



THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK

Date: July 22, 2015

Sponsored by Council Members: Webb, Mihalko, Renna, Motsavage, Matzo, Berg, Papastrat

Introduced by Committee: Planning and Community Development

RESOLUTION

entitled

A RESOLUTION DECLARING CITY COUNCIL
AS LEAD AGENCY ON THE OURSPACE
PROJECT AND A NEGATIVE DECLARATION

WHEREAS, the City of Binghamton proposes to undertake the following actions as part of the City of Binghamton OURSPACE Project located Recreation Park; and

WHEREAS, the OURSPACE Project include the following actions: creation of an interactive fully ADA compliant play space which includes all aspects of play, exercise and social interaction (collectively the "Action"); and

WHEREAS, said Actions require review under the New York State Environmental Quality Review Act (SEQRA), per 6NYCRR Part 617; and

WHEREAS, said Actions are classified as a Type 1 Action in accordance with 6NYCRR Part 617, Section 617.4(b); and

WHEREAS, Full Environmental Assessment Form was prepared for this project; and

WHEREAS, multiple agencies have approval or funding authority over said Actions; and

WHEREAS 6NYCRR Part 617.2(u) defines "Lead Agency" as, "an involved agency principally responsible for undertaking funding or approving an action, and therefore responsible for determining whether an environmental impact statement is required in connection with the action, and for the preparation and filing of the statement if one is required"; and

WHEREAS the City of Binghamton intends to act as Lead Agency in the coordinated review of said Actions under SEQRA and further intends to implement and complete all responsibilities of that office; and

WHEREAS, no other involved agencies were identified for notification of the Board's intent to act as Lead Agency; on March 25, 2015 a public meeting was held at St. Thomas Aquinas Church where interested citizens were given a presentation and an opportunity to comment on the proposal and potential impacts identified through the EAF; and

WHEREAS the City of Binghamton received no written objections from the Involved Agencies, and

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WHEREAS the State Historic Preservation Office (SHPO) has stated, in a letter dated April 20, 2015, that found no impact on cultural resources listed or eligible for listing on the State or National register of Historic Places; and

WHEREAS the City of Binghamton and their consultants have prepared and filed a Full EAF which identifies the potential environmental impacts which may result from said Actions; and

WHEREAS, the potential impacts as enumerated below were reviewed and given a hard look by the City Council, with consultation from Council consultants, and determined to have “no or small impacts” (see Attached Parts 2 of the EAF):

- Impact on Geological Features;
- Impact on Surface Water;
- Impact on Groundwater;
- Impact on Flooding;
- Impact on Air;
- Impact on Plants and Animals;
- Impact on Agricultural Resources;
- Impact on Aesthetic Resources;
- Impact on Historic and Archeological Resources; *SHPO 4/20/15 letter no impact*
- Impact on Open Space/Recreation;
- Impact on Critical Environmental Areas;
- Impact on Transportation;
- Impact on Energy;
- Impact on Noise, Odor and Light;
- Impact on Human Health;
- Consistency with Community Plans;
- Consistency with Community Character; and

WHEREAS, the potential impacts as enumerated below were reviewed and given a hard look by the City Council, with consultation from Council consultants, and determined to have a “moderate or large impact” and were further evaluated as outlined in Part 3 of the EAF:

- Impact on Land; and

WHEREAS, the completed Part 3 of the EAF indicated how moderate to large impacts have been minimized and/or mitigated to the extent practicable by implementation of the prepared Storm Water Pollution Prevention Plan (SWPP) that incorporates Green Infrastructure techniques that will mitigate all potential storm water runoff impacts in conjunction with the Sediment and Erosion Control Plan that has been developed to prevent erosion during construction; and

WHEREAS, City Council held a public hearing on July 8, 2015; and

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WHEREAS, said Actions may result in increased erosion from physical disturbance, removal of vegetation and reduction of permeable surface. The project will be increasing the amount of impervious area of the project site. The site will be converted from an open green space to a large interactive play facility targeting handicap accessibility. This includes the construction of pathways, play areas, game area, seating, and recreation space; and

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby:

RESOLVE, that the City of Binghamton declares itself Lead Agency, as defined in 6NYCRR Part 617.2(u), for the coordinated review of said Actions under SEQRA, and be it further

RESOLVED, that the City of Binghamton declares that, based on the Environmental Record which has been prepared, the project will result in no significant adverse environmental impacts. A Negative Declaration under SEQRA is therefore issued for this project.

Introductory No. R15-73

Permanent No. R15-73

Sponsored by City Council Members:
Webb, Mihalko, Rennia, Motsavage, Matzo, Berg,
Papastrat

A RESOLUTION DECLARING CITY COUNCIL AS
LEAD AGENCY ON THE OURSPACE PROJECT AND A
NEGATIVE DECLARATION

The within Resolution was adopted by the Council of
the City of Binghamton.

7/22/15
Date

[Signature]
City Clerk

7/23/15
Date Presented to Mayor

7/23/15
Date Approved
[Signature]
Mayor

	Ayes	Nays	Abstain	Absent
Motsavage	X			
Mihalko				✓
Rennia	X			
Webb				✓
Papastrat	X			
Matzo	X			
Berg	X			
Total	5			2

Code of the City of Binghamton

Adopted Defeated

5 Ayes 0 Nays 0 Abstain 2 Absent

I hereby certify the above to be a true copy
of the legislation adopted by the Council
of the City of Binghamton at a meeting
held on 7/23/15. Approved by the
Mayor on 7/23/15

[Signature]



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

April 30, 2015

Ms. Laurie Moore
NYS OPRHP
2221 Taughanock Park Rd
Trumansburg, NY 14886

Re: EPF/PKS
Our Space at Recreation Park EPF/CFA 148647
City of Binghamton, Broome County
14PR04555

Dear Ms. Moore:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the submitted materials in accordance with the New York State Historic Preservation Act of 1980 (section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6NYCRR Part 617).

OPRHP has reviewed the latest submission for this project (*Phase 1 Cultural Resource Survey, Our Space Park Project, Recreation Park, City of Binghamton, Broome County, New York*; dated April 2015, prepared by Public Archaeology Facility). Based on the information provided, OPRHP recommends that the planned project will have **No Impact** on cultural resources listed or eligible for listing on the State or National Register of Historic Places. This recommendation pertains only to the Area of Potential Effects (APE) examined during the above-referenced investigation. It is not applicable to any other portion of the project property. Should the project design be changed SHPO / OPRHP recommends further consultation with this office.

If you have any questions please don't hesitate to contact me.

Sincerely,

Philip A. Perazio, Historic Preservation Program Analyst - Archaeology Unit

Phone: 518-268-2175

e-mail: philip.perazio@parks.ny.gov

via email only

Division for Historic Preservation

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • www.nysparks.com

