

State Environmental Quality Review
POSITIVE DECLARATION
Notice of Intent to Prepare a Draft EIS
Determination of Significance

Project Number

Date April 3, 2013

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

The Town of Middlesex Planning Board as lead agency, has determined that the proposed action described below may have a significant impact on the environment and that a Draft Environmental Impact Statement will be prepared.

Name of Action:

Komarek Major Subdivision

SEQR Status: Type 1

Unlisted

Scoping: No Yes If yes, indicate how scoping will be conducted:

The applicant shall provide a draft scope pursuant to 6 NYCRR 617.8. The public will be given an opportunity to comment on the draft scope.

Description of Action:

Andrew Komarek has made application to the Town of Middlesex for a 4-lot major subdivision of Tax Parcel I.D. No. 2.03-1-2.1, a property with steep slopes located within the Lake Residential ("LR") District, for the creation of four (4) lots for single family residences and the construction of a private road to provide access to each of the residences.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

Tax Parcel No. 2.03-1-2.1 in the Town of Middlesex

Reasons Supporting This Determination:

- a. the Project may have potential impacts on land, as the majority of the property has steep slopes that are greater than 15% slopes, with some slopes being greater than 40% on the property; the property also contains bedrock that is exposed or generally within three (3) feet of the existing ground surface; and, finally, the depth to the water table is less than 3 feet in certain areas of the property; and
- b. the Project may affect unique or unusual land forms in that the steep slopes on the property contains cliffs that will be disturbed through the construction of the Project;
- c. the Project may have potential impacts to water quantity and quality through impacts to the groundwater resources, including, but not limited to, siltation or other discharges into Canandaigua Lake caused by the construction of the Project; additionally, the Project involves the construction of residential homes in an area without water and/or sewer services;
- d. the Project will alter drainage flow and patterns, as well as surface water runoff, as it will increase the impervious area on property that contains steep slopes, which may cause substantial erosion, increased storm water runoff, flooding and other drainage problems;
- e. the Project may have potential impacts to vegetation and wildlife through the removal of existing vegetation as part of the construction activities of the Project, which will impact the erosion and water drainage on the property with the steep slopes;
- f. the Project may impact public health and safety, as the Project must be designed to allow access by fire apparatus and emergency vehicles to the residences, which may not be feasible in light of the steep slopes on the property;
- g. the Project may have an impact on the growth or character of the community or neighborhood and impact, as it may create of a material conflict with a community's current plans or goals as officially approved or adopted;
- h. the Project could impact aesthetic resources;
- i. the Project is proposed to be constructed in stages that could exacerbate the potential environmental concerns referenced above due to the fact that there will be multiple rounds of construction that could cause erosion, siltation into Canandaigua Lake, and the like, through the construction activities

For Further Information:

Contact Person: Martin DeVinney, Chair

Address: Middlesex Town Hall, 1216 Rt. 245, P.O. Box 147 Middlesex, NY 14507

Telephone Number: 585-554-3607

A copy of this notice must be sent to:

Department of Environmental Conservation, 625 Broadway, Albany, New York 12233-1750

Chief Executive Officer, Town/City/Village of

Any person requesting a copy

All Involved agencies

Applicant (If any)

Environmental Notice Bulletin, 625 Broadway, Albany, NY 12233-1750