

 **UNIVERSITY AT ALBANY**  
State University of New York

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

Date: November 1, 2010

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 University of Albany, SUNY ("the University") 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:**

Fuller Road Management Corporation, Northerly Expansion Project

**SEQR Status:**

Type 1 Action (6 NYCRR 617.4(b)(6)(i) – "a project that involves the physical alteration of 10 acres"

**Conditioned Negative Declaration:**

No

**Description of Action:**

Albany County is undertaking a project to relocate Washington Avenue Extension in the vicinity of its intersection with Fuller Road. The objective of this action by the County is to improve traffic flow and safety in this section of Washington Avenue. The property to be used for the relocation of the Washington Avenue Extension is owned by the State of New York; and it is planned for exchange with the County for the property that will become available when the old Washington Avenue Extension is abandoned. As a result of this relocation and reconstruction project by the County, the acreage between the Fuller Road Management Corporation's (FRMC) nanotech research facility and the relocated roadway (which area presently includes the operational Washington Avenue Extension) will become available for alternative uses. As recently authorized by the NYS Legislature, FRMC proposes to expand its present nanotech research facility northward, utilizing an area that will be approximately 11 acres in total; this area will include that portion of the existing Washington Avenue Extension and its right-of-way (approximately 5.9 acres) that has been developed and used as a transportation corridor for many years. Therefore, while the proposed development will be a different use than at present, approximately 5.1 net acres will be subject to development that is not presently developed.

FRMC, as the Applicant, proposes a project that will be completed in two phases:

- Phase 1 – The Applicant proposes to construct a new clean room with a footprint of approximately 25,000 sf plus support space on the north side of the present Washington Avenue. The total building will contain approximately 191,000 gsf, and will include two levels in addition to the operating level. This building would be constructed while the present Washington Avenue Extension is still operational. Included in this phase will be a pedestrian bridge over the present

Washington Avenue Extension since there will be no employee parking provided on the north side of Washington Avenue Extension. Access for construction vehicles to the site will be by a right in-right out only driveway, initially for construction and later for service vehicles and deliveries. An expansion of FRMC's Central Utility Building on its existing campus will be included in this phase, as will construction of an approximately 20,000 sf maintenance/storage building west of the Central Utility Building.

- Phase 2 – The Applicant proposes to construct two new mixed use buildings totaling approximately 300,000 sf. A parking deck for approximately 510 cars will be constructed, as well as an additional ground level parking lot for approximately 62 cars. As a result of the construction of new driveways and access roadways within the campus, approximately 79 existing parking spaces will be eliminated. Additional aspects of Phase 2 of this proposal will include:
  - A small expansion to the Hazardous Production Material Building located south of the present Washington Avenue
  - An additional concrete pad in the gas yard south of the existing Washington Avenue to accommodate additional gas tanks

FRMC has indicated that construction on Phase 2 of this proposal will not be initiated unless and until the County's project to relocate Washington Avenue Extension is approved and has commenced.

#### **Location:**

The location of the proposed project is in the vicinity of the intersection of Washington Avenue and Fuller Road in the City of Albany, Albany County, NY. The accompanying figures depict:

- The present site configuration (Figure 2 from the EFEAF – "Existing Conditions")
- The site following completion of Phase 1 of the Applicant's proposal (Figure 4 from the EFEAF – "Phase 1 of Northerly Expansion")
- The site following completion of Phase 2 of the Applicant's proposal (Figure 6 from the EFEAF – "Phase 2 of Northerly Expansion").

#### **Reasons Supporting This Determination:**

FRMC provided the University (the lead agency) with an expanded full SEQR environmental assessment form (EAF) relating to this project proposal. This expanded full EAF (or EFEAF) was received by the University on May 25, 2010. After review of the document, the University provided the Applicant with 64 questions, requests for clarification, and requests for further information. These requests generally were in the following topic areas:

- General project description
- Site description
- Zoning and planning
- Potential impact on water
- Potential impact on wastewater
- Potential impact on stormwater
- Potential impact on transportation
- Potential impact on land use
- Potential impact on air
- Potential impact on aesthetic resources
- Potential impact on community growth
- Potential for cumulative impacts with other projects in the area.

FRMC responded to these requests in an Addendum submitted to the University. Two additional rounds of comments and requests were forwarded to the Applicant, who responded with an Addendum in each instance, for a total of three addenda to the EFEAF. These documents (initial EFEAF and three addenda) as listed following, served as the basis for this determination; in the following documents, the comments, as well as the Applicant's responses, are contained in the respective documents:

- a) Expanded Full Environmental Assessment Form (EAF dated May 21, 2010); received by the University May 25, 2010.
- b) Addendum, Responses to Lead Agency Review Comments To Expanded Full Environmental Assessment Form, dated August 13, 2010, received by the University August 16, 2010.
- c) Addendum #2, Responses to Lead Agency Review Comments To Expanded Full Environmental Assessment Form, dated September 8, 2010, received by the University September 13, 2010.
- d) Addendum # 3, Responses to Lead Agency Review Comments To Expanded Full Environmental Assessment Form, dated October 4, 2010, received by the University October 12, 2010.

In brief, with respect to several of these topics, the following summarizes the key findings that resulted in this decision:

- 1) Stormwater generated from impervious surfaces will be either recharged at the point of generation (that is, at the particular building location), or may be collected for later release. Release of stormwater will be to storm sewers tributary to Patroon Creek, and subject to the approval of Albany County and other regulatory agencies, as may be appropriate.
- 2) The operations at the new facilities will be similar in nature as at the present FRMC campus where employees generally do not follow a strict business day schedule in that their work day generally does not coincide with that of peak traffic on adjacent roadways. The traffic engineers involved in the planning and design for the current Fuller Road improvement project and the planned Washington Avenue relocation projects had nonetheless assumed a more traditional and higher peak period and traffic volume work day for this proposed expansion project; therefore, traffic impacts are anticipated to be less than accounted for in the design of these two projects and, therefore, this expansion project will not impact local traffic following completion of these two transportation projects.
- 3) The City of Albany has indicated that the demand for potable and process water can be provided by the municipal system.
- 4) The amount of sanitary and process waste water generated for discharge to the City sewer system can be accommodated by the sewer system, as indicated by the City.
- 5) Energy use intensity (per square foot) and greenhouse gas emission intensity generally will be consistent with that of the existing facility.
- 6) The additional air emissions will not trigger additional regulatory thresholds from that which currently apply to the existing facility.
- 7) The new facility will provide additional direct employment opportunities for the approximately 800 permanent positions that will be required, as well as additional secondary employment for building and operations services.

With respect to the criteria contained in 6 NYCRR Part 617.7(c), Criteria for Significance, the University has determined the following:

- i. There will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- ii. The proposed project will not result in the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;
- iii. The proposed project will not result in the impairment of the environmental characteristics of a Critical Environmental Area;
- iv. The proposed project will not result in the creation of a material conflict with a community's current plans or goals as officially approved or adopted;
- v. The proposed project will not result in the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character;
- vi. The proposed project will not result in a major change in the use of either the quantity or type of energy;
- vii. The project will not result in the creation of a hazard to human health;
- viii. The project will not result in a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;
- ix. The proposed project will not result in encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;
- x. The proposed project will not result in the creation of a material demand for other actions that would result in one of the above consequences;
- xi. The proposed project will not result in changes in two or more elements of the environment, not one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment;
- xii. The proposed project will not result in two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision.

**For Further Information:**

Contact Person: Errol Millington, UAlbany, SUNY  
Address: SBA Suite 107, 1400 Washington Avenue, Albany, NY 12222  
Email: [EMillington@uamail.albany.edu](mailto:EMillington@uamail.albany.edu)

**EXPANDED FULL ENVIRONMENTAL ASSESSMENT FORM  
FULLER ROAD MANAGEMENT CORPORATION  
CAMPUS NORTHERLY EXPANSION PLAN  
ALBANY, NEW YORK**

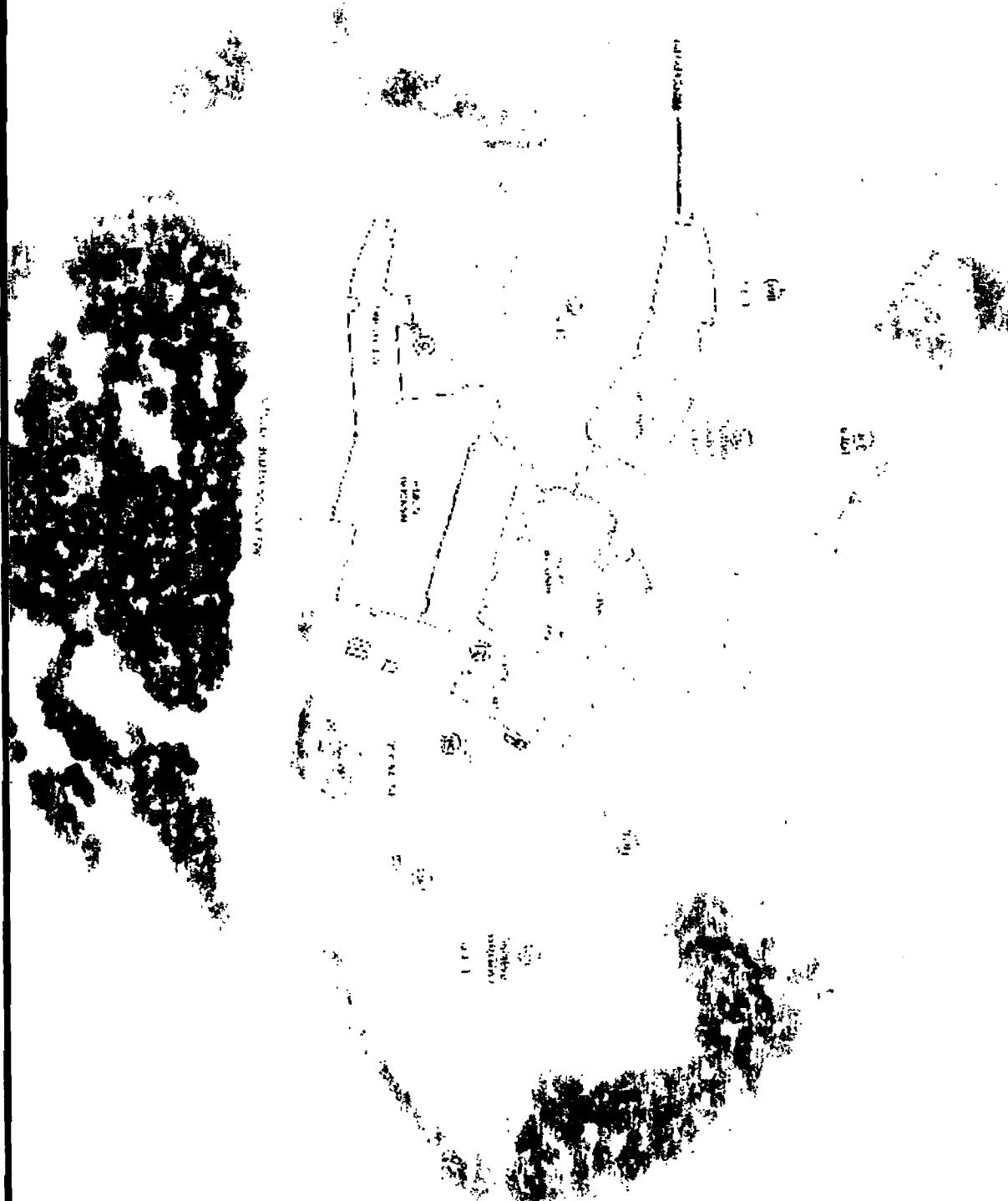


Figure No. 2 - Existing Conditions (2009)

**EXPANDED FULL ENVIRONMENTAL ASSESSMENT FORM  
FULLER ROAD MANAGEMENT CORPORATION  
CAMPUS NORTHERLY EXPANSION PLAN  
ALBANY, NEW YORK**

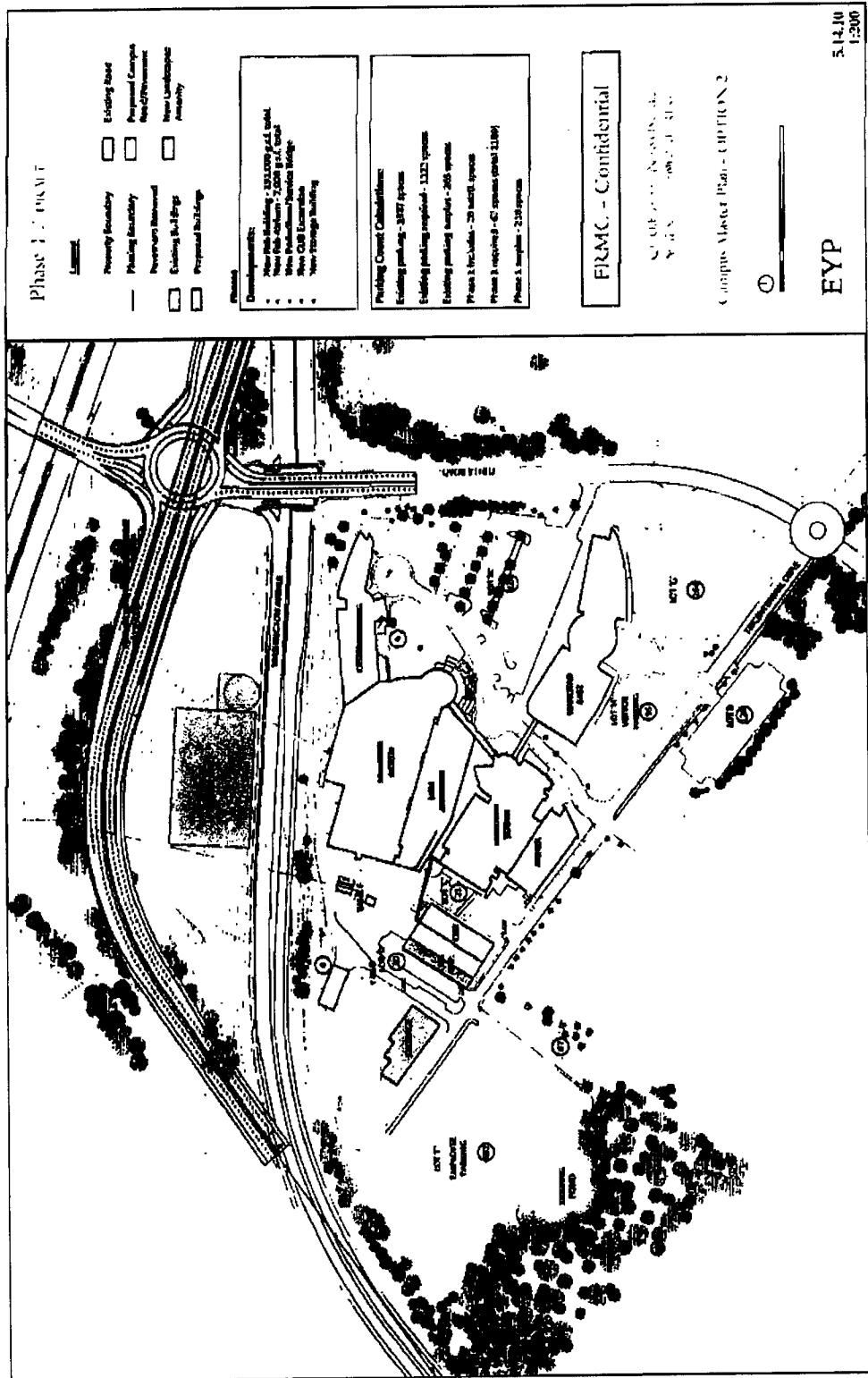


Figure No. 4  
Phase 1 of Northern Expansion

EXPANDED FULL ENVIRONMENTAL ASSESSMENT FORM  
 FULLER ROAD MANAGEMENT CORPORATION  
 CAMPUS NORTHERLY EXPANSION PLAN  
 ALBANY, NEW YORK

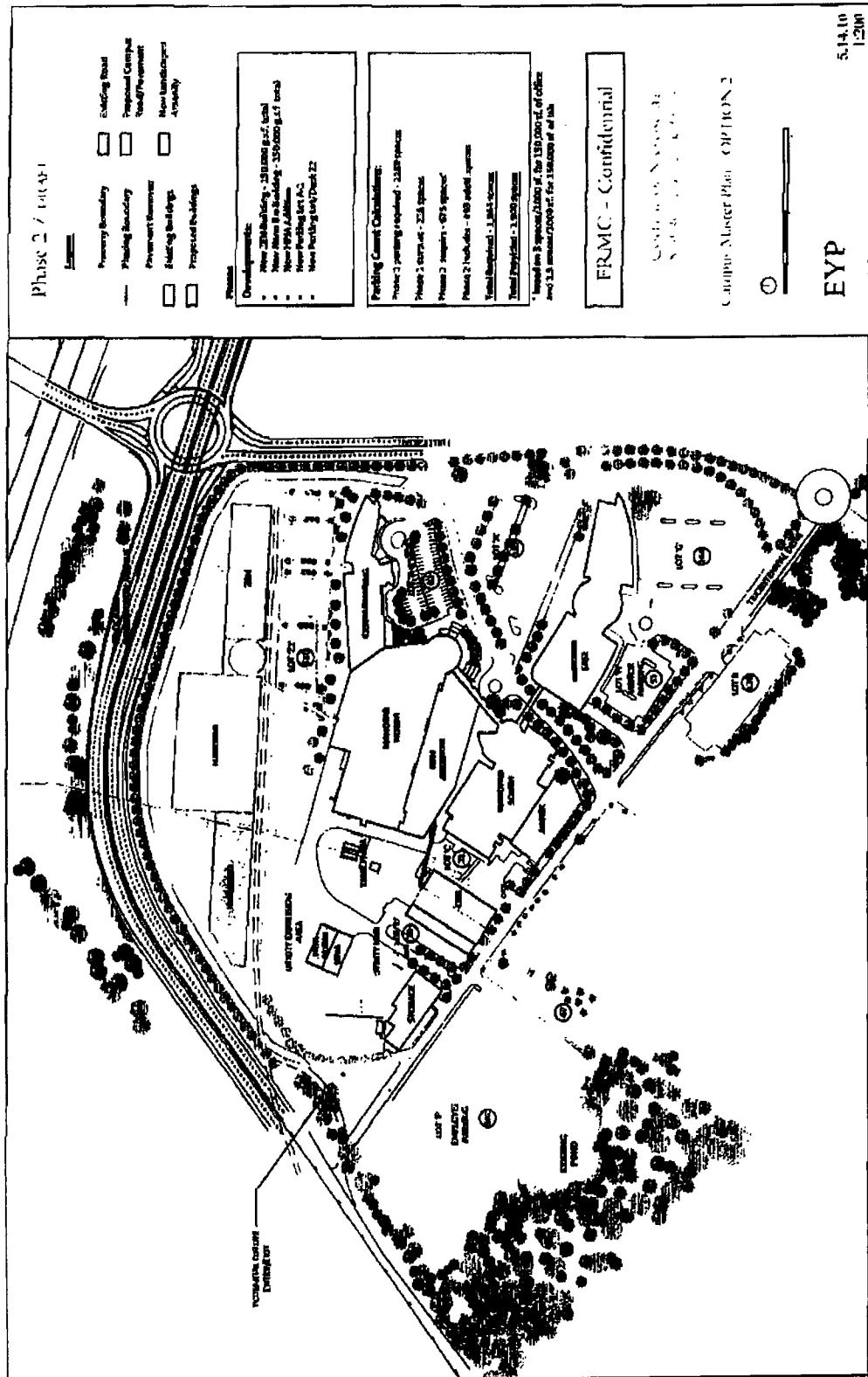


Figure No. 6  
 Phase 2 of Northerly Expansion

## **SEQR Involved / Interested Agencies**

**Fuller Road Management Corporation, Northerly Expansion Plan**  
**Lead Agency: University at Albany, State University of New York**  
**Notice of Determination of Non-Significance – November 1, 2010**

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**Hon. Gerald Jennings, Mayor**  
City Hall, Room 102  
Albany, NY 12110

**Senator Neil D. Breslin**  
Senate District 046  
502 Capitol  
Albany, NY 12247

**Assemblyman John J. McEneny**  
104<sup>th</sup> Assembly District  
Legislative Office Building – 648  
Albany, NY 12248

**Mr. Gene Kelly, Regional Director**  
NYS Department of Environmental Conservation-Region 4  
1130 North Westcott Road  
Schenectady, NY 12306-2014

**Mr. Michael V. Franchini, Director of Operations**  
Albany County Department of Public Works  
449 New Salem Road  
Voorheesville, NY 12186-4826

**Richard Lyons, Executive Director**  
Albany County Sewer District  
PO Box 4187  
Albany, NY 12204

**Mark Fitzsimmons, Director**  
Albany County Planning Board  
112 State Street, Room 720  
Albany, NY 12207

**Hon. Michael Breslin**  
Albany County Executive  
112 State Street, Room 200  
Albany, NY 12207

**Dr. James B. Crucetti, MD, MPH, Commissioner**  
Albany County Department of Health  
175 Green Street  
Albany, New York 12202

**Mr. Robert Cross, Commissioner**  
City of Albany Water Department  
35 Erie Boulevard  
Albany, NY 12204

**Mr. Christopher Hawver, Executive Director**  
Albany Pine Bush Preserve Commission  
195 New Karner Road

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**Lead Agency: University at Albany, State University of New York**  
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Albany NY 12205

Mr. Michael Yevoli, Commissioner  
Department of Development and Planning  
21 Lodge Street  
Albany, NY 12207

Mary E. Ivey, Regional Director  
NYS Department of Transportation  
328 State Street  
Schenectady, NY 12305

Steven Beditz, Interim VP Finance and Business  
University at Albany  
1400 Washington Avenue  
Albany, NY 12222

Paul T. Williams, Jr., President and CEO  
DASNY Corporate Headquarters  
515 Broadway  
Albany, New York 12207-2964

Chris Marcella, Director of Design  
State University Construction Fund  
State University Plaza  
353 Broadway  
Albany, NY 12246

Leo Neveu, Executive Director  
Fuller Road Management Corp.  
P.O. Box 9  
Albany, NY 12201

Environmental Notice Bulletin  
625 Broadway  
Albany, NY 12233-1750

Stuart J. Spiegel, Vice President  
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Errol Millington  
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1400 Washington Avenue  
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Bridget Morey, Senior Sanitary Engineer  
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Empire State Plaza  
Albany, NY 12242

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Fuller Road Management Corporation, Northerly Expansion Plan  
Lead Agency: University at Albany, State University of New York  
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Carol Ash, Commissioner  
NYS Office of Parks, Recreation and Historic Preservation  
Empire State Plaza  
Agency Building 1  
Albany NY 12238

Kenneth Runion, Town Supervisor  
Guilderland Town Hall – 2<sup>nd</sup> Floor  
5209 Western Turnpike  
Guilderland, NY 12084

Carolyn McLaughlin, President  
City of Albany Common Council  
76 Grandview Terrace  
Albany NY 12202

Hon. Frank Comisso, Jr.  
City of Albany Common Councilor  
130 Cottage Avenue  
Albany, NY 12203

Hon. Daniel F. Herring  
City of Albany Common Councilor – Ward 13  
4 Fairlawn Avenue  
Albany, NY 12203

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33 Danker Avenue  
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