

## **CHAPTER IX - DGEIS**

### **INTRODUCTION**

The Town of LeRay Comprehensive Plan was reviewed and adopted in conformance with New York State Town Law and the State Environmental Quality Review Act (SEQRA). To this end, a single document combining both the analysis required by SEQRA and the comprehensive plan itself, was created -- a Draft Generic Environmental Impact Statement (DGEIS). The DGEIS, on file at the town, provides additional background information on the town and discussion on the alternatives and impacts that were considered in the creation of the final comprehensive plan. According to The SEQR Handbook, which is published by the New York State Department of Environmental Conservation (NYSDEC), "a generic EIS is a type of EIS that is more general than a site-specific EIS and typically is used to consider broad-based actions ...the generic EIS can examine the environmental effects of programs or plans that have wide application or restrict the range of future alternative policies such as agency regulations or permit programs, master plans, or resource management plans".

A comprehensive plan, by its very nature, takes a comprehensive look at the environment and setting of a community and identifies and examines potential impacts of land use and planning decisions and policies, as well as an investigation of alternatives. These elements are present throughout this plan, but are also addressed specifically in the DGEIS document, under Sections 7 DGEIS Impact Analysis and 8 DGEIS Alternatives.

The Town of LeRay Comprehensive Plan sets forth a community established vision for the future of the town. It contains a comprehensive overview of the town's existing conditions, as well as focused strategies and recommendations for the issues and opportunities that are most important to the town and where land use change is most likely and/or desired. The overriding theme of the plan centers on strengthening the qualities that make LeRay special and leveraging them for economic success and a continued high quality of life in the face of growth pressures largely exerted by the adjacent Fort Drum. While preserving the agricultural areas that have provided LeRay with much of its character is central to this theme, the plan focuses on a number of other opportunities for the town, such as the envisioning of the areas near the intersection of US Route 11 and NYS Route 342 as a series of neighborhoods, tied together with

a park system, and the implementation of a series of design improvements to businesses along the US Route 11 corridor in the vicinity of Fort Drum.

The plan itself will not directly result in any physical changes to the town. Rather, it establishes a vision for the town and strategies for implementing this vision subsequent to plan adoption. Moreover, the plan is a living document. Within the bounds of the general planning principles that the plan sets forth, there is flexibility to respond to changing circumstances and new opportunities that the future may present. The plan can and should be revisited periodically to ensure that it continues to accurately reflect the goals and vision of town residents and the evolving state of the town itself.

The following discussion is an evaluation of the impacts of this plan pursuant to its adoption. Since adoption of the plan does not directly result in any physical changes to the town, or constitute any changes to the regulations and laws governing the town, this discussion is necessarily generalized in scope.

## **LAND USE AND DEMOGRAPHICS**

Overall, the LeRay Comprehensive Plan does not propose significant changes to the town's existing zoning and land use patterns. Rather, the plan seeks to adjust the town to the changes that have taken place in LeRay in the last several years, as the growth of Fort Drum has resulted in a number of existing and proposed developments in the town, mainly along the US Route 11 corridor, while putting a plan in place that will provide for an improved LeRay in the long term.

The area to the north and west of Fort Drum, on the north side of US Route 11 and bounded by NYS Route 342, Goulds Corners Road, and the proposed Fort Drum Connector is an area that has seen considerable growth pressure in recent years. Currently, the Eagle Ridge Village housing complex is under construction, with several retail developments recently constructed or proposed along Route 11, including a Wal-Mart Supercenter at Route 11 and Johnson Road. The comprehensive plan looks at this area and envisions additional new neighborhoods, consisting of a mix of single family and multifamily residential uses in the interior areas, with mixed use areas and commercial/office uses closer to the corridor roadways. A series of parks

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and trails are envisioned to connect the residential areas to one another, as well as to act as preserve area for endangered and threatened flora and fauna in the town. The comprehensive plan also recommends that a community park housing a variety of active and passive recreational uses should be constructed in this area.

While much of this land is currently vacant and/or used for low intensity agricultural uses, adverse impacts are not expected in connection with a transition to residential uses in the vicinity of Routes 11 and 342. The town acknowledges this area as a center for future development, as much of the land in the district is zoned Business Residential 1 (BR-1). The existing BR-1 zoning designation allows for a mix of residential uses of up to seven (7) gross dwelling units per acre and for a large assortment of commercial and non-residential uses, thus no large scale zoning changes would be needed. The potential development of this area of LeRay would occur over a long-term horizon, allowing the community time to process and accommodate growth. While this growth would occur with or without a plan in place, by having a framework to work with, the town can create neighborhoods that benefit LeRay and improve the quality of life of its residents.

While there would be a significant number of potential new residents in this area whether the plan was approved or not, with the plan in place, the overall effects on the region would be minimized. Existing and currently proposed infrastructure and services will be utilized to accommodate this growth, limiting the need to extend infrastructure or collector roadways into other areas of LeRay. For example, much of the additional traffic volume would utilize recently expanded or proposed roadways connecting newly built subdivisions to Fort Drum and Watertown, including US 11 and the Fort Drum Connector. Also, existing sewer and water capacity exists through the Development Authority of the North Country's trunk lines along US Route 11. It is also noted that Indian River schools will have sufficient capacity for additional students once proposed district-wide expansion projects are completed in 2010. Another benefit of this development is that residents of the focus area would be able to access commercial areas along Routes 11 and 342 via a series of trails and internal roadways, limiting extensive use of state maintained roadways in the town. These factors will aid in limiting the spread of high-intensity development into other areas of LeRay and the region, resulting in the preservation of remaining farmland and rural character in LeRay and providing the development

density necessary to begin to discuss regional improvements such as public transit to sections of LeRay.

No significant negative impacts are anticipated with respect to land use or demographics as a result of the comprehensive plan.

## **PARKS, RECREATION AND OPEN SPACE**

The LeRay Comprehensive Plan envisions the creation of a town-wide park network that is interconnected, easily accessible from all areas of LeRay, and interwoven into the fabric of town life. This network, or “greenway” concept, also applies to smaller areas of town, such as areas where new housing is likely to concentrate. This concept is shown in connection with the Routes 342 & 11 Focus Area series, discussed in Chapter IV of this plan. This same area was also seen as an appropriate area of town for providing town recreational facilities, such as a town park that could fulfill a community identified need for active and passive recreational amenities and space. In addition to park space, the Routes 342 & 11 Focus Area concept incorporates natural open space areas, which can provide habitat area for various endangered and threatened species and preserve significant natural features such as wetlands and successional forestlands. Lastly, the Routes 342 & 11 concept plan and themes can be applied to any area of town experiencing significant residential growth.

In other areas of LeRay, additional trails, parks, and open space are proposed, both in and adjacent to existing neighborhood areas and along the Black and Indian Rivers. This enhancement of parklands and open spaces will provide for the protection of threatened lands in the town, allowing town residents to continue to enjoy the natural beauty that exists in LeRay, as well as providing options not currently present to the town’s residents.

No significant negative impacts are anticipated in respects to parks, recreation, and open space as a result of the LeRay Comprehensive Plan.

## **COMMUNITY CHARACTER**

All of the recommended actions and objectives contained in the LeRay Comprehensive Plan seek to enhance the existing character of the community. The recommendations included in the

Farm Core character area seek to preserve the existing farmland and rural character of much of the town. In the Southwest Neighborhoods character area, the recommendations communicate a vision for the creation of a series of interconnected neighborhoods and parklands for town residents instead of a disconnected series of apartment complexes and subdivisions. The plan also addresses the importance of the continuance of the village development pattern at the boundaries of Black River and Evans Mills; and the preservation of lands along the Black and Indian Rivers and other creeks and streams in LeRay. Finally, the plan discusses ways that Fort Drum and LeRay can work toward mutually beneficial solutions for the community and the fort.

The plan also identifies a number of areas in the town that are particularly important to the overall character of the town.

No significant adverse impacts are anticipated with respect to community character.

## **ECONOMY**

The LeRay Comprehensive Plan seeks to ensure that the town remains economically healthy. The approach is two-fold: (1) Strengthen the town's unique qualities and characteristics; and (2) Seize opportunities to make LeRay a convenient and economically relevant place to do business for Fort Drum soldiers and employees, town residents, and residents of the North Country. The plan's recommendations will help to enhance the quality of life in LeRay, providing for better economic opportunities for the town.

This two-fold approach has been applied to the vicinity of the proposed Fort Drum Connector interchange at Route 11. The town anticipates an increase in development pressures in this area. The town's vision is for hotels, restaurants, and offices that would benefit from its proximity to both an interstate highway and to Fort Drum. The development of this area, in conjunction with the recently adopted Town of LeRay Commercial Corridors Guidelines, would be designed in a way that would provide a sense of place for those visiting or doing business while giving LeRay residents economic opportunities that may not be otherwise available locally. By providing guidance in achieving these goals, the comprehensive plan will help enable a higher quality of development than what may otherwise occur. The plan also acknowledges that

automotive uses will be drawn to this new interchange and sets forth recommendations for reasonably accommodating these uses without discouraging other types of uses.

No significant impacts are anticipated by implementation of the comprehensive plan with respect to the economy. However, the town should be cognizant of the long-term maintenance and operating costs of improved and expanded park and recreation facilities and programs, which costs should be evaluated and planned for in conjunction with more detailed park plans that further develop the concepts and ideas presented in this plan.

## **TRANSPORTATION**

The LeRay Comprehensive Plan sets forth recommendations for mitigating the impacts of the large volumes of traffic that utilize US Route 11 and NYS Route 342 everyday, as well as factoring in changing traffic patterns from the proposed Fort Drum Connector. Such mitigation involves the provision of pedestrian amenities such as trails and pedestrian connections to businesses along Routes 11 and 342, and the construction of a network of internal roadways that would allow residents to avoid using state roads for local travel. At the same time, the plan acknowledges the importance of allowing state maintained roads in LeRay to continue to handle large volumes of traffic. However, the proposed recommendations have built-in flexibility so that they can be adapted with relative ease should future traffic volumes on Routes 11 and 342 decrease in connection with potential changes to the larger regional transportation network, including construction of the Fort Drum Connector.

Potential impacts in connection with the transportation recommendations include construction of a series of internal roadways within the Routes 342 & 11 Focus Area, the provision of transit service to Watertown and Fort Drum, and the construction of pedestrian and bicycle trails in the town.

Specific mitigation measures would be developed in connection with the preparation of detailed “pre-build” street improvement plan. The town will work closely with New York State Department of Transportation and the Jefferson County Highway Department to ensure that such improvements faithfully carry out the vision and goals of the plan.

The plan discusses the proposed Fort Drum Connector with respect to its potential land use impacts to the town. More specifically, the plan looks at how design decisions can be made that allow for aesthetic considerations to be taken into account during the construction of the Connector. The plan also seeks to provide and enhance pedestrian and bicycle transportation options along the Route 11 Corridor in the vicinity of the Connector exit at Route 11.

No significant impacts are therefore anticipated with respect to transportation.

## **OTHER ENVIRONMENTAL IMPACTS**

### **I. UNAVOIDABLE ADVERSE IMPACTS**

Because the proposed action is the adoption of a comprehensive plan, it will not result in any direct unavoidable adverse environmental impacts. In fact, the comprehensive plan and the recommendations it sets forth can be periodically reviewed and, as necessary, revised by the community to reflect changing conditions, opportunities and community values.

### **2. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES**

The proposed adoption of the comprehensive plan, in and of itself, would not entail any physical changes or improvements to the town, and would not therefore entail any irreversible and irretrievable commitment of resources.

Typical irreversible and irretrievable commitments of resources associated with development and human activity include the commitment of land resources; manpower for the construction of structures; building materials such as wood, concrete and stone; energy resources such as gasoline, diesel fuel, and electricity; and water for domestic use and irrigation. These resources would be used whether or not the comprehensive plan were adopted. Since any proposals for development would be subject to individual site-specific environmental reviews at the time of application for approval, irreversible and irretrievable commitments of resources cannot be fully quantified at this time.

### **3. GROWTH INDUCING IMPACTS**

The Proposed Action is not expected to induce a significant change in overall growth. Even the proposed transition of the Routes 342 & 11 Focus Area from open space area to residential and commercial space, would not have a significant impact within the larger context of the town and neighboring communities, since this change is within the bounds of the existing zoning in the district. Moreover, growth is already occurring in this area and will continue to occur, with or without a comprehensive plan in place. The plan simply sets forth a vision for how that growth can occur in a positive manner that yields long term benefits for the town. Proposed improvements in the town, however, are expected to increase the town's attractiveness as a place in which to live and do business. In this sense, implementation of the comprehensive plan will induce positive economic growth. The proposed community park is also anticipated to bring more vitality and activity to the core areas of LeRay, as well as serve as a potential attraction to community and regional youth groups. The plan discusses traffic and parking improvements that could be undertaken to meet additional demands on the street network and parking supply. It is anticipated that transformation of the town core will not occur instantly, and that such improvements and mitigation measures can be provided in phases.

### **4. EFFECTS ON THE USE AND CONSERVATION OF ENERGY**

The proposed adoption of the comprehensive plan, in and of itself, would not entail any use of energy. Rather, the vision it sets forth is one of interconnected, village scaled neighborhoods that encourage walking and bicycle use, while minimizing the need to drive to most everyday uses. Moreover, a section of the comprehensive plan recommends the adoption of "Green" planning principles that would serve to lessen the use of non-renewable energy sources and recommend incentives for using energy efficient buildings design, appliances, and fixtures in new construction or the reuse of existing facilities.

### **5. ISSUES OF CONTROVERSY**

There were no major issues of controversy in LeRay that were raised in connection with the comprehensive plan. Some members of the public did express concern over the plan's recommendations to limit the impact of a concentration of self-storage facilities along Route 11, the town's premier commercial corridor. Solutions to this issue can be worked out as part of specific zoning and development revisions.

## **6. CRITERIA FOR THE UNDERTAKING AND APPROVAL OF FUTURE ACTIONS**

Any proposed town action, legislation, approval or any physical improvement, change or development within the town discussed in this DGEIS will be subject to its own environmental review under SEQRA when such development or action is proposed. Through that process, the potential impacts described above would be mitigated to the maximum extent practicable. While those potential impacts have been described conceptually herein, reference to them in this DGEIS is not intended to serve as a substitute for a site-specific environmental review which will still be required on a case-by-case basis at the time that an application for development approval is submitted or the town seeks to adopt new legislation or undertake any other action requiring public review.

## **DGEIS ALTERNATIVES**

Pursuant to Section 617.9 (b)(v) of New York State Environmental Conservation Law, SEQRA requires that alternatives be examined as part of the environmental review process. The planning process leading up to the creation of the LeRay Comprehensive Plan, and the very plan itself, is an exercise in alternatives. The discussion below considers alternatives, including a “No Action” alternative, under major topic areas of this plan –the Routes 342 & 11 Focus Area, the existing Developing District area to the south of Evans Mills, and the area to the North of the proposed Fort Drum Connector.

## **LAND USE ALTERNATIVES**

There was strong community consensus over the future land use vision for the town, namely a vision that preserves the agricultural roots of the community while providing a framework for growth occurring in the town in the vicinity of Fort Drum. In some areas, however, due to their location adjacent to Fort Drum or development pressures, discussion of alternatives took place.

## **ROUTE 342 & 11 FOCUS AREA ALTERNATIVE I: PLAN ALTERNATIVE**

The increased development along Routes 11 and 342 presents an exciting opportunity for the town to create a cohesive, high quality neighborhood, encompassing a pedestrian friendly

atmosphere, a mixture of uses and housing types, and community facilities, rather than a collection of scattered, unrelated development. The ultimate form that development takes in this area will establish the character and quality of life in the town for many years to come. The comprehensive plan lays out a vision for this area that would allow for logical road connections, a large amount of park space, and trails to connect neighborhood areas, as shown in the Routes 342 & 11 Focus Area series in Chapter IV of this plan.

**ROUTE 342 & 11 FOCUS AREA ALTERNATIVE 2: NO ACTION ALTERNATIVE**

If the Routes 342 & 11 Focus Area were to be developed without an underlying plan in place, several issues would remain unresolved. The ability of the internal roadway system to be used as a viable alternative to state maintained roads in the area would be limited. Moreover, the community would struggle to provide alternatives to auto use both in this area and on a town-wide basis. Most importantly, the ability to identify space for a community park, obtain funding for such a park, and construct the park would be difficult to achieve without having a plan in place. In many communities with development pressures similar to LeRay, logical areas for park space was not identified early on, leading to the communities spending more money at a later date for parkland that was not in proximity to neighborhood or community residents without an automobile.

**DEVELOPING DISTRICT ALTERNATIVE I: PLAN RECOMMENDATION**

The Developing District (DD) Zoning District in the Town of LeRay was envisioned at the time of the Fort Drum expansion in the mid-1980's as a district where the development of office and research facilities and other complementary uses that could benefit from proximity to both Fort Drum and the Village of Evans Mills would take place. While this designation has remained in place for the area for greater than 20 years, due to the lack of existing infrastructure in much of the district and the relocation of the Fort Drum Main Gate to Operation Iraqi Freedom Drive, little development of any kind has taken place thus far. While the town sees the potential for development occurring here, the location adjacent to Fort Drum serves both as a benefit and as an impediment to the town, since a large portion of the district has been identified as areas that existing development rights could be potentially be acquired by the US Army as part of the Army Compatible Use Buffers (ACUB) program. This is due to the area's proximity to training areas on Fort Drum and the location of an Accident Potential Zone (APZ) for Wheeler Sack Army

Airfield (WSAAF) in a section of the existing district. Based on discussions as part of the comprehensive plan process, it was recommended that the DD zoning district be reduced in size to areas currently served by public sewer and water services that are located outside of the APZ, with the remainder of the land designated for primarily agricultural uses.

**DEVELOPING DISTRICT ALTERNATIVE 2: NO ACTION ALTERNATIVE**

If no action took place in this area, development of permitted uses within the DD zoning district could potentially locate in areas immediately adjacent to Fort Drum. The creation of new businesses in the DD zoning district would spread traffic impacts further to the north on US Route 11, past the proposed Fort Drum Connector. More importantly, because of the DD zoning district's proximity to Fort Drum, particularly in the areas within the APZ for WSAAF, potential conflicts between on-post activities and community residents could occur. In the long-term, if enough development occurred in areas surrounding the base, including areas within the DD zoning district, the ability of Fort Drum to maintain its ability to train soldiers to fight the Global War on Terror could be compromised. The resulting encroachment and conflict issues may lead to the closing of Fort Drum by the US Army, worsening economic conditions in both LeRay and the Fort Drum region.

**FORT DRUM CONNECTOR NORTH AREA ALTERNATIVE 1: PLAN ALTERNATIVE**

With the construction of the proposed Fort Drum Connector, it is anticipated that a variety of development pressures will come to areas immediately adjacent to the proposed Connector interchange at US Route 11 in LeRay. While areas to the south and west of the interchange either have existing development, or have pending development that is in various stages of the site plan review process, development pressures, for the most part, have not spread north of the proposed interchange. It can be reasonably anticipated that with the construction of the interchange this will change, since much of the truck traffic headed northward, both into Fort Drum and to other locations in the region along Route 11 would enter and exit the Connector at this location. Because of this, demand would be created for auto intensive land uses similar to the area near exit 48 on Interstate 81, where northbound traffic currently exits the interstate system to go to Fort Drum and points northward. While this land currently is zoned to accommodate these uses and the plan would allow uses of this nature to take place, the plan recognizes that such business types as truck stops, warehouses, and truck repair facilities may

not allow lands adjacent to this location to be used for its highest and best use if no action was taken. The plan recommends that in addition to the adhering to the town's Commercial Corridor Design Guidelines, auto oriented businesses in this area adhere to additional screening, buffering and lighting restrictions above and beyond those found elsewhere in LeRay.

**FORT DRUM CONNECTOR NORTH AREA ALTERNATIVE 2: NO ACTION ALTERNATIVE**

If there was not a plan in place, the presence of a new interchange at US 11 and the Fort Drum Connector would bring auto oriented development to areas north of the Connector. Due to the presence and visibility of these uses, both from the highway and from areas behind Route 11, locally desirable land uses would be unlikely to locate here. This would lead to an expansion of uses such as warehouses, truck repair facilities, and self-storage facilities in the town, similar to uses present in the Town of Pamela adjacent to Exit 48 of Interstate 81. A concentration of such uses, at the expense of any other types of uses, is contradictory to the town's long-term vision for Route 11. Through application of the town's design guidelines and revisions to the town's zoning and development policies, a reasonable amount of well designed auto-oriented uses can be permitted, in conjunction with other types of development that the town wishes to encourage.