns and landscaped areas that are anticipated to result in an increase in the population of songbirds and small mammals, and not an overall decrease in animal populations.

The Project will also result in minimal alterations in the topography at certain areas of the Site. While all efforts will be made to avoid altering slopes to the extent practical, re-grading will be required to implement the Project as designed. The mitigation measures to be included in the SWPPP, combined

with proper construction techniques and BMP's, will all work to mitigate potential adverse impacts related to slope disturbances.

Water Resources

The Project proposes permanent disturbances to wetlands under the jurisdiction of the ACOE related to the construction of the proposed buildings, parking lots, roads and utilities. These impacts will require an Individual Permit from the ACOE and a Water Quality Certification Permit from NYSDEC.

The Project has been designed so that the wetland impacts have been avoided and minimized to the maximum extent practicable. Furthermore, a compensatory mitigation plan has been developed that will result in the creation of new wetlands. The proposed compensatory mitigation, combined with the use of proper construction techniques, BMP's, and compliance with the required permits, approvals, and the SWPPP, the potential for permanent losses to these resources on the site will be mitigated to the maximum extent practicable and an increase in the amount of wetland on the Project site will be increased.

6.3 Commitment of Energy and Construction Materials

The development of the Project will also require a commitment of energy and construction materials. Construction materials include concrete, steel, glass, asphalt, and other related materials and equipment. This commitment of resources will span the proposed twelve-year implementation period. The increased need for and utilization of building materials for the Project is not anticipated to result in any adverse impacts by itself.

Energy resources will also be utilized during construction. These impacts are discussed below in DEIS Section 8, Effects on the Use and Conservation of Energy.

7.0 Growth-Inducing Aspects of the Project

The Albany area is already a growing region and Vista Technology Campus will be a factor in that growth. Yet, growth-inducing effects are spread over an extended time period and are difficult to assess with accuracy, since future economic and population trends may be influenced by unforeseeable events. Another point to note is that the creation of growth potential does not automatically lead to economic growth. Growth occurs through capital investment in new economic opportunities by the private and public sectors. However, an attempt is made here to qualitatively assess the growth-inducing aspects of the proposed Vista Technology Campus.

7.1 Population Increase

Using the Economic and Fiscal Impact Analysis

The basis for establishing the possible growth inducing aspects of the Project is the Economic and Fiscal Impact Analysis (the report) prepared by Camoin Associates (See Appendix C). Job growth was estimated in terms of ‘direct’ (onsite) and ‘indirect’ (offsite) jobs. The report forecasts that 4,390 jobs of various kinds would be generated onsite between 2009 and 2019. No jobs will be generated until year three of the project. Job growth will plateau at year 12 when tenant occupancy of the site reaches 90 percent. It also forecasted that 3,941 additional jobs would be generated throughout the Albany area through the multiplier effect. Together, on- and offsite jobs generated by the Vista Technology Campus are estimated to top 8,331 new jobs. These forecasts were based upon industry averages for estimated square feet per employee for certain business sectors. Sectors used in the analysis include Office, Research, Wellness Center, and Restaurant.

Between 2009 and 2019, approximately 430 onsite jobs will be added each year. Job growth estimate figures for Vista are commensurate with overall rates of job growth in the Albany area. The New York State Department of Labor indicates that between July 2005 and July 2006 1,200 jobs were added by the private sector in the Albany-Schenectady-Troy area. The unemployment rate in July 2006 for the same area was 4.2%.

The Report will be useful in establishing a preliminary picture of population growth likely to be spurred by this project. However, there are two caveats that limit the effort to establish that picture. First, the analysis was conducted for the portion of the site located within the Town of Bethlehem. The scope of the analysis was limited to this area in order to calculate anticipated revenue benefits to the Bethlehem Central School District, which extends to the town line. The second caveat is that some adjustments have been made to the mix of building uses, which are not reflected in the Report. The current proposal anticipates more ‘Research’ building space and less ‘Office’ building space. This means that the square footages used to calculate the job figures would have to be adjusted in order to get a firmer forecast.

For purposes of this Draft Environmental Impact Statement, the current Economic and Fiscal Impacts Analysis report will be used to guide the analysis in this document. Despite the limits noted above, the results of a revised analysis are likely to correspond in scale to the existing projections. The likelihood of this is reasonable since the two caveats adjust projections in opposite directions—expanding the analysis

into the Town of New Scotland would revise the projections upward, while reconfiguring the mix of building uses would revise the projections downward. That downward revision is true because, on average, ‘Research’ use buildings creates fewer jobs per square foot of building space than ‘Office’ use buildings. Obviously, the exact figures of such a revision cannot be established in this document.

Induced Population Growth

Population growth is a function of births, deaths, and migration. Determining the potential effect on population growth from any project is inexact and complex. The effects occur over long time frames and will be spread over the entire Albany area labor market. For purposes of this document, the Albany area includes the following counties: Albany, Schenectady, Rensselaer, and Saratoga. This section will examine the nature of the jobs created by the Project and will estimate how this demand for labor might effect in-migration (population growth) for the Albany area.

Many of the jobs created by the ‘Research’ buildings are highly technical and scientific in nature. These positions require extensive education, training and experience. As the labor market for these highly skilled positions tighten locally (Luther Forest Tech Park, Harriman Research and Technology Park, the independent nanotechnology research initiatives at SUNY Albany and RPI, and Starfire in Saratoga Springs), it is reasonable to assume that Albany area will begin to attract workers from a national pool of technological expertise to fill the positions. Such workers would move to Albany, increasing its population and creating new demand for housing, schools, and municipal services. The other sectors on the site, such as restaurants, retail stores, the bank, hotel and other services will likely be satisfied by the local labor market and not directly result in in-migration from outside the Albany area.

There may also be intra-local shifts in population to meet the demand for labor at the site. However, the decision to move across town is complex. Generally speaking, for a move to make sense, the benefits of proximity must outweigh the costs associated with uprooting an established life. Such moves will certainly occur, more so for singles or couples with no kids or few ties (schools, mortgages), but such intra-local moves are not expected to occur on a scale that is significant.

Therefore, the following assumptions are used in this study:

- > The worst-case scenario is assumed—all new positions created in the Office and Research buildings will be filled by persons in-migrating into the Albany area.*
- > The other building uses on the site (restaurants, retail stores, the bank, hotel and other services) will likely be satisfied by the local labor market and will not result in in-migration from outside the Albany area.*
- > Jobs estimated by the multiplier effect (spin-off employment such as mechanics, health care workers, tellers, and teachers) will be filled by the local labor market and will not result in in-migration from outside the Albany area.*

These assumptions are simply a starting point from which to assess the growth inducing impacts of the Project. Obviously, it is unrealistic that 100 percent of these jobs will be filled by in-migration, since the

local labor market could fill many non-research (secretarial and human resources) and research positions created at the Research and Office use buildings. This would revise downward any population growth estimates made in this study.

Thus, this study assumes that in-migration will fill the 4,090 new jobs created directly onsite by the Research and Office use buildings. This growth equals an annual average increase of 409 new jobs between 2009 and 2019. The US Census calculated that the average household size for New York State is 2.6 persons. Annual growth multiplied by the average household size would equal 1063 new residents migrating annually between 2009 and 2019 to the Albany area. Over the course of a decade and using the assumptions defined above, the Project adds 10,630 new residents to the Albany area between 2009 and 2019. This ten year time frame, which does not commence until year three of the project, allows time for municipalities to adjust to increasing demand for public services and also allows the private market to accommodate increased demand for housing, goods, and services.

The table below shows the actual Year 2000 census and yearly estimates since then for the Albany area. The US Census estimates that annual population growth since 2000 for the four county area ranged between 3,500 and 6,500 persons a year.

Table 7.1: US Census Population Estimates for Albany Area

Year	Total Population	Annual Growth	Albany Co.	Rensselaer Co.	Saratoga Co.	Schenectady Co.
2005	816,700	3,600 (0.4%)	297,400	155,300	214,900	149,100
2004	813,100	4,400 (0.5%)	297,900	154,500	212,600	148,100
2003	808,700	6,500 (0.8%)	297,700	153,400	210,300	147,300
2002	802,200	4,800 (0.6%)	295,900	152,500	207,000	146,800
2001	797,400	3,100 (0.3%)	294,700	152,300	204,300	146,100
2000	794,300	--	294,600	152,500	200,600	146,600

Source: US Census. Figures for 2000 are from the decennial census; all other years are US Census estimates.

Current estimated growth rates using US Census data for the total four county area ranges from 0.3 percent to 0.8 percent. Again, assuming that 100 percent of the jobs will be filled by in-migration, then annual population growth induced by Vista (1,063 people/ year) could adjust annual growth rates upwards to between 0.35 percent and 1.04 percent.

The Albany area is already a growing region and Vista Technology Campus will be a factor in that growth. However, it should be emphasized that these projections are overestimated. Factors likely to lower these projections include intra-local moves and the local labor market's ability to fill jobs, especially the non-technological positions.

7.2 Economic Impacts

The Vista Technology Campus will generate a variety of economic impacts for the municipality and the region. An Economic and Fiscal Impacts Analysis conducted by Camoin Associates made several projections regarding the economic impacts of the Project (Appendix C: Economic and Fiscal Impacts Analysis). The analysis measured these impacts in terms of tax dollars generated for the Town of Bethlehem and the Bethlehem Central School District. It also measured this in terms of projected earned incomes and economic output generated onsite.

To calculate the fiscal impact of the Vista project on the Town of Bethlehem and the Bethlehem Central School District, Camoin Associates collected all the data necessary to conduct a LOCI analysis. LOCI analysis is fiscal and economic impact tool for assessing impacts at the local-government level. The fiscal impact software package uses current revenue and expense data as well as a host of demographic and economic data specific to the taxing jurisdiction and compares it with the profile of a given development project. The program estimates additional governmental income and expenditures associated with the Project.

Tax Revenues to the Town of Bethlehem

The Project's net contribution in tax revenues over 20 years will be more than \$2.4 million to the Town of Bethlehem's overall fiscal resources (Appendix C: Table 1.2 in the Economic and Fiscal Impacts Analysis). This corresponds to an average annual positive contribution of over \$124,000.

Tax Revenues to the Bethlehem Central School District

The Bethlehem Central School District will generate an additional \$50.8 million in fiscal resources as a result of the project over the same period. This corresponds to \$2.5 million average annual contribution to the school district.

Projected Earned Incomes

The report forecasts that 4,390 jobs of various kinds would be generated onsite between 2009 and 2019. No jobs will be generated until year three of the project. Job growth will plateau at year 12 when occupancy of the site reaches 90 percent. It also forecasted that 3,941 additional jobs would be generated throughout the Albany area through the multiplier effect of onsite jobs. In total, it is projected that the Vista Technology Campus will create 8,331 jobs on- and offsite. Table 1.1 in Appendix C shows the incomes anticipated to be generated by employment from the Project. Using constant dollars over 20 years, total earnings at year 3 begin at approximately \$27 million and grow to approximately \$276 million dollars by year 12.

Impacts from approximately one-quarter billion dollars of additional annual incomes will be felt locally in the Towns of Bethlehem and New Scotland and regionally. The exact share of this impact is indeterminate. A fraction of these earnings may come at the cost of local shifts in the market, where goods and services provided onsite compete with other similar providers in the area. In such cases, economic development can be characterized as a zero-sum game. Instead, the bulk of the office and research services created onsite will compliment, not compete with, the existing economic make-up of the

Albany area and result in overall positive economic growth. As such, the bulk of the approximately one-quarter billion dollars in annual earnings will be injected into the local economy to support demand for things like housing, food, health care, education, entertainment, and other goods and services. This supplementary growth is known as the induced effects of economic activity onsite.

Projected Economic Output

Economic output is measured as the value of goods and services generated onsite by the Project. As with the employment figures, no economic output is generated until year 3, after which growth occurs until year 12 when tenant occupancy of the site reaches 90 percent. Economic output begins at \$74 million dollars in year 3 and grows to \$743 million by year twelve. Total economic output over 20 years and in constant dollars is projected to reach approximately \$10 billion. This

7.3 Induced Development Potential

Induced development potential refers to the Project's likelihood of creating and supporting land development in the area. Land development, in basic terms, is a two-part function. One part is the market demand for new homes, offices, and stores, while the other part is the provision of public facilities and services such as schools, roads, water capacity, and sewer to support new growth. The Vista Technology Campus will affect both. As discussed above, annual salaries, economic output, and population growth will support development for new housing and office space. In addition, specific public and service infrastructure improvements on- and offsite will provide additional capacity to support growth. The creation or extension of sewer districts (as is proposed for the Project) is a typical infrastructure prerequisite for suburban and urban development patterns. Transportation improvements, such as the Slingerlands Bypass, are likely to induce growth. This and the extension of the sewer district to the Project site will enhance the likelihood for additional development in the vicinity of the Project.

7.4 Housing

The Project may potentially result in approximately 8,300 direct and indirect jobs. In particular, employees and their families from outside the region will create demand for new and existing housing. The 2004 American Community Survey (conducted by the US Census Bureau) identified approximately 11,000 vacant housing units in Albany County alone. It is reasonable to expect that housing preferences (urban versus suburban, ownership versus renting) will be accommodated at a regional level, such as Albany and nearby counties. Job growth will occur across 12 years, allowing the housing market to adjust over time to accommodate additional demand for housing. New housing demand will be met by the market through a combination of new construction and renovation of existing housing.

8.0 Effects on the Use and Conservation of Energy

8.1 Proposed Energy Sources and Alternatives

Energy usage in conjunction with the proposed Project will be related to short-term and long-term development activities. Short-term energy usage is a function of construction activity and will coincide with general site development. Since full build-out of the Project is expected to take approximately twelve-years, the short-term energy uses shall exist on a variable basis during that period. Essentially, energy use shall require fossil fuels (i.e., gasoline and diesel) for the operation of all types of construction equipment, including generators for temporary on-site power during construction.

Long-term energy use is a function the Vista Technology Campus operations including building support functions (lighting, power, mechanical systems). Support functions will generally require low voltage (120 volts) for office, safety lighting, power outlets and mechanical equipment. Additional power requirements will vary among the different tenants that will locate at the Campus.

National Grid will provide electric service for the Site. The Phase One service will be delivered to the site from the existing overhead service on New Scotland Avenue. The electrical service options for the total Vista build-out are currently being evaluated by National Grid and the Developer. National Grid will also provide gas Service from the existing main in New Scotland Avenue. National Grid has stated that sufficient gas capacity exists to serve the project.

When the topography and vegetation allows, the Project will take full advantage of southern exposure, to assist in heating and lighting needs. Furthermore, some tenants will have the choice to incorporate solar power and the use of other renewable energy sources as their specific operations, needs and requirements may allow.

8.2 Anticipated Levels of Energy Consumption

As discussed in more detail in DEIS Section 4.2.4.1 Utilities, the average demand for the various building uses on the site is estimated at 22 watts per square foot of floor area. Based on this usage rate, Phase One of the development will require approximately 5,720 kilowatts, and Phase Two an additional 25,000 kilowatts of electrical demand.

8.3 Indirect Effects of Energy Consumption

Market costs for energy constitute the greatest potential effect on energy consumption patterns. It is difficult to estimate how energy costs will change in relation to each other. Typically, as prices shift, industry in general studies the feasibility of incorporating dual fuel systems, cogeneration capabilities and use of off-peak power capacities. In the future, industries should continue to assess energy costs and changes in fuel types. Pollution regulations and future changes will affect the types and amounts of energy used as it relates to emissions.

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