

LEAD AGENCY STATEMENT of FINDINGS

for the West Water Street Industrial Site Predevelopment Project

In accordance with Article 8 of the Environmental Conservation Law (ECL), the State Environmental Quality Review Act (SEQRA), and its implementing regulations set forth in 6 NYCRR Part 617.

November 2025

Lead Agency

Village of Painted Post Planning Board
261 Steuben Street, Painted Post, New York

Prepared by:

Southern Tier Central Regional Planning & Development Board
8 Denison Parkway East, Suite 310,
Corning, NY 14830

Description of Action:

The Village of Painted Post has undertaken a predevelopment/pre-permitting project for the former Ingersoll-Rand foundry site in Painted Post which includes the development of a generic Environmental Impact Statement (GEIS) to streamline the process for potential developers of the Site. This process evaluated the thresholds for a theoretical development that could be possible under the existing zoning and deed restrictions but will not result in any actual development as part of the Project. The Site is approximately 49 acres. The selected Alternative of Choice is a mixed-use commercial/industrial site with up to 249,000 square feet of building footprint and associated infrastructure.

Project Contact:

Liv Lovejoy, Planner
Southern Tier Central
Regional Planning & Development Board
8 Denison Parkway East, Suite 310,
Corning, NY 14830

A. INTRODUCTION

The West Water Street Industrial Site Predevelopment Project encompasses an approximately 49-acre parcel in the Village of Painted Post. West Water Street terminates at the Project Site and the parcel is bounded by I-86 to the west, West Chemung Street to the east, Hodgman's Creek to the north, and Hodgman Park to the south. A Norfolk Southern line runs parallel to West Chemung Street along the Site and an approximately 11.48-acre portion of the Site hosts a rail siding. The parcel is at the edge of the Village boundary, abutting with the Town of Erwin on three of its sides. The I-86/I-99 highway interchange is just to the south of the Site. The study area includes only this site, which has remained vacant and underutilized for several decades. Throughout this time, the Site has been noted to pose potential for catalytic development for the predominantly built-out community.

Pursuant to the State Environmental Quality Review Act (SEQRA), the Village of Painted Post Planning Board ("Planning Board") elected to prepare a Generic Environmental Impact Statement (GEIS) to evaluate the cumulative impacts of future development on the Site and to identify appropriate mitigation measures for the most likely scenario under current conditions (Alternative of Choice).

The GEIS and this Statement of Findings apply to new development actions within the study area that are subject to SEQRA, while future actions in the study area that can be classified as Type II actions, pursuant to 6 NYCRR 617.5 are not subject to the mitigation requirements of the GEIS.

Further pursuant to the requirements of SEQRA, the Planning Board deemed the draft GEIS adequate for public review on August 6, 2025, and a public hearing was held on September 3, 2025, with the public comment period ending on September 14, 2025. A final GEIS was presented at a special planning board meeting on October 14, 2025 and was deemed complete. The Planning Board issued their Findings Statement as Lead Agency at their regular planning board meeting on November 5, 2025 and received no additional findings statements from Involved Agencies.

Upon receipt of the Village's, or an interested agency's, request for a discretionary approval or permit along with an Environmental Assessment Form ("EAF"), the Village and involved agencies will need to determine if the potential environmental impacts associated with the action have been adequately addressed within the DGEIS, the FGEIS, and the Findings Statement. In making this determination, the agency will need to determine whether the application is consistent with the thresholds outlined in *Section 10.2* of the DGEIS.

PROJECT PURPOSE AND NEED

The West Water Street Industrial Site Predevelopment Project envisions the revitalization of an underutilized, vacant, and historically significant site into an active complex. The resulting development has potential to include industrial and/or commercial uses permitted by the zoning law and that are consistent with the comprehensive plan. The renovation of the existing Site poses one of the most comprehensive redevelopment projects to be initiated in the Village of Painted Post. The development of the Site can incur immense community benefits and contribute to local and regional tax revenues, as well as the likely increase in property values of surrounding areas. To further the benefits of the completion of remedial actions on the Site done decades prior, new

development can reclaim the property for a variety of productive uses and become a newly accessible site within the Village. The former foundry site, in conjunction with the Village Square, have been considered to be strategic sites for potentially catalytic development to transform the economy of Painted Post.

PROCEDURAL BACKGROUND

The former Ingersoll-Rand foundry site was idled in late 1985 and concluded its environmental evaluation and clean up as part of its standard facility closure activity in early 1986. An Interim Remedial Measures (IRM) work plan was approved by the NYS Department of Environmental Conservation (NYSDEC) and a consent order was signed by both parties. NYSDEC acknowledged the successful implementation and completion of all work elements of the IRM work plan by letter in 1990.

The property was sold to Painted Post Development, LLC, who has retained ownership on behalf of the Village since its sale. The Village of Painted Post has undertaken the effort to predevelop and pre-permit the former foundry site to make the site more appealing to developers by streamlining the environmental review process. Pursuant to SEQRA and its implementing procedures, the Planning Board commenced a Coordinated Review and declared its intent to act as Lead Agency and preliminarily classified the action as Type I in March 2025. The Lead Agency was uncontested and the Planning Board formally accepted Lead Agency status and completed the Full Environmental Assessment Form (FEAF), issuing a Positive Declaration of Impact in April 2025. The Positive Declaration initiated the preparation of the Generic Environmental Impact Statement. The Planning Board accepted the Draft Scoping Document for the GEIS in May 2025. Upon acceptance of the scoping document, the draft was published to the Environmental Notice Bulletin (ENB), dispersed to involved and interested agencies, and made available for public comment. A final scoping document was presented to the Planning Board in June 2025. The Planning Board reviewed the Draft Generic Environmental Impact Statement (DGEIS) in July and August 2025, accepting the DGEIS as adequate for public review at the August meeting and scheduling a public hearing for September 3, 2025. The public comment period remained open for an additional (11) days following the public hearing, closing on September 14, 2025. No comments from the public were received during either comment period, though responses were received from NYS Department of Transportation (NYSDOT) and NYS Office of Parks, Recreation, and Historic Preservation (OPRHP) and are noted in the appendices of the FGEIS.

The Scoping Document, Draft Generic Environmental Impact Statement, and Final Generic Environmental Impact Statement were prepared by Fagan Engineers & Land Surveyors, P.C. (Fagan Engineers), with assistance from Southern Tier Central Regional Planning & Development Board (STC) as consultants on the West Water Street Industrial Site Predevelopment Project.

B. ALTERNATIVES

NO ACTION ALTERNATIVE

As required by SEQRA, the FGEIS assessed *No Action* as an alternative to the Predevelopment Project. This alternative assumed no action to provide a baseline for evaluation and comparison of impacts. This alternative evaluated the adverse or beneficial changes to the site that are likely to occur in the reasonably foreseeable future, in the absence of any action.

The *No Action* alternative would retain the Site as vacant and underutilized.

ALTERNATIVE OF CHOICE

The Alternative of Choice was considered the most likely use of the Site within existing zoning and site conditions. Examples of possible future related actions for the proposed project include the development of specific components of the project in manner that is not entirely consistent with the Alternative of Choice. This may occur given that the layout of the project as the Alternative of Choice is conceptual in nature and not intended to represent the precise and final layout of all of components of a mixed-use project. Instead, the conceptual site layout, depicted for the Alternative of Choice, is meant to demonstrate the anticipated components of the project and potential development of the Project Site without the need for additional environmental review(s) pursuant to SEQRA. The precise layout of project components will be the subject of site plan applications to be filed with the Village in the future based upon the preparation and review of fully engineered plans and building plans for the various project components. The thresholds for environmental review for future related actions are intended to provide a framework for the Lead Agency and interested agencies to utilize to ensure compliance with the procedural and substantive requirements of SEQRA.

MAXIMUM DEVELOPMENT / BUILD-OUT ALTERNATIVE

The Maximum Development Alternative is the development of the Site utilizing the maximum build-out scenario (most intensive use). This alternative still abides by uses currently permitted in the zoning law and assumes the same general site layout and approach as the Alternative of Choice, but at a greater density and would result in a greater lot coverage than is permitted. This scenario is compared to the Project in terms of benefits and environmental impacts.

C. FINDINGS

Land Use & Zoning

The proposed Alternative of Choice aligns with existing zoning for land use and bulk-density requirements. Some commercial uses (or “Business Uses”, as defined in the Zoning Law) are permitted as-of-right, with some other commercial and industrial uses possible through special use permits. Additionally, mixed use of allowable uses is possible through a special use permit. The conceptual layout plan for 249,000 sf for buildings and associated infrastructure is possible within existing lot coverage, setback, and height requirements. The Village Comprehensive Plan indicates

a desire for a broader scope of use for the Site, but this is limited by the deed restrictions placed on the parcel which informed the permissions of the Zoning Law.

The development of the parcel would allow for more land use opportunities within the predominately built-out community and may drive growth in the Village Square nearby.

Economic & Fiscal Conditions

Development of this parcel can stimulate job creation both from the construction phase and eventual operational phases. The Project Site's close proximity to Village Square and the Village Center District can bolster employee and visitor engagement with surrounding businesses, further stimulating the local economy. Additionally, development will reintroduce the parcel to the tax base for the Village and Steuben County, increasing revenue to support local government services and infrastructure improvements. New development can also increase land and property values, further improving economic vitality.

Natural Resources

The Site has remained vacant and underutilized for decades, allowing any flora and fauna to exist generally undisturbed. The Alternative of Choice would see a 6-acre reduction of meadows, grasslands, or brushlands and a 6-acre reduction of forested land which would likely result in some disruption of habitat. However, lawns and landscaping will increase by 10 acres, resulting in a proposed total loss of habitat area of 2 acres. The landscaping drawings emphasize the use of no- or low-mow techniques for lawn maintenance and incorporation of diverse tree types for buffering and shade canopy, which can aid in the restoration of site ecology. The incorporation of these techniques can mitigate the extent of reduction or degradation of habitat.

Potential impacts to natural resources would be further adequately mitigated through following relevant NYSDEC recommendations for restricted tree cuttings to minimize disturbance to bat species (should they be found in the vicinity prior to construction) and an Incidental Take Permit, should one be necessary, for the threatened timber rattlesnake, which were noted in the Project Site's vicinity. While the Alternative of Choice does not encroach upon the small wetland on-site nor interact with the creek or river running adjacent to the parcel, DEC also provided recommendations for measures to protect wetlands and mussel population.

Soils, Geology, & Water Resources

The Project Site is under the obligation of a Soil/Fill Management Plan (SFMP) resulting from historic uses on the site. Any construction is required to abide by the conditions and requirements outlined in the SFMP and any activity necessitating invasive activity must be navigated with DEC prior to the initiation of such activity. The existing fill on the site was noted in the 2020 Haley & Aldrich Geotechnical Study to not be suitable for foundational support in its current condition due to its structural properties. However, one of the remedies recommended existing fill be removed and replaced with imported structural fill material within the zone of influence of the foundations. This poses the opportunity to provide the appropriate structural support, as well as allowing for existing fill, which was noted to be the source of several contaminants of concern, to be removed and replaced. While Rapid Impact Compaction or Deep Dynamic Compaction are provided as

alternative recommendations in place of removal and replacement, the preferred remedy would be removal and replacement of contaminated fill in conjunction with the necessary removal and replacement for adequate foundational support.

The property is relatively flat, with an elevation of 938' to 945' across the entire site and the portion to be developed generally has a grade of 5% or less. Along with the minimal slope, the soils' hydrologic classifications are A, indicating they are well-drained and have a high infiltration rate, resulting in low runoff potential.

Land impacts noted by the Lead Agency (LA) during the completion of the long-form EAF were primarily in regard to the duration of construction, which would be anticipated to take over a year or be conducted in multiple phases. The LA indicated stormwater retention ponds (stormwater management) to be an additional impact within the *Impact on Land* section, but noted the retention ponds are to the benefit of the project (and are required). The size of the Project requires a full SWPPP as part of the NYSDEC SPDES General Construction Permit that will identify mitigation methods and erosion and sediment control. Further, DEC must be notified prior to the disturbance of five acres or more at any one time and provide written approval, along with additional minimum requirements, in addition to the requirements associated with any invasive activity. Grading plans should be submitted with the Site Plan packet for proposed development, which will allow for evaluation of proposed grading and cut and fill requirements. Determination of whether removed (contaminated) fill should be maintained on-site or taken to an appropriate facility to be managed should be discussed with DEC.

The Haley & Aldrich Geotechnical Study observed groundwater in the test borings during and/or shortly after drilling at depths ranging between 12.5' to 44' below ground surface. The cut and fill at the surface is noted to be 2' to 13' thick with 1' to 20' of native material underlying it. The groundwater depth was noted to be 19.1 feet.

The deed prohibits the use of on-site groundwater. The total anticipated water usage/demand per day was calculated using 50,000 gallons/day, which would be provided within the existing capacity of the Village water district.

Infrastructure & Utilities

Utility usage and infrastructure needs associated with the Alternative of Choice are feasible within existing conditions and would not require expansions or improvements of utility infrastructure. Estimated water consumption for the Project Site is well-within the capacity of the public water infrastructure, particularly due to the transloading facility formerly intended to distribute water at high volumes via the Site's rail siding. The total anticipated water usage/demand was originally noted to be 50,000 gallons/day on the EAF as a high-end mark, but was still feasible at that rate; though the more likely usage falls between 24,900 and 48,300 gallons/day. An existing terminal manhole on-site would provide adequate capacity with a connection for sanitary sewer, with the total daily anticipated liquid waste generated equivalent to the daily demand.

Due to the long period of inactivity on the site, little to no stormwater infrastructure exists on-site. A Generic Stormwater Pollution Prevention Plan (SWPPP) was developed and demonstrated the

ability for all stormwater runoff to be contained and managed on-site for both the Alternative of Choice and the Maximum Build Out Alternative.

Community Facilities & Services

The proposed level of development is considered to have minimal impact on local community services and such impacts could be offset by the potentially substantial increase to the tax base, which would help support and improve local services. Increased demand would likely be incurred by government facilities and emergency services, primarily due to the formerly vacant site becoming active again. Potential demands are considered to be reasonable and manageable within existing capacity and with adequate planning. Educational, cultural and religious, and health and welfare facilities would likely see little to no direct impact but may, again, see positive impacts gained through reintroduction of the parcel to the tax base.

Transportation & Circulation

The Project Site is at the end of a dead-end street, with commercial uses at the entrance (Village Center District) leading into residential uses (Medium Density Residential District) before approaching the West Water Street Development District, where the Site is located. The development of the parcel would result in an increase in traffic beyond existing levels, but would not be atypical considering historic uses of the Site. As part of the development of the generic Environmental Impact Statement, an updated Traffic Impact Study (TIS) was conducted to encompass requested changes and address comments by NYSDOT. NYSDOT acknowledged the proposed mitigation measures would effectively mitigate traffic impacts to interstate ramps and intersection queueing. Results of the TIS demonstrated limited potential impacts to Level of Service (LOS) at intersections leading to or surrounding the Project Site.

The landscaping drawings indicate internal sidewalk and crosswalk systems to provide pedestrian connectivity to the Site from West Water Street, as well as safe passage within the Site. Buffer landscaping provides the option for a more seamless integration of the Site with the adjacent Hodgman Park to further incorporate pedestrian and cyclist circulation. The DGEIS provides recommendations for facilities and infrastructure to ensure safe, accessible, and efficient movement for people using alternative modes of transportation.

Public Health & the Environment

The Site is a completed environmental remediation site under institutional controls – deed restrictions and a Soil-Fill Management Plan. Between the established institutional controls and pursuit of additional permitting (required for the development of the Site), potential impacts to public health and the environment would be considered to be adequately mitigated.

Open Space & Recreation

Development of the site would not reduce availability of open space or recreational opportunities and is not considered to pose a negative impact. The landscaping drawings envision a mixed-use site that can offer a future connection to the adjacent Hodgman Park for passive recreation. The

Alternative of Choice meets existing bulk-density requirements, retaining at least 70% of the lot coverage as pervious green or open space.

Archeological & Historic Resources

There are no noted archeological resources on the Site. The residential properties contiguous to the Project Site are not listed on the State or National Register of Historic Places. The Corning-Painted Post School District Administration building is on the Register but is not contiguous to the property and aerial views of the proposed development on the Project Site show that the Alternative of Choice would be adequately buffered as to not cause visual impacts on the historic property. Further, the Office of Parks, Recreation, and Historic Preservation (OPRHP) issued a No Impact finding, dated October 17, 2025, confirming that no properties, including archeological and/or historic resources, listed in or eligible for the NYS and National Registers of Historic Places will be impacted by this project.

D. CONCLUSION

Based on information, evaluation, and conclusions outlined in the GEIS and this Findings Statement, site-specific application for site plan approval for the Project Site will not require supplemental SEQR for the impacts evaluated in this report should the cumulative level of development fall within the established thresholds, including projected traffic generation and parking demand, water and energy usage, and sanitary and solid waste generation. Development of the Project Site analyzed in this SEQR review process was based on existing zoning and established institutional controls and was evaluated with a 5-year outlook for construction, to be concluded by 2030. The Alternative of Choice offers the most likely outcome within existing conditions, whereas the Maximum Build Out assumes an extreme case of development on the Site and would require additional permissions (particularly within the existing zoning law).

The Planning Board considered the relevant environmental impacts, facts, and conclusions disclosed in the GEIS and has weighed relevant environmental impacts against social, economic, and other considerations. The Planning Board certifies that all applicable requirements of 6 NYCRR Section 617 have been met. Further, the Planning Board finds that the proposed action, and its reasonable alternatives, is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, including those defined in the GEIS.

Should a future development be proposed to/in the Village, the Village and/or the relevant involved agency may determine that:

1. The future action is consistent with the thresholds established in *Section 10.2* of the DGEIS, then no further SEQRA compliance will be required;
2. If the future action is consistent with the thresholds established in *Section 10.2* of the DGEIS, but is not addressed, or is not adequately addressed in the Findings Statement, then an amended Findings Statement must be prepared;
3. If the future action is not addressed in the Findings Statement and the proposal does not exceed any of the thresholds established in *Section 10.2* of the DGEIS and it will not result

in any significant adverse environmental impact, then a negative declaration must be prepared and issued; or

4. If the future action is not addressed, or is not adequately addressed, in the Findings Statement and/or the application will exceed one of the thresholds established in *Section 10.2* of the DGEIS and may have one or more significant adverse environmental impacts, then a supplement to the FGEIS must be prepared.

E. CERTIFICATION

The Village of Painted Post Planning Board, acting as Lead Agency, has issued this Statement of Findings pursuant to 6 NYCRR 617.11. The Planning Board hereby finds:

- i. The requirements of 6 NYCRR 617 have been adequately met;
- ii. The Alternative of Choice is consistent with environmental, social, economic, and other essential considerations and avoids or minimizes adverse environmental impacts to the fullest extent practicable;
- iii. The GEIS is comprehensive and contains the facts and conclusions relied upon to support the Planning Board's Statement of Findings and indicates the environmental, social, economic, and other factors which informed its findings.

As required by SEQR for Generic Environmental Impact Statements, the West Water Street Industrial Site Predevelopment Project GEIS assessed the environmental impacts that may occur as a result of future development on the Site. This Statement of Findings lists the specific conditions or criteria under which future projects may be undertaken or approved, including requirements for any subsequent SEQR compliance. Pursuant to 6 NYCRR 617.10(d), should certain impacts require further analysis, the final GEIS may be supplemented. If the proposed action will be carried out in conformance with the conditions and thresholds established for such actions in the GEIS and its Findings Statement, no further SEQR compliance is required.