

**Elaine Nesbit**

---

**From:** Lanigan, Jeffrey (EFC) <Jeffrey.Lanigan@efc.ny.gov>  
**Sent:** Thursday, May 17, 2012 3:20 PM  
**To:** 'dnaetzker@fingerlakesmuseum.org'; 'maryv210@aol.com'; Elaine Nesbit  
**Cc:** Hahn, Brian (EFC); O'Neil, Michael (EFC)  
**Subject:** Finger Lakes Museum - GIGP Project No. 503 - SEQR Review

**Importance:** High

I have been advised by Brian Hahn today that the Town of Jerusalem Planning Board has requested lead agency status for purposes of conducting the SEQR review for this project. Please be advised that EFC has no objection to the Town acting as lead agency and I will be sending a follow-up letter confirming this.

The notice states written comments on the environmental review process will be received and considered by the Town Planning Board between 4/20/12 and 5/3/12. However, EFC did not receive the lead agency solicitation nor any of the environmental review documentation until today, so I would request that EFC be given an extension until 5/31 to make comments on the SEQR documentation. It is my understanding that the Town Board is meeting to discuss the project tonight.

Please e-mail me to confirm that you have received this e-mail and, if you have any questions, please contact me. Thank you.

Jeffrey M. Lanigan  
Deputy Counsel



New York State  
ENVIRONMENTAL FACILITIES CORPORATION

MATTHEW J. DRISCOLL, *President and CEO*

May 17, 2012

**VIA E-MAIL AND FIRST CLASS MAIL**

Ms. Mary Coriale, Acting Chair  
Town of Jerusalem Planning Board  
Town of Jerusalem  
3816 Italy Hill Road  
Branchport, New York 14418

Re: Finger Lakes Cultural & Natural History Museum  
Green Innovation Grant Program ("GIGP") Project No. 503  
Consent to Lead Agency for SEQR Review

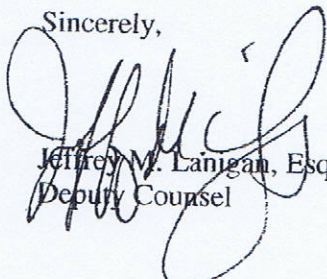
Dear Ms. Coriale:

This is to acknowledge receipt by the New York State Environmental Facilities Corporation ("EFC") of the request for lead agency status dated April 20, 2012 by the Town of Jerusalem Planning Board (the "Board") in connection with the SEQR review for the above-referenced GIGP project. Please be advised that EFC has no objection to the Board serving as lead agency for the SEQR review.

The request for lead agency states that written comments on the environmental review process will be received and considered by the Town Planning Board between April 20, 2012 and May 3, 2012. However, EFC did not receive the request for lead agency nor any of the environmental review documentation until today, so I would request that EFC be given an extension until May 31, 2012 to submit comments on the SEQR review documentation.

Please contact me to confirm that the Town Planning Board agrees to this extension at your earliest convenience and, if you have any questions regarding this matter, please contact me. Thank you.

Sincerely,



Jeffrey M. Lanigan, Esq.  
Deputy Counsel

JL/JL  
c: M. O'Neil  
B. Hahn

Please consider the environment before printing this email.

**From:** Donald Naetzker [<mailto:dnaetzker@fingerlakesmuseum.org>]  
**Sent:** Wednesday, May 16, 2012 7:29 AM  
**To:** Mike O'Connell  
**Cc:** 'o'brien victor'; 'Zac Rood'; 'Wayne Ackart'; [maryv210@aol.com](mailto:maryv210@aol.com); 'Elaine Nesbit'; [mikesteppe@gmail.com](mailto:mikesteppe@gmail.com)  
**Subject:** RE: Finger Lakes Museum - Initial Review Comments

Mike,

I am getting you this package of information, as discussed, so that you can have some time for review prior to the meeting Thursday night. We can present, review and discuss this further either before – or at the meeting. Please don't hesitate to call.

I also hope to get you additional information, primarily relative to stormwater, erosion control, lighting and signage by the end of the day today. Our civil engineer (Victor O'Brien of C&S) will be at the meeting on Thursday to help answer questions.

I am sending a site plan with a revised SR 54A Entry design, an updated survey with parcel information corrected and wetlands delineation/buffer shown and SHPO Documentation under separate cover (due to file size).

Mary – I leave this to your discretion as to whether you want to share this with your Board at this time – or have us present it on Thurs.

Thank you for your flexibility. Please call with any questions at 585-690-5008.

Regards,

Don Naetzker | Executive Director/Project Director



W: 315.595.2200 | C: 585.690.5008  
[dnaetzker@fingerlakesmuseum.org](mailto:dnaetzker@fingerlakesmuseum.org)  
[www.fingerlakesmuseum.org](http://www.fingerlakesmuseum.org)



---

**From:** Mike O'Connell [<mailto:mdo@larsondesigngroup.com>]  
**Sent:** Tuesday, May 08, 2012 6:21 PM  
**To:** Wayne Ackart ([ackartw@roadrunner.com](mailto:ackartw@roadrunner.com)); [folts\\_m@yahoo.com](mailto:folts_m@yahoo.com); [maryv210@aol.com](mailto:maryv210@aol.com); phil bailey ([phil@heatonandvenuti.com](mailto:phil@heatonandvenuti.com)); Elaine Nesbit ([ZAP@Jerusalem-NY.org](mailto:ZAP@Jerusalem-NY.org)); [TownClerk@Jerusalem-NY.org](mailto:TownClerk@Jerusalem-NY.org); [supervisor@jerusalem-ny.org](mailto:supervisor@jerusalem-ny.org); [mikesteppe@gmail.com](mailto:mikesteppe@gmail.com); Donald Naetzker ([dnaetzker@fingerlakesmuseum.org](mailto:dnaetzker@fingerlakesmuseum.org)); [jc\\_smith@roadrunner.com](mailto:jc_smith@roadrunner.com)  
**Subject:** Finger Lakes Museum - Initial Review Comments

All,

I have spent significant time reviewing the documents sent to me for the museum project last Thursday. In my conversations with Don Naetzker we thought it best to get my comments back to him as soon as possible in order to give him time to amend and revise information as needed prior to the Planning Board meeting on the 17<sup>th</sup>. It is certainly an exciting project and would be a nice addition to any community, however, the extent of development, particularly along the waterfront and wetlands, makes for a regulatory heavy project. My comments below reflect what I feel is still necessary to provide a thorough Environmental and Site Plan review.

To start I compared what I received to what I requested in my email on 4/25.

*Under SEQR a Lead Agency must make a determination within 20 calendar days of receipt of all the information it reasonably needs. In the case of this project, the applicant had agreed to provide all information by noon Friday April 27<sup>th</sup> for the May 3<sup>rd</sup> meeting. Under the proposed schedule the applicant would have until May 3<sup>rd</sup>. From this point, the Planning Board has 2 full weeks until the special meeting on the 17th. For the schedule to be held, the information supplied has to be adequate and complete for both SEQR Determination and preliminary site plan review. It is my understanding that Wayne Ackert will be completing the EAF for the zoning amendment. The Museum will be preparing the remainder of the documents. Based on discussions and my understanding of what was discussed in the 4/20/12 meeting, the following would be a minimum of what is expected in the submission to the Planning Board.*

*Completed Long Form EAF for the site plan– revised as follows*

*remove the references to the zoning amendment - Done*

*Clarify geothermal use in item 21 (if system is still proposed) no revision was made “possible geothermal” is not an acceptable answer to obtain a Neg Dec*

*add NYSDEC wetlands and SPDES for construction activities to item 25, clarify submittal date*

**SPDES permit requirement not added**

*add Keuka Watershed Improvement Cooperative to item 25, clarify submittal date Not added*

*add NYSDOT work permit to item 25, clarify submittal date Not added*

*As discussed, prepare drafts of Parts II and III for Town review and approval. Done*

*In lieu of 30 day period, provide written documentation from all involved agencies agreeing to the Town Planning Board declaring themselves lead agency. None of these documents were provided.*

*Site plan consistent with the Town Code showing proposed layout of project and all proposed improvements including buildings, pavements, docks, and culverts. Plan must include delineated boundaries of wetlands and floodplains including all associated elevations, setbacks, and buffers. Verify floor elevation of waterfront center is above the floodplain elevation. Typical items the Town will be looking for include compatibility of the proposed use with neighboring uses, safe and appropriate movement of vehicles and pedestrians onto and off of the site, adequacy of the systems for general safety and the suppression of fires, suitability of landscaping, buffering, lighting, and, hours of operation, adequacy of drainage systems, suitability of signage, appropriateness of architectural design and treatment considering the neighboring structures. Documents provided, see further comments below.*

*Wetland reports and documentation from DEC that the proposed improvements can be permitted in the wetland/waterfront areas indicated. No documents provided*

*Utility Plans with conceptual stormwater management system and narrative describing how the system will meet the requirements of NYSDEC General Permit for Stormwater Discharge. Some stormwater management areas are noted on plans, but no detail or calculations provided, waterfront center shows no management areas for the new development.*

*Utility Plans with conceptual design of the water and sewer services to the waterfront center. Calculations to show that the existing septic system has sufficient capacity for the additional sanitary flows. Provided*

*Clarification of the entrance drive on 54A. Provide accurate detail of the property lines in the area of the entrance and provide adequate mapping to show how it impacts existing neighboring properties and structures. Provide a narrative that addresses the expected increases in parking and vehicular trips at peak hours. Mapping provided, no traffic information included.*

*Clarify intentions of geothermal use. If it is still proposed, particularly an open system, provide a narrative containing detailed information on system function, water demand, capacity of and effects on the local aquifer, quality and temperature of discharge water, and an explanation of the necessary permits and processes of getting*

*such a system approved for use by NYSDEC. No information provided in the submission or any indication of what is proposed.*

#### **EAF/SEQR Documents:**

Much of the rush to the SEQR Schedule was justified by the applicant stating that they would provide documentation from the Interested and Involved Agencies prior to the Planning Board making a SEQR determination. To date, no documentation has been submitted. The extended schedule and meeting on the 17th has now given agencies 27 of the 30 required calendar days to respond. Unless documentation is provided prior to the meeting, the Town will have to determine their comfort level with this.

The EAF Part I is largely unchanged from the initial submission despite what was requested above. The information contained is generally complete and accurate with the following specific exceptions:

- Part A Item 11 – endangered plant and animal life, box is checked no, no justification is provided for this.
- Part B Item 1 f-g – applicant is proposing an increase of 100 parking spaces from the existing condition yet later states similar traffic generation to the original use. Item g states less than 25 vehicular trips per hour which seems light for 130 car parking lot for educational/classroom use (set attendance times). More information to justify expected traffic generation needs to be provided.
- Part B Item 21 – a decision must be made on geothermal. “possible geothermal” is not an acceptable answer in an EAF. If the decision is made to move forward with an open system, much more info needs to be provided. Currently nothing has been submitted on this system.
- Part B Item 22 – pumping capacity from wells must be filled in if the decision is made to install geothermal system.
- Part B Item 23 – total water usage per day must be revised in if the decision is made to install geothermal system.
- Part B Item 25 – List of approvals required and submittal dates is still not correct. DOT, SPDES, and Keuka Watershed are still not listed., verify submittal dates
- Part C Item 3 – N/A is not an acceptable answer.
- Part C Item 9 – is a subdivision action required to convey property/ROW to/from the Fire Department for the 54A access?
- Part C Item 11 – which building requires sprinklers? Both? Does the waterfront center need hydrant coverage and/or sufficient fire protection water supply?
- Part C Item 12 – if proposed traffic is consistent with historic levels, why 100 more parking spaces? More backup info needs to be provided.

#### **Draft Part II**

This document is typically completed by the Lead Agency but, for the sake of schedule, the applicant offered to complete it for Town review and approval. The responses are largely acceptable with a few exceptions. My comments include:

- Item 3 – wetlands needs to be checked yes. The waterfront work is largely in the buffer and the culvert crossing for the 54A entrance is within the designated wetland.
- Item 5 – ground and surface waters. this would need to change dramatically if geothermal system is still proposed. Based on the thresholds noted, many large impacts would likely have to be noted.
- Item 8 – endangered species, not a significant concern but applicant needs to provide documentation that none are affected
- Item 15 – transportation systems – small impact should be checked based on change of uses, increased parking, and improved 54A entrance.

#### **Draft Part III**

Again this document is typically completed by the Lead Agency but, for the sake of schedule, the applicant offered to complete it for Town review and approval. The responses are largely acceptable with a few exceptions. My comments include:

- Floodway – clarify if the development is occurring in the floodway or 100 year floodplain. The difference is important as building in a floodway is typically prohibited.
- Protected Waters - noted stormwater pollution control plan has not been submitted for Town review.
- Wetland Impacts – should note permits are required for this work, documentation of the DEC’s “compatible use” determination would assist the Town in standing behind this statement.
- Traffic – should note a DOT work permit will be obtained if necessary. Again more info on traffic projections to make a better comparison to the original school use.
- Groundwater and surface waters impact – needs to be added if geothermal is proposed.

## Draft Negative Declaration

Again this document is typically completed by the Lead Agency but, for the sake of schedule, the applicant offered to complete it for Town review and approval. The responses are largely acceptable with a few exceptions. My comments include:

- Unlisted Action is checked, wasn't this supposed to be considered a Type 1?
- Is statement on impervious reduction accurate? The EAF shows a 1 acre increase. Supporting documentation needs to be provided to make this claim.
- Geothermal water use would need to be listed as a potential impact if it is still proposed.

## Neg Dec Supporting Document

- Floodway – clarify if the development is occurring in the floodway or 100 year floodplain. The difference is important as building in a flood way is typically prohibited.
- Protected Waters – noted stormwater plans have not been submitted.
- Wetlands – note that permits are required for construction, copies of DEC determination should be provided.
- Traffic – description is on the right track but estimated trip generations are blank. This work needs to be completed. Note DOT work permit will be obtained for 54A entrance if required.
- Community Services – has the project been review by police and fire?
- Bullet item list of supporting documentation is exactly what is needed to confidently issue a neg dec. To date none of this has been provided. Can we expect it prior to the meeting date?

## Drawings/Technical Documents

### Marathon Engineering Septic Calculations

- The provided letter seems to indicate the installed system has adequate capacity for the proposed project. The letter indicates a design flow rate of 1200 gpd, while the drawing indicates 1500 gpd after a peaking factor is applied. Ultimately the Keuka Watershed Improvement Coop has jurisdiction. Approval for this proposed system modification should be obtained prior to construction.

### Drawings

After a general review of the documents provided, they are reasonably complete and adequately depict the overall scope of the project. My comments include:

- Plans make no indication that a geothermal system is proposed (well location, water discharge, etc).
- Existing school building has hydrant coverage. Sprinklers are proposed. What is required for the waterfront center to meet current fire code? Sprinklers? Hydrants? The 1 ½" water service would not be sufficient for fire protection if required.
- Site plans show generous areas set aside at the main building for stormwater management and water quality treatment to both meet the DEC requirements and as a teaching tool. No details or calculations of these areas have been provided. How does the applicant plan to meet the stormwater regulations for the development associated with the waterfront center. Nothing is currently shown to address these lower areas.
- Entrance signs are proposed. Detail should be provided to ensure they meet the requirements of the Town Code.
- Site lighting appears to be shown graphically in the site rendering but is not noted elsewhere. Is it proposed? If so, Detail should be provided to ensure they meet any applicable requirements of the Town Code.
- The survey shows Parcel A of 1.666 ac to be conveyed to the fire district with a 50 ft easement being retained. Has this already been done? Is a Subdivision action required by the Town?
- Sizing of storm pipes not provided.
- Based on the outcome of ongoing meetings, the layout of the entrance drive on 54A may need revision.

## Town Code

I reviewed what I felt were the applicable sections of the Town code and noted my comments below. More particular issues may come regarding local code during the building permit process.

- The proposed construction of the waterfront center is within the floodplain boundary and subject to the requirements of Chapter 87 Flood Damage Prevention.
- Does the conveyance of "Parcel A" to the Fire District constitute a minor subdivision subject to Chapter 142 of the code?
- It is assumed that the site will utilize a single existing water service and meter. Any of the proposed revisions to the onsite water system are subject to the requirements of Chapter 152 Water.
- Details of proposed signage were not provided. Signs must comply with the requirements of Chapter 160-14.

### Summary

Upon review, I came up with more comments than I was hoping to. Many only require minor revisions but there is still a lot to deal with here. Given the agenda for the meeting on the 17<sup>th</sup>, these comments need to be put in one or both of two categories ...SEQR review and/or preliminary site plan review. In my opinion the submission is not far off from meeting the requirements for preliminary site plan approval with clarification of the subdivision, stormwater management, and the 54A entrance configuration being the biggest factors. SEQR is the larger issue with none of the promised responses or guidance from DEC on wetlands, no responses yet submitted from any of the other involved agencies, no traffic projections, and perhaps the biggest factor, no direction on the geothermal system. In my opinion further information is needed for the board to make a determination next Thursday. Hopefully there is enough time for the additional information to be provided prior to the meeting.

I will make myself as available as possible to all for questions and assistance,

Mike...

**Michael O'Connell, PE**  
Project Manager - Site Engineering

**TEL** (607) 936-7076 ext. 419  
**MOBILE** (607) 590-6750  
**FAX** (607) 936-7086  
**EMAIL** [mdo@larsondesigngroup.com](mailto:mdo@larsondesigngroup.com)

Larson Design Group ®  
[www.larsondesigngroup.com](http://www.larsondesigngroup.com)

1 West Market Street  
Suite 301  
Corning, NY 14830

Please consider the environment before printing this email.

4

NYS Environmental Quality Review

Mitigation Measures & Evidence in Support of a Negative Declaration (DRAFT 5/15/12)

No potential "large" environmental impacts were identified within Part 2 of the Environmental Assessment Form. The following potential environmental impacts were identified as "small to moderate" based on the project design. Each potential impact includes mitigating measures that have been incorporated into the project. They are outlined below.

Potential Impacts to Flood Plain & Floodway: Project components located within the 100 year flood plain of Sugar Creek include a waterfront building, walkways, a removable boardwalk and removable docks. The removable boardwalk and removable dock are also located partially or wholly within the floodway of the creek. The building has been designed to have its finished floor elevation 2' above the 100 year flood elevation and with minimal fill placed within the flood plain. Special consideration has gone into the design of the foundation and footings. The boardwalk and floating dock have been designed to be removable and will be stored outside of the floodway during the winter and spring flood season. Plumbing components have been engineered to avoid spilling effluent into Sugar Creek in the case of a flood event. Engineering of plumbing components will require approval from the Keuka Watershed Alliance. Development reviews and Certificate of Compliance will be obtained from the Town Code Enforcement Office relative to Local Code 87 - Flood Damage Prevention.

Protected Waters: A pre-submission meeting was held with the NYS Department of Environmental Conservation on April 20, 2012 to discuss design approaches that would protect the stream bank of Sugar Creek and eliminate negative impacts. Recommendations from that meeting were incorporated into the project design. A stormwater and pollution prevention plan (SWPPP) is being prepared and developed in compliance with best management practices and NYS DEC guidelines. An innovative storm water management system has been designed as an interpretive and teaching tool, to teach students of the facility current best practices in "green" storm water control. This system includes green roofs, the re-routing of roof run-off into natural filter areas, pervious pavements, bio-filters and bio-swales. A NYS Article 15 Permit and a SPEDES Permit will be required, providing additional design and engineering review by the NYS DEC.



Wetland Impacts: A pre-submission site walk was held with the NYS Department of Environmental Conservation to discuss design approaches that would protect the NYS and US Army Corps of Engineers protected wetlands, while still providing educational access to the Sugar Creek and its associated wetland complex. A waterfront building location was identified at that meeting. It was staked, surveyed and is proposed as the location of the new building - despite its location within the 100' buffer zone of a NYS wetland. The current vegetative state (lawn) and proposed use (education) of the building were deemed justification for this encroachment. The location of walkways within the buffer were described by NYS wetland biologists as "compatible uses within the wetland buffer and wetland". A location for a boardwalk and removable dock was identified that would minimize the impact to the designated wetland area. A NYS Article 24 Permit will be required, including additional design and engineering review by the NYS DEC and the US Army Corps of Engineers.

Traffic Patterns: The project will re-establish a historic driveway to the property that will transfer some traffic load from Guyanoga Road to SR54A. This represents a change from current traffic patterns, but functioned well when a similar traffic patterns accommodated similar traffic volumes/patterns as a school use. Based on the proposed use of the building and site, it is anticipated that the education and office use will generate a peak volume of 19 vehicles per day. The proposed number of vehicles per day

is well within capacity limits of both Guyanoga Road (a Yates County Highway) and State Route 54A (a NY State Highway). A NYS Department of Transportation Work Permit will be required, including additional design and engineering review by the NYS DOT.

Community Services: The property formerly required fire and police services as an elementary school. The requirement may have decreased as a vacant property, but not significantly. The requirement for a level of service similar to the historic elementary school will be re-established. The impact to fire services is expected to be limited based on the proximity to the fire station and the addition of fire suppression systems. The impact to police services is expected to be mitigated by intrusion alarms and private security, if necessary. The project has been reviewed by the Branchport-Keuka Park Fire Department and the Yates County Sheriff's Department.

Historic & Archeologic Resources: The NY State Historic Preservation Office has issued an opinion that there will be no adverse impact to historic properties, and that while the property is listed within a sensitive archeologic area, precautions can be taken during design and construction to mitigate any impact. Such precautions will be undertaken. The Town Historian provided verbal testimony that no known Native American habitation was likely in this area – and that it was more likely used as a transportation route for hunting and fishing. Significant prior disturbance of the site is documented by construction plans and photos of existing conditions.

Community Character: The project has been designed to be consistent with the Town of Jerusalem's newly prepared Branchport Hamlet Plan. The Plan recommends a museum use for that property, including vehicular and pedestrian access directly to SR 54A, Sugar Creek access and allowing for continued growth of the museum campus. The Town of Jerusalem's recently adopted Comprehensive Plan recommends civic uses for the property and high-density mixed-use development. A 2010 Memorandum of Understanding was approved by the Town of Jerusalem Town Board, which pledged that the Town would work together with the Finger Lakes Museum to develop the subject property as a museum. Regional tourism plans support the Finger Lakes Museum as a catalyst for economic development within the region.

Other supporting documentation that was used by the Town of Jerusalem Planning Board relative to their determination for a Negative Declaration include:

- . Letter from NYS Department of Environmental Conservation dated May 14, 2012;
- . Memorandum from the NY State Historic Preservation Office (SHPO) dated November 21, 2011 with opinion of No Adverse Environmental Impact & Preservation Conditions;
- . Evidence of Prior Site Disturbance (relative to SHPO Review);
- . Letter from Marathon Engineering Dated April 30, 2012 indicating that the new septic system has the design capacity to accommodate the proposed use;
- . Letter from the Keuka Lake Watershed Cooperative dated April 25, 2012;
- . Trip Generation Calculations/Testimony from C&S Engineering indicating that no adverse impacts due to increased or modified traffic patterns are anticipated;
- . US Fish & Wildlife Database Sheets, NYS DEC Environmental Resource Mapper Sheets and Testimony from Registered Landscape Architect Zac Rood;
- . Letter/Testimony from the Branchport-Keuka Park Fire District (planning to attend meeting 5/17/12);
- . Letter from the Yates County Sheriff's Department (pending).



PO Box 96 • 3369 Guyanoga Road • Keuka Park, NY 14478-9740 • 315-595-2200 • [fingerlakesmuseum.org](http://fingerlakesmuseum.org)

May 15, 2012

Ms. Mary Coriale, Chair  
Town of Jerusalem Planning Board  
3816 Italy Hill Road  
Branchport, NY 14418

**Re: The Finger Lakes Museum – Discovery Campus**

Dear Ms. Coriale and Members of the Planning Board,

We are in receipt of e-mail comments from your consulting engineer, Mike O'Connell, dated May 8, 2012. In preparation for the Special Town of Jerusalem Planning Board meeting on May 17, 2012 we have begun modifications to our application in order to address issues and concerns raised by Mike and others. We will continue to address these issues through the Final Site Plan process. Modifications and clarifications made to date include:

**Updated DRAFT Long Form Environmental Assessment Form:**

- The Museum does not intend to use geothermal heating and cooling for the building;
- Section 25 – Approvals Required – has been updated to include all known permits & approvals;
- Traffic generation numbers have been provided and supporting tables from the Institute of Traffic Engineers - Trip Generation Manual (19 trips/peak hour). The actual use of the building will substantially support school classes and groups that will come by bus – with a peak estimate of 3 large busses (25 passenger +/-) at any one time;
- Proposed Parking Spaces were updated based on current site plan. It should be noted that the increased number of spaces from the 30 existing is proposed to address the following factors: Town Code requires 1 space per 200 SF – or 85 spaces for the 17,000 sf building. We also pledged, as part of the Branchport Hamlet Plan process, that we would try to accommodate community parking for event overflow and other public parking needs. We currently support Camp Good Times and Special Days with summer staff parking;
- Based on a code review, discussion with the Code Enforcement officer and discussion with the Branchport-Keuka Park Fire Department, it was determined that the main building (former school) will require sprinklers, that the Waterfront Center buildings will not require sprinklers and that no new fire hydrants will be required;
- Updated information regarding rare animals & plants was added.

**Updated DRAFT Negative Declaration:**

- Box checked as Type I Action, rather than Unlisted (although it is the our opinion and the opinion of our engineers that this project does not meet any threshold for a Type I action, and should rather be treated as an Unlisted Action);
- Additional language incorporated regarding floodway vs. floodplain, traffic and wetlands;
- Supporting Evidence list revised.

*We do not inherit the earth from our ancestors; we borrow it from our children.*

### Site Plan Modifications:

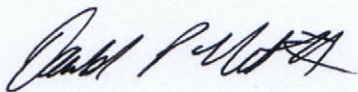
- Mapped Wetlands, Jurisdictions and 100' buffer zone were updated;
- Stormwater Plans were progressed with initial calculations, area take-offs and schematic design solutions – including for the Waterfront Center (Drawings Pending - the full SWPPP will be prepared for Final Plan Submission);
- Modifications to Driveway design within the Fire Department Easement;
- Entryway signs have been detailed and site lighting specified (Drawings Pending);
- Survey has been corrected to indicate that a 1.666ac parcel that was shown to be transferred to the Branchport-Keuka Park Fire Department took place in the past and is not part of this action.

### Clarifications & Additional Detail:

- Involved Agency Sign-off Letters with Comments have been received and attached (those available to us)
- The entrance drive connecting to SR 54A is proposed on property owned by the Branchport-Keuka Park Fire District within an existing 50' wide easement that was retained by the Penn Yan School District when they sold the property to the Fire District. The plan includes both vehicular and pedestrian access ways that are being developed by legal right. It also includes trees, lawn areas, a sign and a split rail fence that is being developed with permission or by request from the Fire Department.
- The NYS Office of Parks, Recreation & Historic Preservation performed an independent SEQR review relative to their action (funding of the project) and issued a negative declaration. An opinion was provided by the State Historic Preservation Office (SHPO) that the action will have No Adverse Environmental Impact on Historic Properties or Places – based on meeting Preservation Conditions – which the project intends to meet (see attached).
- Final plans will be subject to permits as listed on the long form EAF, including local codes that will address flood protection (local code 87) and the NYS Building Code.
- The elevation of the Waterfront Buildings will both be established at 2' above the 100 year flood stage. All utilities at the waterfront building will be protected with backflow prevention and force-main isolation. Heating units within the bathroom building will be elevated.
- The on-site Septic System will need modifications to its permit from the Keuka Watershed Improvement Corporation. The system was designed for 12,000 SF of office use and 4,000 SF of archive space – being an equivalent demand as the now proposed use (office and education). Hydraulic loading rates for office uses and for educational uses take into consideration the number of employees, so the number of employees should not additionally affect this calculation. The system was limited to 5 employees prior to the construction of the septic field in 2011 – when the Museum was using a former septic tank as a holding tank.

Please do not hesitate to contact me at [dnaetzker@fingerlakesmuseum.org](mailto:dnaetzker@fingerlakesmuseum.org) or on my cell phone at 585-690-5008. We look forward to continue our work together on this project.

Regards,



Donald P. Naetzker II, Executive Director/Project Director

enc. Revised DRAFT SEQR Long Form Environmental Assessment Form & Supporting Documents  
Revised Draft SEQR Negative Declaration Form & Language  
Revised Preliminary Site Plans  
Involved Agency Letters/Comments  
SHPO Opinion Letter

THE FINGER LAKES MUSEUM: DISCOVERY CAMPUS  
NYS Environmental Quality Review

Mitigation Measures & Evidence in Support of a Negative Declaration (DRAFT 5/15/12)

No potential "large" environmental impacts were identified within Part 2 of the Environmental Assessment Form. The following potential environmental impacts were identified as "small to moderate" based on the project design. Each potential impact includes mitigating measures that have been incorporated into the project. They are outlined below.

**Potential Impacts to Flood Plain & Floodway:** Project components located within the 100 year flood plain of Sugar Creek include a waterfront building, walkways, a removable boardwalk and removable docks. The removable boardwalk and removable dock are also located partially or wholly within the floodway of the creek. The building has been designed to have its finished floor elevation 2' above the 100 year flood elevation and with minimal fill placed within the flood plain. Special consideration has gone into the design of the foundation and footings. The boardwalk and floating dock have been designed to be removable and will be stored outside of the floodway during the winter and spring flood season. Plumbing components have been engineered to avoid spilling effluent into Sugar Creek in the case of a flood event. Engineering of plumbing components will require approval from the Keuka Watershed Alliance. Development reviews and Certificate of Compliance will be obtained from the Town Code Enforcement Office relative to Local Code 87 – Flood Damage Prevention.

**Protected Waters:** A pre-submission meeting was held with the NYS Department of Environmental Conservation on April 20, 2012 to discuss design approaches that would protect the stream bank of Sugar Creek and eliminate negative impacts. Recommendations from that meeting were incorporated into the project design. A stormwater and pollution prevention plan (SWPPP) is being prepared and developed in compliance with best management practices and NYS DEC guidelines. An innovative storm water management system has been designed as an interpretive and teaching tool, to teach students of the facility current best practices in "green" storm water control. This system includes green roofs, the re-routing of roof run-off into natural filter areas, pervious pavements, bio-filters and bio-swales. A NYS Article 15 Permit and a SPEDES Permit will be required, providing additional design and engineering review by the NYS DEC.

**Wetland Impacts:** A pre-submission site walk was held with the NYS Department of Environmental Conservation to discuss design approaches that would protect the NYS and US Army Corps of Engineers protected wetlands, while still providing educational access to the Sugar Creek and its associated wetland complex. A waterfront building location was identified at that meeting. It was staked, surveyed and is proposed as the location of the new building - despite its location within the 100' buffer zone of a NYS wetland. The current vegetative state (lawn) and proposed use (education) of the building were deemed justification for this encroachment. The location of walkways within the buffer were described by NYS wetland biologists as "compatible uses within the wetland buffer and wetland". A location for a boardwalk and removable dock was identified that would minimize the impact to the designated wetland area. A NYS Article 24 Permit will be required, including additional design and engineering review by the NYS DEC and the US Army Corps of Engineers.

**Traffic Patterns:** The project will re-establish a historic driveway to the property that will transfer some traffic load from Guyanoga Road to SR54A. This represents a change from current traffic patterns, but functioned well when a similar traffic patterns accommodated similar traffic volumes/patterns as a school use. Based on the proposed use of the building and site, it is anticipated that the education and office use will generate a peak volume of 19 vehicles per day. The proposed number of vehicles per day

is well within capacity limits of both Guyanoga Road (a Yates County Highway) and State Route 54A (a NY State Highway). A NYS Department of Transportation Work Permit will be required, including additional design and engineering review by the NYS DOT.

**Community Services:** The property formerly required fire and police services as an elementary school. The requirement may have decreased as a vacant property, but not significantly. The requirement for a level of service similar to the historic elementary school will be re-established. The impact to fire services is expected to be limited based on the proximity to the fire station and the addition of fire suppression systems. The impact to police services is expected to be mitigated by intrusion alarms and private security, if necessary. The project has been reviewed by the Branchport-Keuka Park Fire Department and the Yates County Sheriff's Department.

**Historic & Archeologic Resources:** The NY State Historic Preservation Office has issued an opinion that there will be no adverse impact to historic properties, and that while the property is listed within a sensitive archeologic area, precautions can be taken during design and construction to mitigate any impact. Such precautions will be undertaken. The Town Historian provided verbal testimony that no known Native American habitation was likely in this area – and that it was more likely used as a transportation route for hunting and fishing. Significant prior disturbance of the site is documented by construction plans and photos of existing conditions.

**Community Character:** The project has been designed to be consistent with the Town of Jerusalem's newly prepared Branchport Hamlet Plan. The Plan recommends a museum use for that property, including vehicular and pedestrian access directly to SR 54A, Sugar Creek access and allowing for continued growth of the museum campus. The Town of Jerusalem's recently adopted Comprehensive Plan recommends civic uses for the property and high-density mixed-use development. A 2010 Memorandum of Understanding was approved by the Town of Jerusalem Town Board, which pledged that the Town would work together with the Finger Lakes Museum to develop the subject property as a museum. Regional tourism plans support the Finger Lakes Museum as a catalyst for economic development within the region.

Other supporting documentation that was used by the Town of Jerusalem Planning Board relative to their determination for a Negative Declaration include:

- Letter from NYS Department of Environmental Conservation dated May 14, 2012;
- Memorandum from the NY State Historic Preservation Office (SHPO) dated November 21, 2011 with opinion of No Adverse Environmental Impact & Preservation Conditions;
- Evidence of Prior Site Disturbance (relative to SHPO Review);
- Letter from Marathon Engineering Dated April 30, 2012 indicating that the new septic system has the design capacity to accommodate the proposed use;
- Letter from the Keuka Lake Watershed Cooperative dated April 25, 2012;
- Trip Generation Calculations/Testimony from C&S Engineering indicating that no adverse impacts due to increased or modified traffic patterns are anticipated;
- US Fish & Wildlife Database Sheets, NYS DEC Environmental Resource Mapper Sheets and Testimony from Registered Landscape Architect Zac Rod;
- Letter/Testimony from the Branchport-Keuka Park Fire District (planning to attend meeting 5/17/12);
- Letter from the Yates County Sheriff's Department (pending).

**Reasons Supporting This Determination:**

(See 617.7(a)-(c) for requirements of this determination ; see 617.7(d) for Conditioned Negative Declaration)

In general, the project is re-establishing a historic use for the property. From approximately 1960 through 2006 the property functioned as an elementary school serving approximately 200 students, with no adverse environmental impact. The school was closed, and is now being reopened as a museum with a focus on primary school, secondary school and adult educational programming and a projected use of 120 students at any one time. The proposed use is not expected to be any more intense than the historic use.

From a design standpoint, impervious surface is being reduced, a historic driveway to SR 54A is being re-established, more efficient building systems are being put in place and improved fire suppression systems are being installed - theoretically reducing the potential for adverse environmental impacts.

The primary new feature of the project is the proposed Waterfront Center. This element is being carefully designed, with the assistance of appropriate NY State agencies, to mitigate any potential adverse environmental impact to wetlands, flood plains, archeologic resources, habitat and fisheries.

On the Long form EAF checklist, no potential "large" environmental impacts were identified. The potential environmental impacts of floodway, wetland impacts, traffic patterns, community services, and community character were identified as "small to moderate" based on the project design. Mitigating measures were incorporated into the project and are outlined on the attached sheet.

**If Conditioned Negative Declaration**, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication in the ENB)

**For Further Information:**

Contact Person: Mary Coriale, Planning Board Chair

Address: 3816 Italy Hill Road, Branchport, NY 14418

Telephone Number: 315-595-2558

**For Type 1 Actions and Conditioned Negative Declarations, a Copy of this Notice is sent to:**

Chief Executive Officer , Town / City / Village of Jerusalem

Other involved agencies (If any)

NYS DEC, NYS DOT, NYS EFC, NY Empire State Development Corp., Keuka Watershed Alliance  
Applicant (If any)

Environmental Notice Bulletin, 625 Broadway, Albany NY, 12233-1750 (Type One Actions only)

State Environmental Quality Review  
**NEGATIVE DECLARATION**  
 Notice of Determination of Non-Significance

Project Number

Date:

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

**Name of Action:**

The Finger Lakes Museum: Discovery Campus

**SEQR Status:** Type 1   
 Unlisted

**Conditioned Negative Declaration:**  Yes  
 No

**Description of Action:**

The re-use of a former elementary school as an education, research and community campus for The Finger Lakes Museum, in the Hamlet of Branchport, New York. The project site is a 13 acre parcel with a 17,000 square foot one-story building. The project includes the renovation of that building and site improvements including:

## Building

- o Replace windows & doors and add some new doors
- o Replace Roof (Green Roof on a portion of the building)
- o Exterior Finishes & Porches

## Site

- o Re-establish vehicular entryway from SR 54A
- o Removal of non-pervious bituminous asphalt and replacement with expanded pervious surface parking
- o Waterfront Center with hand-carry boat landing, storage, rest rooms and pavilion structure
- o Outdoor classroom areas
- o Storm water mitigation and interpretation
- o Sidewalks, landscaping, gardens & trails

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

3369 Guyanoga Road, Branchport, NY - Yates County



**Carol Goebel**

---

**From:** maryv210@aol.com  
**Sent:** Wednesday, May 16, 2012 4:23 PM  
**To:** gridleyvineyards@gmail.com; catlinj702@yahoo.com; ed@pinneo.us; onemind57@empacc.net; WilliamPringle68@yahoo.com; jrubin315@hotmail.com; maryv210@aol.com; Carol Goebel  
**Cc:** Elaine Nesbit; mdo@larsondesigngroup.com  
**Subject:** Fwd: Finger Lakes Museum -Mike O'Connell's Review Comments Round 2

Hello All..  
Here is some additional information for our mtg tomorrow evening. As we all recognize.... we do not have much time to digest these documents. That all said... we are trying as a board to make their dream our town's reality.

The Town Board is meeting this evening. The zoning amendment to allow Museums as a permitted use with site plan review will be voted on this pm.

See you tomorrow evening.  
mc

-----Original Message-----

From: Mike O'Connell <mdo@larsondesigngroup.com>  
To: Wayne Ackart (ackartw@roadrunner.com) <ackartw@roadrunner.com>; folts\_m <folts\_m@yahoo.com>; maryv210 <maryv210@aol.com>; phil bailey (phil@heatonandvenuti.com) <phil@heatonandvenuti.com>; Elaine Nesbit (ZAP@Jerusalem-NY.org) <ZAP@Jerusalem-NY.org>; TownClerk <TownClerk@Jerusalem-NY.org>; supervisor <supervisor@jerusalem-ny.org>; mikesteppe <mikesteppe@gmail.com>  
Sent: Wed, May 16, 2012 4:11 pm  
Subject: Finger Lakes Museum - Review Comments Round 2

Everyone,

This morning (5/16) I received updated/additional information from the applicant regarding the museum project. Included in the submission were:

- Cover letter – with additional explanations regarding the noted issues and overall project approach.
- SEQR interested agency letters from Town of Jerusalem, Empire State Development, Keuka Watershed, NYSDEC, NYSDOT
- Trip Generation Manual Excerpts (traffic projections)
- SHPO Opinion on historical impacts
- Evidence of prior disturbance
- Rare and Endangered Species Exhibits
- Long Form SEQR Environmental Assessment Form – Revision 2 (Including drafts of Parts 2 and 3)
- Draft copy of proposed Negative Declaration
- Revised property boundary and topographic survey.
- Revised Site Plan L0.1

I am being told that I will be provided additional information relative to stormwater, erosion control, lighting, and signage by the end of today but I have not seen anything yet.

To help prepare everyone for tomorrow night's meeting I have attempted to review this information as thoroughly as I could within the time available. I paid particular attention to the items in response to my 5/8 email review of the initial submission. To summarize, in this revised submission, the applicant has provided satisfactory responses to the vast majority of the comments raised. While any previously noted items or concerns are still open for discussion at the meeting, I feel the majority of the remaining open items are as summarized below:

## Preliminary Site Plan Review

**Stormwater** – Conceptual stormwater management areas are shown as part of the development at the main building but none are indicated at the waterfront development. Detailed calculations and reports have not been provided. This information is not necessarily needed for preliminary review but must be provided before final approval. My understanding is that Yates County Soil and Water will be reviewing this information, when provided, for technical content.

**Fire Protection** – the applicant states that fire protection (sprinklers) are required and will be provided for the main building but that local code enforcement and fire officials have determined that it is not required at the waterfront facility. This may be the case but should be documented prior to final approval.

**Signage** - Site signage is proposed but currently no information is provided in the submission. Signage details must be submitted and reviewed against Town code prior to final approval.

**Lighting** - Site lighting is proposed but currently no information is provided in the submission. Lighting details must be submitted and reviewed against Town code prior to final approval.

**54A Entrance** – This entrance has been a topic of discussion. The final configuration and use of entrance should be agreed upon prior to granting final approval.

**Contingent on permits** – The proposed project is required to obtain numerous permits and/or approvals from various local and state agencies. These are now correctly listed in the EAF (Part 1, B, 25). Any site plan approval granted by the Town should be contingent on the applicant obtaining these permit prior to construction.

## SEQR Determination

It is my opinion that, after the latest revisions, the Long Form EAF provided by the applicant now correctly depicts the project as proposed. It will ultimately be up to the Board to determine if the impacts listed are insignificant or mitigated as part of the project enough to reach a Negative Declaration. The Board should closely review the language in Parts 2 and 3 of the EAF and the Negative Declaration as these are typically completed by the Lead Agency (Town). The applicant offered to prepare drafts for the Town's review but ultimately the Town has the final say on the content of these sections. My comments from the previous submission have already been incorporated into the revised documents.

The decision to not include an open geothermal heating system in the application has simplified the environmental review of the project significantly. In my opinion, the submitted information is complete enough to make a final determination. Remaining items for potential discussion include:

**Stormwater** – Detailed calculations/reports are not required to make a SEQR determination but the applicant should demonstrate enough conceptually how they intend to mitigate the impacts of the development on stormwater quality and quantity.

**Traffic** – the applicant is projecting a peak trip generation of 19 vehicles/hr and has provided some backup information to substantiate this. They have stated the increase of parking was more a result of local code requirements and a desire to accommodate community parking needs.

**SHPO** – the applicant has produced documentation from NYSOPRHP during their review of the grant application that stated, while the project site is located in an archaeologically sensitive area, they were of the opinion that the project would have no adverse impact if certain Preservation Conditions were met. The conditions included consultation with NYSOPRHP prior to finalizing plans or commencing with ground disturbing activities.

**Response Letters** – letters have been received by most but not all Interested Agencies. The 30 day window for them to respond is nearly closed.

I hope everyone finds this summary helpful. In all the applicant has made a good deal of progress from the last submission to now. I will be attending tomorrow night's meeting to help answer questions and assist in any other way I can. If anyone has any question prior to the meeting, do not hesitate to contact me.

Project Manager - Site Engineering

[www.larsondesigngroup.com](http://www.larsondesigngroup.com)

**TEL** (607) 936-7076 ext. 419

**MOBILE** (607) 590-6750

**FAX** (607) 936-7086

**EMAIL** [mdo@larsondesigngroup.com](mailto:mdo@larsondesigngroup.com)

1 West Market Street

Suite 301

Corning, NY 14830

Please consider the environment before printing this email.