

**PLANNING BOARD
TOWN OF BETHLEHEM
ALBANY COUNTY, NEW YORK**

**SEQR RESOLUTION ADOPTING A FINDINGS STATEMENT
FOR THE**

**ALBANY PORT DISTRICT COMMISSION INDUSTRIAL PARK PROJECT (PORT OF ALBANY EXPANSION)
SITE PLAN APPLICATION #19-00100001, FORMERLY 18-00100012**

- WHEREAS, the Planning Board of the Town of Bethlehem has received a site plan application from the Albany Port District Commission, for the Albany Port District Industrial Park Project to allow the industrial development of 81.57 +/- acres of land located on the east side of Route 144 (River Road) between the Normans Kill and PSEG with the Hudson River located to the east; and,
- WHEREAS, the Planning Board has (1) classified the application as a Type 1 action, (2) established itself as Lead Agency, (3) issued a Positive Declaration, (4) determined a Generic Environmental Impact Statement (GEIS) is appropriate for the project, (5) provided notice of said Positive Declaration, (6) received and accepted a Draft GEIS Scope and held a public hearing on March 19, 2019 thereon, (7) adopted the Final Scope for the GEIS; (8) determined Draft GEIS was complete on August 6, 2019, (9) held a public hearing on September 3, 2019, and (10) established a public comment period between August 6, 2019 and September 14, 2019; and,
- WHEREAS, during the public comment period, the Planning Board received multiple comments regarding the inclusion of an analysis of the project's potential impacts on the Ezra Prentice Homes in the City of Albany, including but not limited to environmental justice issues and consideration of alternatives to mitigate or eliminate impacts on the Ezra Prentice community. Impacts on the Ezra Prentice community including environmental justice was not an environmental topic identified in the GEIS scope; and,
- WHEREAS, the Planning Board (1) on November 19, 2019 issued an amended Positive Declaration requiring a Supplemental Draft GEIS based on a finding that the proposed action has potential to create one or more significant adverse environmental impacts related to the Ezra Prentice community, (2) provided notice of said Positive Declaration (3) determined Supplemental Draft GEIS was complete on December 17, 2019, (4) held a public meeting in close proximity to the Ezra Prentice community on January 6, 2020 at the Albany Housing Authority at 200 South Pearl Street, Albany, and (5) established a public comment period between December 17, 2019 and January 17, 2020; and,
- WHEREAS, a draft Final GEIS on the project was prepared by the applicant and submitted to the Planning Board, and said draft Final GEIS contained the comments that were received during the public hearing, public meeting, and public comment periods on the Draft GEIS and Supplemental Draft GEIS, as well as responses to those comments, and all additional studies that were undertaken to respond to those comments; and,
- WHEREAS, the Town's designated engineer, MJ Engineering, having reviewed the Final GEIS advised the Planning Board by letter, dated April 30, 2020, that the Final GEIS was complete and complied with all the requirements of SEQRA, and,
- WHEREAS, on May 5, 2020, the Planning Board adopted a resolution declaring the Final GEIS complete and complied with the requirements of SEQRA; and,

WHEREAS, more than ten (10) days have passed since the acceptance and filing of the Final GEIS, as required by SEQR.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Town of Bethlehem Planning Board:

1. That, acting as SEQRA Lead Agency for the above referenced action, based on the record before it, including the Draft GEIS, Supplemental Draft GEIS, Final GEIS, the analysis and recommendations of various interested and involved agencies, including the Planning Board, the comments of the Town consultant, various Town Departments, the Applicant's consultants and members of the public, and the knowledge of the Planning Board of the site and the community hereby makes the findings and determinations and imposes the mitigation measures as outlined in the SEQRA Findings Statement attached hereto as Exhibit A, and,
2. That, the Planning Board certifies the requirements of the regulations promulgated pursuant to ECL Article 8 at 6 NYCRR Part 617 have been met, and,
3. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigation measures that were identified as practicable; and,
4. That the Department of Economic Development and Planning shall file and distribute the attached SEQRA Findings Statement as required by 6 NYCRR Section 617.12; and
5. This Resolution shall take effect immediately.

On a motion by Scott Lewendon, seconded by Brian Gyory, and by a roll call vote of four (4) for, zero (0) against, zero (0) abstained, one (1) recused, and zero (0) absent, this RESOLUTION was adopted on June 2, 2020.