

APPENDIX A

APPLICABLE EXCERPTS FROM 2004 COMPREHENSIVE PLAN

This Appendix presents excerpts from the Implementation section of the Comprehensive Plan for the Town of Somerset prepared in 2004. These actions may not be immediately relevant, and priority recommendations and action items are duplicated in Sections IV and V of the current Plan. However, there are some ideas that may be relevant, or may be of use in the future. They are included here in order to retain these ideas.

This section is presented verbatim from the 2004 plan without edits, except that recommendations that were no longer relevant have been deleted. They have not been adjusted or revised to reflect more current conditions, and additional research or verification of the support for these concepts may be necessary prior to their implementation. These ideas should be considered as a supplement to the priority concepts contained within the body of this Comprehensive Plan. The excerpts include recommendations (Section V) from the 2004 plan, as well as two appendices from that document.

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(from 2004 Plan)

SECTION V

IMPLEMENTATION PLAN

The following section summarizes and expands upon the Findings and Recommendations section of the plan. It first provides a general methodology for implementing the plan and then provides specific steps for implementing each of the goals and policies established by the community. These steps or actions were generated throughout the process by referring to previous efforts, through committee and public input, and from general planning principles.

It must be clearly understood that this plan is a guidebook for the community, and that the recommendations/actions that are given are suggested methodologies for achieving the Town's goals. Although given priorities, it shall be up to the Town Board to determine the applicability and/or timing of these actions. These actions are to be considered a "toolbox" to be utilized by the Town in achieving vision and responding to changes in the community. Each year, the Town Board (with recommendations from others) will decide on the need for any implementation actions, and address any updates to the plan.

GENERAL IMPLEMENTATION PROCEDURES

1. Comprehensive Plan Adoption: The Town Board, after holding the appropriate public hearing(s) and completing the State Environmental Quality Review (SEQR) process, should adopt the comprehensive plan.
2. Form a Comprehensive Plan Implementation Committee: The Town Board should form a comprehensive plan implementation committee by resolution. This committee could be chaired by Town Board members and have representation of the Planning Board and others as necessary. This committee would meet at scheduled times throughout the year (2-4 times per year in the first couple of years after adoption and possibly reducing to 1-2 times per year thereafter). Their responsibility would be to help ensure that the plan is being implemented, evaluate results of actions, re-prioritize implementation actions as necessary, and suggest modifications to the plan as required.
3. Provide copies of the plan: The Town should provide copies of the plan to the Town's boards, departments and committees. When providing these plans, a meeting should be scheduled to explain the plan, and how it should be utilized.
4. Budget money and seek grants for implementation: The comprehensive plan implementation committee each year will provide an approximate budget needed for the coming year's implementation actions, to the Town Board (at budget time). The committee will also provide assistance to the Town Board in identifying and seeking grants for these actions. The Town Board will then budget for these actions and/or apply for grants.

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IMPLEMENTATION ACTIONS PER GOALS OF THE TOWN

A. Maintain the rural and agricultural character of the Town.

1. Review town zoning ordinances and modify as necessary to ensure that agriculture and its related activities are not restricted or hindered by the zoning law.

Priority: Low Responsibility: Planning Board could review and recommend revisions to the Town Board. Revisions would be adopted by local law.

Costs: Minimal: reproduction and mailing costs.

2. Removed this item

3. Consider adoption of a local right-to-farm law.

Priority: Low Responsibility: Town Board

Costs: Minimal: samples can be obtained from NYSDOS and others. Costs are for local law adoption.

4. Provide incentives for development in sewerred areas: expedited reviews, density bonuses, and prioritized public services.

Priority: Medium Responsibility: Town Board, Planning Board, Building Inspector

Costs: None

5. Establish and adopt rural development guidelines: these guidelines would be referenced in the zoning and subdivision regulations, and would be required in the agricultural zoning district.

Priority: Medium Responsibility: Town Board

Costs: Minimal: obtain samples, revise and adopt through local procedures.

6. Investigate agricultural preservation programs - the Town should evaluate transfer of development rights (TDR) and purchase of development rights (PDR) programs, and other programs that may be available (such as PACE [purchase of agricultural conservation easements], farm assistance programs, etc.).

Priority: Low Responsibility: Town Board through a committee

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Costs: Minimal: this is an investigation not implementation. (Implementation would be expensive.)

7. Maintain State agricultural districts.

Priority: High Responsibility: Town Board

Costs: None

8. Removed

9. Limit retail growth outside the Village to assist in the viability of the Barker Central Business District.

Consideration of zoning changes around the Village should consider the limitation of competing retail uses to the Barker Central Business District.

Priority: Medium Responsibility: Town Board

Costs: Minimal

B. Achieve a pattern of development which minimizes travel time to meet daily needs and which meets a high standard of design and construction.

1. Modify the Town's zoning map to match the recommendations in this plan.

Priority: High Responsibility: Town Board through the Planning Board or committee

Costs: \$1,000 - \$2,000. Costs for amending map and adoption process.

2. Create an Access Management ordinance and assign to identified roads within the Town.

Priority: Medium Responsibility: Town Board through a committee (assistance from NYDOT)

Costs: Minimal - \$3,000. The NYSDOT has a sample Access management ordinance. It may need to be modified and then taken through an adoption process.

3. Create a rural development cluster development ordinance: this ordinance would apply to sewered areas and to non-sewered areas.

Priority: High Responsibility: Town Board

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Costs: \$1,000 - \$2,000. Obtain samples and work with a consultant to modify.

4. Removed

C. Meet the housing needs of the community by providing a variety of choices in new housing and by encouraging the improvement of existing housing.

1. Investigate a housing and property maintenance code: form a committee to research examples of these codes and how they are applied, and where and if they should be applied.

Priority: Low Responsibility: Town Board through a committee

Costs: Minimal

2. Publicize programs for Federal and State housing assistance programs, and programs for façade improvements and tax assessment issues.

Priority: Low Responsibility: Town Board

Costs: Minimal - \$1,000

3. Amend the zoning of the Town to match the vision of the plan in locating denser housing in the sewerred areas.

Priority: High Responsibility: Town Board through the Planning Board or committee

Costs: \$1,000 - \$2,000. Costs for amending map and adoption process.

D. Protect important environmental resources from adverse effects.

1. Expand upon the work done in the Comprehensive Plan by identifying, quantifying and prioritizing important environmental resources in the Town: (the comprehensive plan and this resource would be referenced in the Town's codes).

Priority: Medium Responsibility: Town Board through a committee

Costs: \$1,000 - \$3,000. With volunteer and consultant assistance.

2. Create a lakeshore overlay district to provide additional requirements to developing in the lakeshore area. Requirements could include limitations on pole barns, height and location of structures, setbacks, etc. One of the important objectives would be to preserve views. This effort should be coordinated with the LWRP.

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Priority: Medium Responsibility: Town Board

Costs: Associated with the LWRP creation.

3. Create and adopt updated stormwater and erosion control standards.

Priority: Medium Responsibility: Town Board

Costs: Minimal - \$1,000. Acquire NYSDEC sample stormwater regulations.

4. Working with applicable adjoining communities, study the watersheds within the community for ways of protecting and improving water quality. Look into working with the Soil and Conservation service and their CEM (Community Environmental Management) program.

Priority: Medium Responsibility: Town Board

Costs: Minimal - \$5,000. If acquire CEM assistance, costs could be minimal.

5. Removed wetlands ordinance recommendation.

6. Update/revise the zoning and subdivision regulations to require preservation/incorporation of important natural resources to any development proposal.

Priority: High Responsibility: Town Board through the Planning Board

Costs: \$1,000

7. Addition of stream protection overlay areas: for identified streams (especially Golden Hill Creek), a stream protection overlay should be created. This zoning overlay would require development within its boundaries to meet structure regulations for setbacks from the creek, drainage and erosion control, and other issues such as viewshed protection.

Priority: Medium Responsibility: Town Board

Costs: \$1,000 - \$2,000 for overlay creation

- E. Provide high quality community facilities and services at an acceptable cost to the local taxpayer.

1. Complete a Capital Improvements Plan: each Town department, board and committee should create a listing of improvements, needs, etc. for now and for the future (reasonable time period established).

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Priority: Medium Responsibility: All departments, boards
and committees

Costs: Minimal

2. Create a grants plan for the prioritized capital improvements list.

Priority: Medium Responsibility: Town Board

Costs: \$3,000 - \$5,000. If consultant is
necessary.

3. Monitor recreation needs in the Town: based on continued monitoring of these needs, the Town will determine when additional facilities/plans such as the multiple use plan should be implemented.

Priority: Low Responsibility: Town Board and Recreation
Committee

Costs: Minimal

4. Based on watershed studies and possible assistance under a CEM program, determine those areas of the Town that need detailed drainage studies. A drainage committee could keep track of drainage problems and recommend studies/improvements to the Town Board. Assistance could also be sought through SEMO (State Energy Management Office) and FEMA (Federal Emergency Management Agency).

Priority: Low Responsibility: Town Board and Drainage
Committee

Costs: Minimal through thousands of
dollars.

5. Meet yearly with State Park officials to discuss Golden Hill State Park; their plans and the needs of the community.

Priority: Medium Responsibility: Town Board

Costs: None

- F. Provide for the future movement of traffic through the Town in a safe and efficient manner.

1. Focus should be on improving the existing highway system and not on constructing any new roads. Working with the NYSDOT and the County, the Town should identify areas for improvement.

Priority: Medium Responsibility: Town Board and Highway
Superintendent

Costs: Minimal

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2. Build upon the Access Management ordinance identified in B.2., by completing an access management plan. This plan would help in resolving some existing problems in the Town.

Priority: Low Responsibility: Town Board (working with
the Access Management division of the
NYSDOT)

Costs: Minimal

3. Provide input to the GBNRTC on future transportation needs, including pedestrians and bicyclists. Provide a copy of the Town's plan and attend yearly meetings with the GBNRTC.

Priority: High Responsibility: Town Board

Costs: Minimal (reproduction of plan and
attendance at meetings)

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APPENDIX FROM 2004 Plan:

RESIDENTIAL DEVELOPMENT CONCEPTS

CLUSTER RESIDENTIAL DEVELOPMENT

The comprehensive plan recommends that the Town of Somerset consider the adoption of a policy whereby cluster residential or density control development would be permitted in the town's low and medium density residential areas. This alternative concept can offer several exciting advantages when compared with the typical lotting pattern in most conventional subdivision layouts. The clustering of homes in a compact service area permits the retention of large contiguous areas in their natural state. In addition, the developer has more flexibility in locating individual homesites, landscaping and vistas.

Under a cluster or development control concept the developer would be permitted to reduce the size of the building lot below the minimum zoning requirements provided that the number of homes in the subdivision is not increased and the overall density is maintained. Cluster residential development could have the following advantages for the Town of Somerset:

1. Cluster development emphasizes the preservation of open space and the development of park and recreation facilities. In this way, much of the natural vegetation and tree growth can be preserved and the town will be in a position to develop a complete park system which is functional to the town's population, and at little cost to the municipality.
2. Cluster development encourages new development schemes, which are exciting and aesthetically pleasing. It helps provide visual relief to the monotony of rows of dwellings lined up along residential streets. This could be an extremely important consideration in view of the fact that the majority of the land area within the town is level with very little relief.
3. Well designed cluster subdivisions can reduce the costs of construction and annual maintenance expenses by minimizing the lengths of streets, curbing, sewerage lines, storm drains, waterlines and other utilities. Thus the developer, the homeowner and the entire community should benefit from cluster development.
4. The clustering of homes permits significant latitude in preserving natural drainageways and special open spaces. This should serve to reduce the amount of surface runoff, to a level considerably below that which might be generated from typical subdivision developments; as well as encourage preservation of natural features.
5. Cluster development offers the long-range advantage of maintaining property values, which is a fundamental purpose of planning and zoning.

Attached examples (in Appendix D) indicate how a typical site can be developed under both conventional and density control systems. The more obvious advantages of cluster development include open space, easements and parklands, quiet residential streets and the provision of buffer areas between the cluster development and other adjacent uses of land. Though the required lot size is reduced under cluster requirements, the overall density of the entire tract would remain the same as the density prescribed under

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normal zoning requirements for the district in which the cluster is developed.

PLANNED UNIT DEVELOPMENT

The concept of planned unit development is perhaps the most modern, forward-looking land development technique to be implemented in recent years. Instead of planning for the individual lot, planned unit development is a means of establishing a complete self-contained neighborhood or community unit. The planned unit development concept includes the provision of various uses within the same site, including various forms of housing (ranging from single-family dwellings to garden apartments) shopping areas and in some cases, industrial parks and community facilities.

Planned unit developments, differing from the typical subdivision plan, fixes land use relationships between buildings, allocation of open space, provisions for off-street parking and many other details which may or may not include such typical zoning regulations as setback, frontage and minimum lot size. Under the planned unit concept the yardstick for residential development is generally a density of dwelling units per acre rather than lot size specifications. It is a technique which gives the developer considerable flexibility in the design of the total site.

The institution of a planned unit development ordinance could require the developer to provide the following capital needs:

1. Water and sanitary sewerage systems which would connect into the public systems serving the area. If this is not feasible, the developer would be required to provide an individual system adequate to serve the planned unit development, which would be totally acceptable and approved by the County and State Health Department.
2. A certain percentage of the total land area to be retained for permanent open space. This could be dedicated to the town or maintained by a homeowner's association.
3. Land for elementary school sites at standards to be set by the school district in cooperation with the Town of Somerset. (this is very unlikely—school is adequate to absorb likely development)
4. Fire prevention sites to serve the projected planned unit development at standards to be set by the town. (ditto—more likely to require payment to existing fire department)
5. A street system which is adequate to serve the needs of the development, including the improvement of any existing highways which may serve the development.
6. A storm drainage system of sufficient size and design to carry off and dispose of all predictable surface water runoff within the development.

Each of the improvements listed above as well as the site design of the proposed development would be subject to approval by the Planning Board, the town engineer and the Town Board. A proposal for a planned unit development should also have the benefit of review of the County as well as that of a professional planner retained by the Planning Board, at the expense of the petitioner to review and analyze the proposal in relation to the town's development regulations.

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APPENDIX FROM 2004 Plan:

LAND USE CONFLICTS

The plan recommends that large areas of Somerset should remain as rural or in agricultural use during the planning program. Farmland and agricultural land uses contribute significantly to the economic well being of the town as well as the county and the region. These areas serve to maintain economic stability, are a desirable scenic element in the local environment and help maintain an ecological balance. It is important that farming in Somerset be supported, so as to enhance the prime agricultural soils in the community and the micro-climatic conditions in this area of the state. It is also important that these soils which have been determined to be highly valuable for agricultural production be protected for such use. Once farmland has been taken out of production for residential or other types of development, the potential for reversion of the soil for agricultural purposes is generally lost forever.

Nationwide, a major cause for the decline in farming has been residential development "leapfrogging" throughout the rural farmland areas of every community. Although residential development has actually displaced relatively little farmland in Somerset, it has established a pattern of frontage development that could have potential conflicts with farming operations in the future. The most common types of conflicts with residents that tend to curb farming operations include aerial spraying of crops, nighttime harvesting operations and increased vandalism to field crops.

Strong support of local farming and agri-business activities cannot be over emphasized. This is due to the importance of agriculture as an income generator and employer and to its role in maintaining the rural character of Somerset. Pressures on viable farmland resulting from residential sprawl should be relieved and prevented through the establishment of development regulations that support farming. Similarly, public services and other capital improvements which would induce major non-farm development in productive farm areas should not be implemented. As part of the overall program to improve the maintenance and expansion of agricultural activities, favorable taxation and assessment policies should be continued through renewal of the state's Agricultural District program.

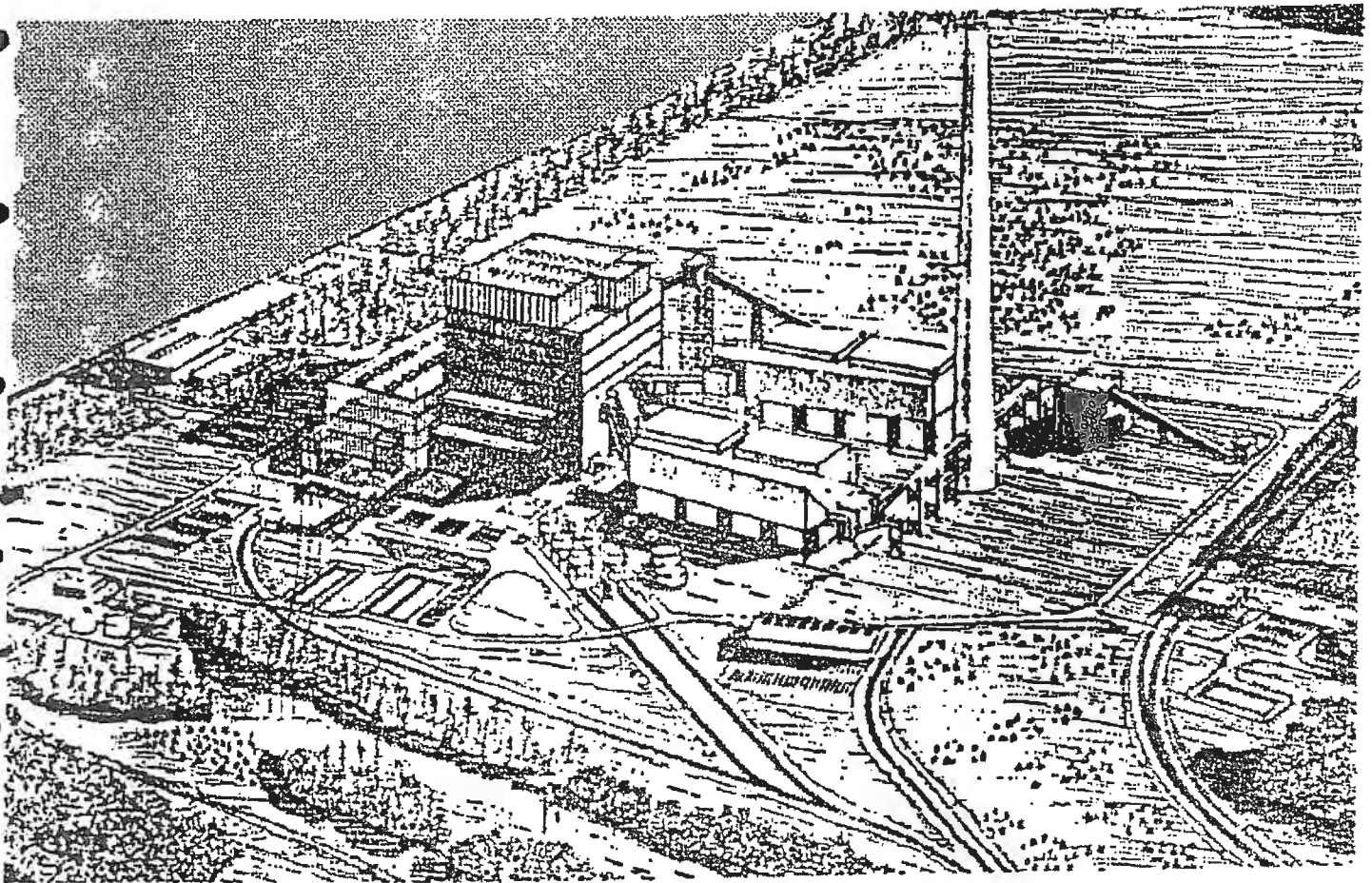
Permitted uses in designated agricultural areas should be limited to agricultural and related uses. Non-farm residential uses should be allowed in farming areas but maintained at low densities as recommended in the comprehensive plan. Further, permits to build in such areas should be carefully reviewed to plan the locations of dwellings to minimize the disruption of agricultural operations. Developers and homebuilders within areas designated for agricultural use should be made aware that farming will have priority consideration in such areas and that non-farm residents will be expected to make adjustments to live in harmony with adjacent farm users.

APPENDIX B

Somerset Power Plant Multiple Use Plan

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SOMERSET POWER PLANT MULTIPLE USE PLAN



**NATURAL
RESOURCES
COMMITTEE**

NOVEMBER 1979

ERIE AND NIAGARA COUNTIES REGIONAL PLANNING BOARD

FINAL REPORT

SOMERSET POWER PLANT
MULTIPLE USE PLAN

Prepared by the
Erie and Niagara Counties Regional Planning Board

With the Assistance of the
Somerset Power Plant Committee
and
Somerset Power Plant Multiple Use Subcommittee

The preparation of this report was financially aided through a Federal grant from the Office of Coastal Zone Management, National Oceanic and Atmospheric Administration under the Coastal Zone Management Act of 1972, as amended. This report was prepared for the New York State Department of State and Erie and Niagara Counties Regional Planning Board and the Town of Somerset.

November, 1979
Contract No. D142753
Activity #4

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4. Title and Subtitle Somerset Power Plant Multiple Use Plan			5. Report Date November, 1979	
7. Author(s) Erie and Niagara Counties Regional Planning Board			8. Performing Organization Rept. No.	
9. Performing Organization Name and Address Erie and Niagara Counties Regional Planning Board 3103 Sheridan Drive Amherst, New York 14226			10. Project/Task/Work Unit No. CEIP-1	
			11. Contract/Grant No. D142753	
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15. Supplementary Notes Developed in cooperation with the U.S. Dept. of Commerce and the New York State Department of State.			14.	
16. Abstracts The Regional Planning Board in cooperation with the Somerset Power Plant Committee and Somerset Multiple Use Subcommittee has put together a plan aimed at developing a municipal park on the New York State Electric and Gas Corporation power plant site in Somerset, Niagara County, New York. The Plan sets forth a phased development approach with strong emphasis toward shoreline access and winter recreation activities (e.g. sledding, cross country skiing). The Plan will be used as the basis for further discussion between the utility company and the Town of Somerset officials.				
17. Key Words and Document Analysis. 17a. Descriptors				
17b. Identifiers/Open-Ended Terms				
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18. Availability Statement Limited number available for public distribution.			19. Security Class (This Report) UNCLASSIFIED	21. No. of Pages 55
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ERIE & NIAGARA COUNTIES



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Dear Municipal Officials and Interested Citizens:

The Erie and Niagara Counties Regional Planning Board is pleased to present the Somerset Power Plant Multiple Use Plan. The report is the product of many months work by the Regional Planning Board and the numerous public and private organizations consulted during the study period. Due to the dedication and cooperation of these groups, a realistic plan is being put forward. This will form the basis for using a portion of the Somerset Power Plant site for recreational purposes.

Special thanks should go to the New York State Department of State, Office of Coastal Management for their initial foresight in funding the Board's First Year Coastal Energy Impact Program. This allowed the Multiple Use Plan to be developed and also allowed the Board to work with the New York State Department of State in identifying possible funding sources for future development of the multiple use facility.

The New York Department of Public Service also provided valuable technical assistance during plan development. Their knowledge of other multiple use facilities in New York State and their general technical skills provided a useful reference point for the Board during the study period.

The Niagara Frontier State Parks and Recreation Commission, Niagara County Department of Economic Development and Planning, and the Niagara County Environmental Management Council are also to be thanked for their valuable assistance and cooperation.

At the local level, the Somerset Town Board and Planning Board provided the Regional Planning Board with valuable knowledge, cooperation and encouragement. Without their help, the Multiple Use Plan could not have been developed.


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In addition to the public agencies, special thanks should also go to Stuart I. Brown Associates and Krehbiel Associates, Inc. for their cooperation and assistance during the planning period. The New York State Electric and Gas Corporation also warrants our sincere thanks. The information provided by the NYSE&G regarding site characteristics and fly ash disposal areas proved invaluable.

Finally, members of the Somerset Power Plant Committee and the Regional Planning Board's Natural Resources Committee are to be congratulated for the excellent guidance and encouragement they provided to the staff. Their assistance provided ongoing direction to staff which insured a realistic plan capable of forming the basis for a valuable recreational resource in Niagara County.

The Erie and Niagara Counties Regional Planning Board sincerely hopes that the Somerset Power Plant Multiple Use Plan will provide a sound basis for an attractive and useful recreational area along the Lake Ontario shore. We sincerely thank all those who participated in the study for their time and assistance during the study process.

Very truly yours,


Gerald F. Hall, Chairman
Erie and Niagara Counties
Regional Planning Board

GFH:ch

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*Richard Robinson	Niagara County Fisheries Advisory Board
*Donald Sawyer, District Manager	New York State Electric and Gas Corporation
E. Kenneth Welker, Mayor	Village of Wilson
Dorson Wilson, Deputy Commissioner	Niagara County Department of Public Works

*Member, Multiple Use Subcommittee

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THE REGIONAL SETTING

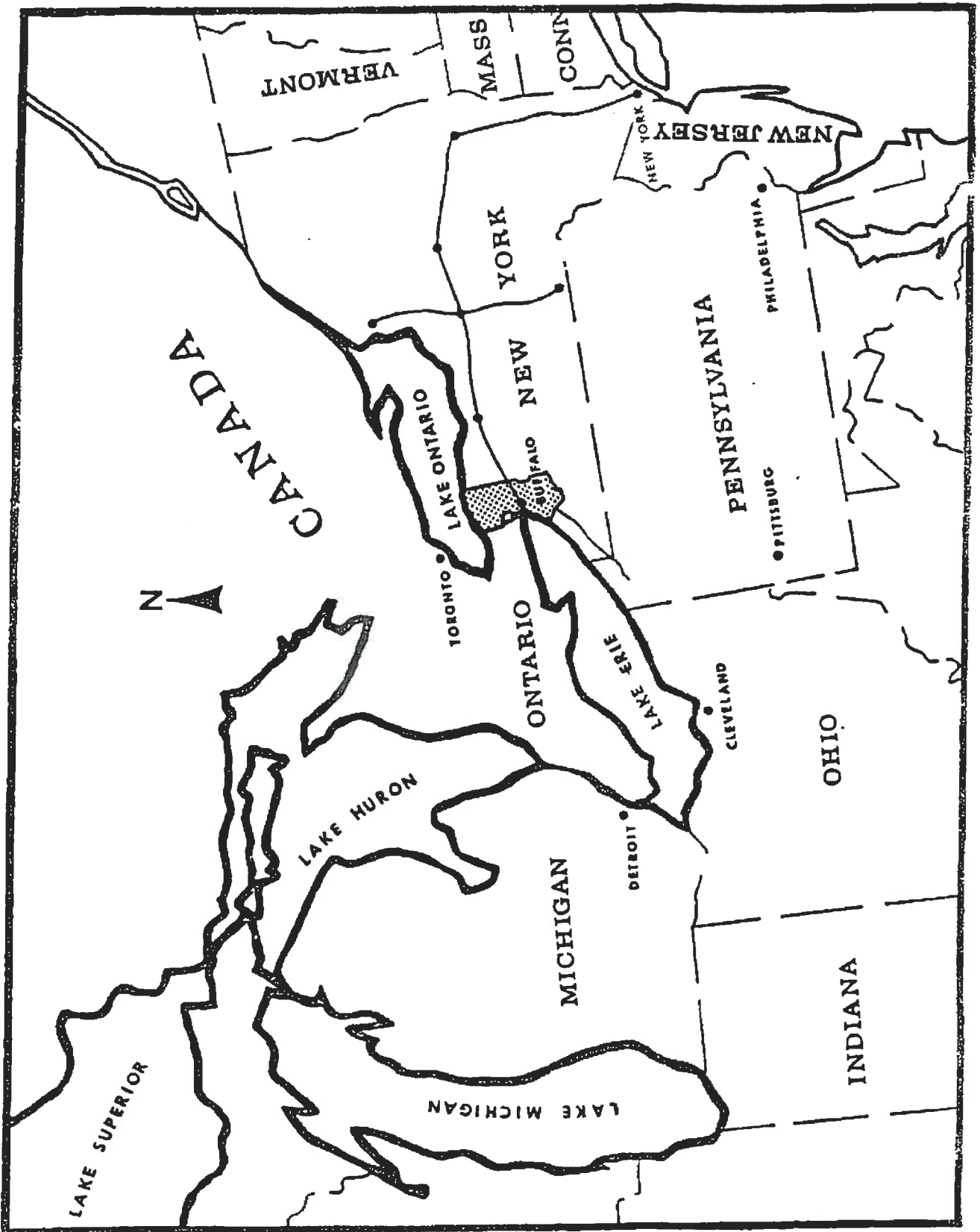


Figure 1. The Regional Setting
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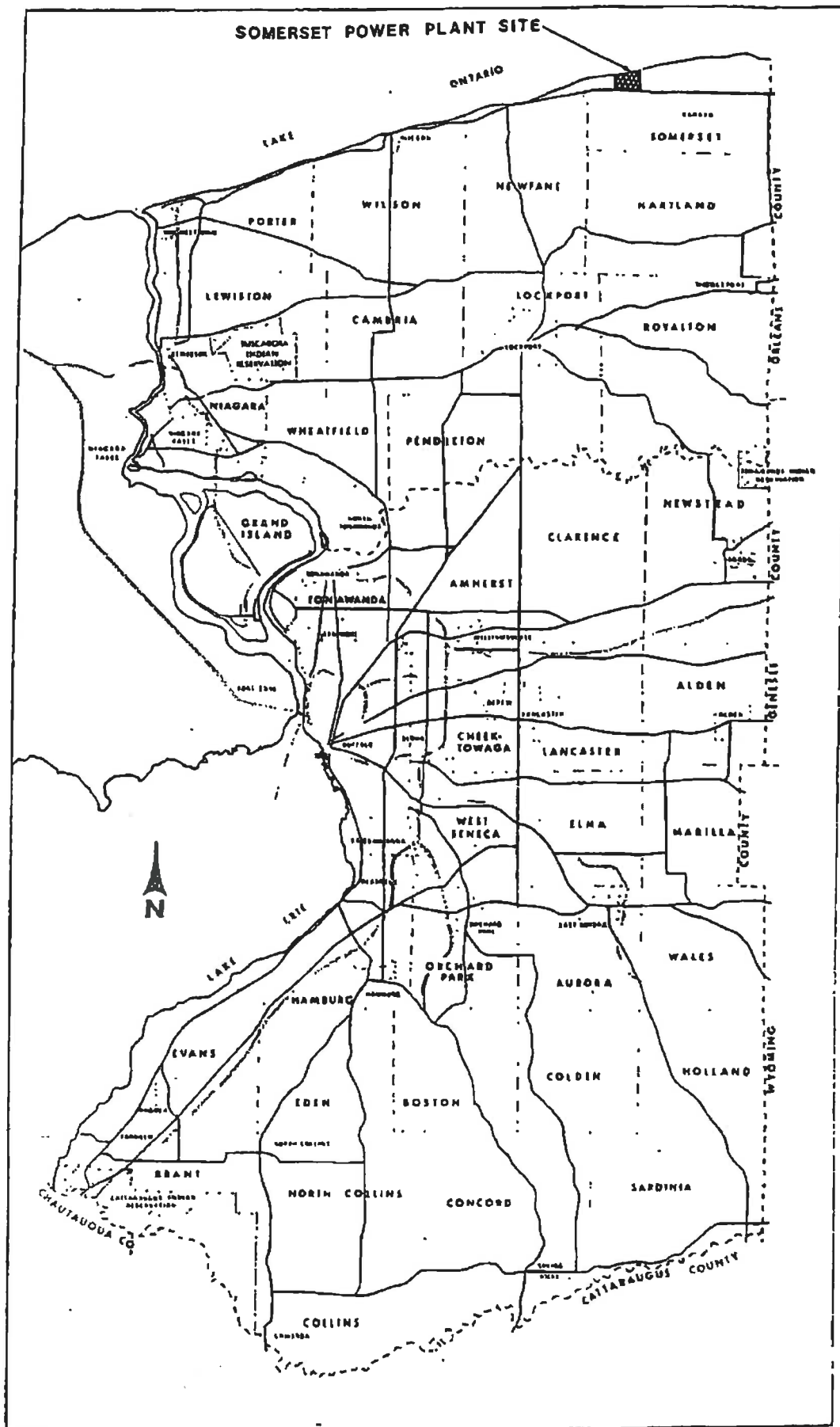


Figure 2. Somerset Power Plant - Regional Location
Erie and Niagara Counties, New York

FOREWORD

In October, 1978 the Erie and Niagara Counties Regional Planning Board received a grant from the New York State Department of State to carry out the Somerset Coastal Energy Impact Program. Funds were authorized for the program under Section 308 of the federal Coastal Zone Management Act of 1972, as amended. The program provided for numerous planning activities relating to the future construction by the New York State Electric and Gas Corporation (NYSE&G) of a 850 megawatt coal fired generating plant in the Town of Somerset, Niagara County (estimated \$1 billion (1980); 960 acre site). This included formation of a Somerset Power Plant Committee, an analysis of community impacts due to plant construction, an extensive review of the Somerset rail service issue, and the development of a multiple use plan for the power plant site. The latter activity is the focus of this report.

The power plant site is situated along the shore of Lake Ontario and has vegetative as well as terrain characteristics which offer good potential for various forms of recreational use. This fact was consistently brought forward during the numerous public hearings and reviews conducted by the New York State Board on Electric Generation and the Environment relative to the Somerset Plant prior to their granting certification to NYSE&G for construction of the plant under provision of Article VIII of the New York State Public Service Law. Therefore, as a condition of Article VIII certification, NYSE&G has been required by the Siting Board to investigate the recreational potential of the power plant site.

In addition to the positive physical features of the property and the Siting Board requirements, the Erie and Niagara Counties Regional Planning Board has an inherent interest in pursuing the site's recreational potential. The Board's adopted Regional Recreation and Open Space Plan and Program, as amended (1977) identifies the area as a future location of a municipal park. The Plan notes that recreational demand for the park would occur around 1980 and that proper measures should be employed to develop a park in the immediate area of the power plant site. With the above mentioned incentives, the Regional Planning Board included the multiple use activity as a key element of the Somerset Coastal Energy Impact Program. A positive action relative to the Board's multiple use activity occurred when NYSE&G cited the Board's multiple use activities as a key vehicle in their satisfying the State Siting Board's requirements relative to investigating the recreational potential of the site. This citation was reflected in NYSE&G's Initial Compliance Filing and Licensing Packages for Somerset Station (April, 1979), as presented to the New York State Board on Electric Generation and the Environment.

This report outlines the approach used in arriving at the recommended multiple use concept and also defines the various elements of the plan. The Multiple Use Concept has been reviewed by the Somerset Multiple Use Subcommittee, Somerset Power Plant Committee, Somerset Planning Board, Somerset Town Board and the Regional Planning Board's Natural Resources Committee and the full membership of the Regional Planning Board prior to submittal to the New York State

Electric and Gas Corporation and the New York State Public Service Commission for their approval.

It must be stressed that the following plan is only a conceptual presentation of the multiple use potential of the Somerset Power Plant site. The major purpose of the plan is to initiate discussion between the New York State Electric and Gas Corporation, the New York State Public Service Commission and the Town of Somerset or any other organization capable of sponsoring the development of a recreational facility on the Somerset property. The plan must not be used as an end in itself, but should serve as a catalyst toward further discussion and a refinement of the concepts as outlined on the following pages.

It should be stressed that should the Town of Somerset decide not to pursue sponsorship of the park, Niagara County or the Niagara Frontier State Parks and Recreation Commission should investigate the possibility of developing a County or State recreation facility on the site.

SECTION I PLAN RECOMMENDATIONS

This Plan proposes a series of actions to develop a municipal park on the New York State Electric and Gas Corporation's Somerset Power Plant site. Successful implementation of the Regional Planning Board's recommendations outlined in this Plan will provide a valuable recreational resource to the Town of Somerset and other Niagara Frontier residents. The following Plan recommendations are directed toward the Town of Somerset, New York State Electric and Gas Corporation, the Erie and Niagara Counties Regional Planning Board, Niagara County and the Niagara Frontier State Parks and Recreation Commission.

A. RECOMMENDED ACTION BY THE TOWN OF SOMERSET

1. SPONSOR - It is recommended that the Town of Somerset sponsor the implementation of the Recommended Multiple Use Alternative and consequent Municipal Park. By doing so, the Town would assume responsibility for the cost and liability resulting from the development and maintenance of the park.
2. ACQUISITION OF FULL OR PARTIAL INTEREST IN LAND NECESSARY FOR MULTIPLE USE ACTIVITIES - The Town of Somerset should acquire from New York State Electric and Gas Corporation a full or partial interest in land noted as Sub-Areas A, B, C, D, F and G in Figure 4, on Page 17 of this report. Such areas are necessary for recreation activities and should be purchased in phases over the life of the plant.

The following outlines various mechanisms available to the Town for purchasing a full or partial interest in the abovementioned property. The Town is authorized to undertake each mechanism pursuant to Section 247 of the New York State General Municipal Law.

- a. Long-Term Lease (e.g. 25 years) - This would occur between NYSE&G and the Town of Somerset regarding the property needed for multiple use activities. Such leasing would occur in phases depending on the availability of the particular land in question.
- b. Affirmative Easement - This would give the Town of Somerset use of the land for recreation activities.
- c. Fee Simple - This approach would involve the direct sale of NYSE&G property to the Town of Somerset. Such sale would occur in phases depending on the availability of the particular parcels of land.

3. CONFORMANCE TO NEW YORK STATE PUBLIC SERVICE COMMISSION GUIDELINES - Development and maintenance of the proposed Municipal Park by the Town of Somerset must conform to all guidelines established by the New York State Department of Public Service relative

to multiple use of electric generating facilities. This includes assurance that no park facilities or activities would interfere with the safe and efficient operation of the power plant.

The Town of Somerset must further insure that no park facilities or activities would damage, destroy, degrade or in any way lessen the performance of the environmental protection measures undertaken by New York State Electric and Gas on the power plant site. An example of such a measure is the drainage ditches to be constructed around the three fly ash disposal sites. This would insure conformance with the conditions placed on NYSE&G by the New York State Board on Electric Generation Siting and the Environment in their Opinion and Order #80002 (Cayuga Station).

4. RIGHT-OF-WAY ACQUISITION - The Town of Somerset should pursue the acquisition of a road right-of-way of sufficient size to accommodate park related vehicular traffic. Such a road would run due west from the junction of Hartland Road and Lower Lake Road into the New York State Electric and Gas property. The approximate location is shown in Figure 9 on Page 34 (i. e. Multiple Use Plan-Phase I).

New York State Electric and Gas Corporation is currently in the process of negotiating the purchase of Potter Road and Hosmer Road (i. e. as they extend north of Route 18) from the Town of Somerset. During the course of these negotiations, the possibility of New York State Electric and Gas assuming some or all of the costs of acquiring and developing the above-mentioned right-of-way has been discussed. Such a provision of lakefront access would be in exchange for the loss of Hosmer and Potter Roads to the utility company. It is recommended that the Town of Somerset continue to pursue its negotiations with New York State Electric and Gas for the provision of access (via the abovementioned right-of-way) in exchange for the loss of Hosmer and Potter Roads.

5. REFINEMENT OF RECOMMENDED MULTIPLE USE ALTERNATIVE - The level of detail contained in the Multiple Use Plan and as reflected in Figures 9, 10, and 11 on Pages 34, 35, 36, respectively (i. e. Multiple Use Plan-Phase I, II, and III) is schematic. It is intended to serve as a general guide or framework for a more detailed landscape and engineering design. It is proposed that the Somerset Town Engineer (in the past Wendel Engineers has performed this function on a consulting basis) be employed to further develop the concepts outlined above. It is also recommended that the New York State Electric and Gas Corporation assist the Town in developing a more detailed landscape and engineering design for the area.

It should be noted that the Multiple Use Plan is very flexible. Various changes in the location of trails, access road and picnic areas could occur without changing the overall concept of multiple use. Thus, any organization

involved in refining the concepts outlined in this report would be encouraged to explore the possibility of altering the physical arrangements of the park area. The Regional Planning Board assumes that the more refined engineering analysis may actually necessitate such alterations.

6. ADOPTION OF LOCAL COASTAL ZONE MANAGEMENT PROGRAM - In order to be given high priority by the New York State Department of State for federal funding assistance authorized through the federal Coastal Zone Management Act, as amended 1976, the Town of Somerset should adopt a local coastal zone management program. The latter must be consistent with the New York State Coastal Zone Management Program upon its approval by the federal government in November, 1980. The key components of a local coastal zone management program involves the development of a local process for carrying out the State coastal zone policies through municipal authorities (e. g. zoning). More detailed guidelines for municipalities seeking to develop local coastal zone programs will be prepared in 1980 by the New York State Department of State. It should be noted that the above mentioned funding assistance can provide funds for partial acquisition and development of the proposed Municipal Park. The specific federal programs available through the federal Coastal Zone Management Act, as amended 1976, are outlined in Section X (i. e. Potential Funding Sources) of this report. In the event the Town of Somerset does not adopt a local coastal zone management program, it will not be eliminated from funding consideration, however, it is not likely that the application would be given a high priority by New York State Department of State.

7. AMENDMENTS TO TOWN OF SOMERSET COMPREHENSIVE PLAN - It is recommended that the Town of Somerset Comprehensive Plan (approved, 1972) be amended to include the phased development of a Municipal Park on the Power Plant site. Although such a facility is presently noted on the Town's Comprehensive Plan, it is referred to in general terms. A more refined description of the facility would be appropriate. This would serve as a concrete guide to the Town of Somerset regarding their commitment to the phase development of the recommended Municipal Park.

B. RECOMMENDED ACTION BY NEW YORK STATE ELECTRIC AND GAS CORPORATION

1. ASH DISPOSAL DESIGN ALTERATIONS - It is recommended that the New York State Electric and Gas Corporation alter their design plans regarding ash disposal. These are reflected in NYSE&G's Final Report on Cayuga Station Ash Disposal Application to the New York State Board on Electric Generation Siting and the Environment, Cayuga Station (1979). Such alterations would require the following:

a. The elimination of the proposed landscaping east of Potter Road and north of Solid Waste Disposal Area #1. This would be in accordance with the proposed landscaping depicted in Figure 9 (i. e. Multiple Use Plan-Phase I) of this report. By deleting the above mentioned vegetation, various recreation opportunities would be possible.

b. The elimination of the landscaping proposed for the perimeters of the Solid Waste Disposal Area #1 and #III in the areas where the Multiple Use Plan proposed sledding. Such sledding areas are depicted in Figures 10 and 11 of this report.

c. The buffer landscaping outlined by NYSE&G between the eastern most perimeters of solid waste disposal sites #I and #III and NYSE&G's eastern property line should be altered so as to accommodate the trails proposed for those areas by the Multiple Use Plan (see Figure 11, Multiple Use Plan-Phase III).

d. The projected slopes of the solid waste disposal sites #1 and #III should be modified by NYSE&G in order to permit sledding and cross country skiing.

2. PURCHASE AND CONSTRUCTION OF MULTIPLE USE ACCESS ROAD -

It is recommended that the New York State Electric and Gas Corporation assume the cost of purchasing and constructing an access road into the northeast section of the power plant site. This would basically extend from the junction of Hartland Road with Lower Lake Road and proceed west approximately 1,200 feet. The access road is depicted in Figure 9 of this report. Upon completion of the access road, the right-of-way would be deeded to the Town of Somerset. This would assist the Town in alleviating the loss of two Town roads (i. e. Hosmer and Potter) to the power company which previously provided access to Lake Ontario.

3. PROVIDE ASSISTANCE TO THE TOWN OF SOMERSET - It is recommended that the New York State Electric and Gas Corporation assist the Town of Somerset in finalizing the detailed design plans regarding the Multiple Use Plan. Such assistance should be provided through meetings between the Town of Somerset Engineer and NYSE&G staff familiar with the power plant site characteristics. This would provide a direct vehicle for an information exchange and also aid the Town in refining the conceptual design outlined in this report.

4. PROVIDE LANDS NECESSARY FOR MUNICIPAL PARK TO TOWN OF SOMERSET - It is recommended that NYSE&G make land in Sub-Areas A, B, C, D, F and G as depicted in Figure 4 of this report available to the Town of Somerset at a very low cost (e. g. lease agreement of one dollar/year). The areas in question reflect the land necessary for a successful Municipal Park.

C. RECOMMENDED ACTION BY THE ERIE AND NIAGARA COUNTIES
REGIONAL PLANNING BOARD

1. AMENDMENT TO ENCRPB ADOPTED REGIONAL RECREATION AND OPEN SPACE PLAN AND PROGRAM (as amended, 1977) - The Regional Planning Board has included the proposed Municipal Park on the adopted Regional Recreation and Open Space Plan and Program, as amended, 1977. It is noted as MP108 on the Regional Recreation and Open Space Plan Map and referred to as Potter Road Park. However, the document notes that the land should be acquired by the Town of Somerset between 1973 and 1980. It is recommended that this be amended to note partial acquisition between 1981-1990 and remaining acquisition in future years. It is further recommended that the adopted Regional Recreation and Open Space Plan and Program be amended to include bicycling, picnicking, sledding, fishing, and nature study as proposed recreation opportunities in Potter Road Park.

D. NIAGARA COUNTY

1. ALTERNATE SPONSOR - In the event the Town of Somerset cannot pursue sponsorship of the multiple use facility, it is recommended that Niagara County pursue negotiations with the utility company regarding the development of a County Park on the power plant site.

E. NIAGARA FRONTIER STATE PARKS AND RECREATION COMMISSION

1. ALTERNATE SPONSOR - In the event neither the Town of Somerset or Niagara County do not wish to pursue sponsorship of the multiple use facility, it is recommended that the Niagara Frontier State Parks and Recreation Commission pursue negotiations with the utility company regarding the development of a State recreation area on the power plant site.

2. BOAT LAUNCH RAMP - Due to the steep shoreline and high cost, a boat launch ramp at the power plant site is not feasible. However, the power plant's warm water discharge pipe will increase the desire of local fishermen and boaters to fish offshore of the NYSE&G facility. Such areas have become fishing hotspots in other power plant locations. An example is Cayuga Lake adjacent to NYSE&G's Milliken Station in Tompkins County, New York. Such an increase in boating activity will further exacerbate the need for public boat launch ramps along the Niagara County-Lake Ontario shoreline. Such a need has been noted in the New York State Comprehensive Recreation Plan (1978) prepared by the New York State Office of Parks and Recreation, as well as in the report entitled Sport Fishing prepared by the Niagara County Economic Development and Planning Department in January, 1976 for the Niagara County Fisheries Advisory Board. Therefore, it is recommended that the Niagara Frontier State Parks and Recreation Commission give high priority to constructing the boat launch ramp at Golden Hill State Park in the Town of Somerset, New York. This would be consistent with the development of a proposed harbor of refuge at Golden Hill State Park as outlined in the New York State Comprehensive Recreation Plan (1978).

SECTION II BACKGROUND

A. NEW YORK STATE ELECTRIC AND GAS CORPORATION SOMERSET GENERATING STATION

In July, 1974, the New York State Electric and Gas Corporation (NYSE&G) submitted an application to the New York State Board on Electric Generation Siting and Environment for the construction of an 850 megawatt coal-fired electric generating plant. The Cayuga Station, Town of Lansing, Tompkins County, New York was identified as the prime site in this application, with the Somerset location identified as the alternate site.

In December, 1978, the Siting Board issued their Opinion and Order Granting Certificate of Environmental Capability and Public Need (Case #80002) to New York State Electric and Gas Corporation, and chose Somerset as the recommended site. The recommendations contained in the above document were based upon the New York State Hearing Examiners' recommended decision (May, 1978) to the Siting Board and followed extensive review and assessment of written and oral testimony presented during 25 days of public hearings held in Albany, Ithaca, Lockport, and New York City.

B. THE MULTIPLE USE CONCEPT

During the public hearing process for State required permits under Article VII and Article VIII of the New York State Public Service Law, statements submitted by the Town of Somerset and the Erie and Niagara Counties Regional Planning Board identified a portion of the NYSE&G Somerset property as a future municipal park. The Town of Somerset Master Plan (1972) and the ENCRPB adopted Regional Recreation and Open Space Plan and Program as amended, 1977, both proposed the development of a 30 acre (approximate) municipal park adjacent to Lake Ontario at the foot of Potter Road. This park was projected to meet the recreational needs of the Town of Somerset for the period from 1980 to 1990.

In November, 1977, the New York State Department of Public Service submitted written testimony to the Siting Board at a public hearing held in Lockport, New York. The testimony pertained to the environmental impact of the proposed Somerset station and included a discussion of the multiple use potential of the site. The testimony also included a recommendation that the Siting Board endorse the multiple use concept for part of the proposed power plant site and require the applicant to explore the concept with the appropriate Town officials. As part of the testimony presented by the Department of Public Service, the following guidelines were presented and endorsed by the Hearing Examiner and Siting Board:

"Multiple recreational usage involves the adoption of an appropriate plan by the owners of property and appropriate community leaders. It is the recommendation of the PSC staff that an acceptable multiple use plan, in this particular case, have the following general features:

"1. The Applicant should make land available for multiple use (by lease, sale or easement) at nominal cost, so long as:

- a) that land is suitable for that purpose,
- b) it is not needed for activities related to generation, and
- c) recreational activities on that land will not interfere with activities related to generation;

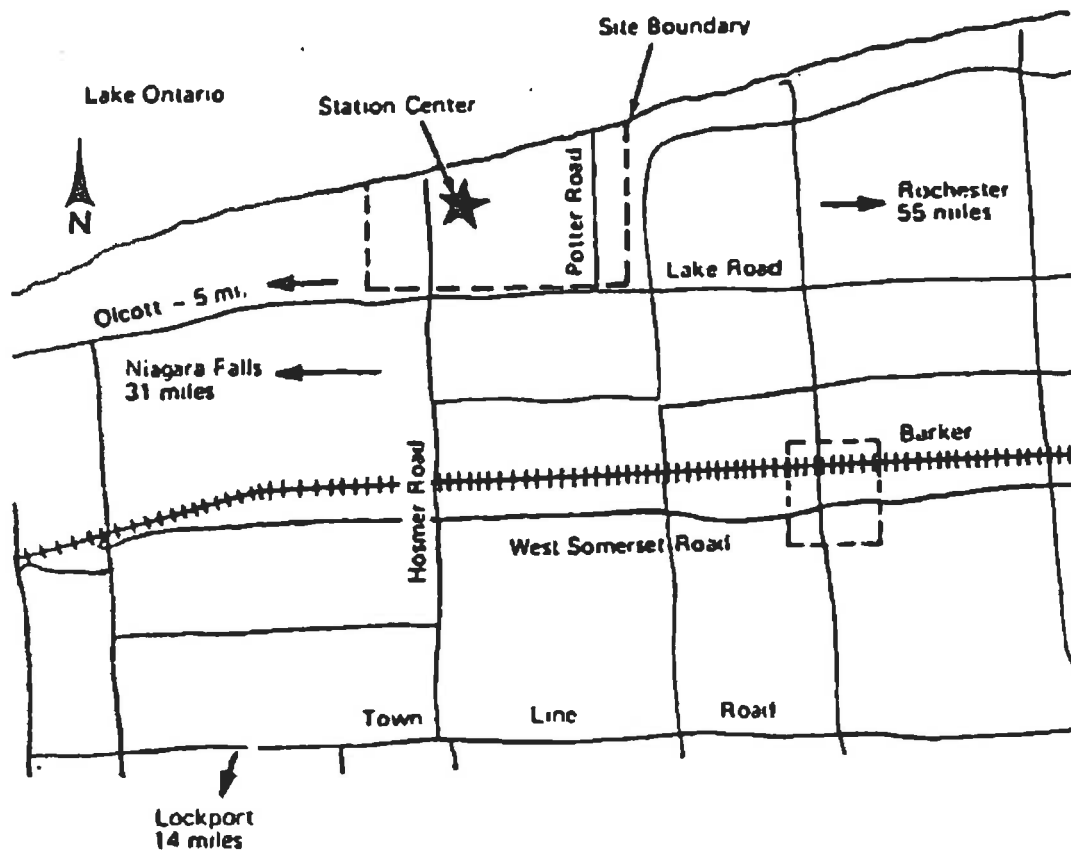
"2. The sponsor of the park shall assume all costs, responsibilities and liabilities related to constructing, maintaining and operating recreational facilities in the multi-use area."

In October, 1978, the Erie and Niagara Counties Regional Planning Board (ENCRPB) was awarded a grant from the New York State Department of State under the Coastal Energy Impact Program (CEIP) to conduct planning studies related to the proposed development of the NYSE&G Somerset generating station. One of the major activities outlined in the Board's program was Multiple Use Analysis. This activity was intended to further refine the analysis outlined in the NYS Department of Public Service testimony relative to the power plant's multiple use potential. In addition, the ENCRPB would assist the Town of Somerset and NYSE&G in exploring the concept and utilize the Somerset Power Plant Committee (which would be formed as part of the Board's first major activity under the Somerset CEIP) as an implementation mechanism.

C. REGIONAL SETTING

The New York State Electric and Gas Corporation's Somerset station property is located in the Town of Somerset which is situated in northern Niagara County. Figure 2 illustrates the power plant location in relation to Erie and Niagara Counties. The 963-acre site is located along a two mile (approximate) stretch of Lake Ontario shoreline which forms the northern boundary, while New York State Route 18 forms the southern border. There are no distinguishable landmarks to indicate the east and west property lines, however, the site's western border begins approximately 1.5 miles eastward of the municipal boundary between Somerset and the Town of Newfane.

The Town of Somerset is predominately a rural community with a 1975 estimated population of 2,677 (Report 5. Population/Socio-Economic Analysis Present and Future, ENCRPB 208 Water Quality Management Program, October, 1978). The NYSE&G property is located approximately three miles north-west of the Village of Barker, and approximately 18 miles north-east of the City of Lockport. The following illustration was contained in a New York State Electric and Gas Corporation Brochure entitled "A Modern Coal-Fired Generating Station for Somerset (date unknown)". It shows the location of the power plant in relation to roads and other physical features in northern Niagara County.



SECTION III METHODOLOGY

In order to complete the Multiple Use Plan, a study methodology was identified at the outset of the planning process. This consisted of eleven major elements which guided the Board's efforts in developing a feasible plan for recreational multiple use at the Somerset Power Plant site. Although the specific direction of certain elements was altered during the planning effort, the basic approach was maintained throughout the program.

More in-depth discussion of each element will be presented in the succeeding sections of the report. However, the following list notes the eleven steps in the multiple use planning process in the order in which they were developed.

1. Development of a Citizen Participation Structure
2. Data Collection
3. Identification of Recreational Preference and Projected Sponsor
4. Site Analysis
5. Selection of Alternative Multiple Use Concepts
6. Evaluation of Alternatives
7. Selection of Recommended Alternative
8. Cost Estimation for Recommended Alternative
9. Identification of Potential Funding Sources
10. Plan Presentation to Appropriate Organizations
11. Delivery of Recommended Multiple Use Plan to NYSE&G

SECTION IV CITIZEN INVOLVEMENT

At the outset of the Regional Planning Board's Coastal Energy Impact Program, a Somerset Power Plant Committee was formed. The Somerset Power Plant Committee is composed of agencies and groups directly involved with the proposed power plant project, including officials from the Town of Somerset and other affected local municipalities, representative from the Niagara County Legislature, Niagara County Economic Development and Planning Department, Niagara County Environmental Management Council, New York State Department of Environmental Conservation, New York State Department of Public Service, the Utility-New York State Electric and Gas Corporation, and others. A complete membership list is included at the beginning of this report.

At the February 1, 1979 meeting of the Somerset Power Plant Committee it was decided that a Multiple Use Subcommittee should be formed to undertake the development of a Multiple Use Plan. The Subcommittee's major purpose was to: (1) assist the Regional Planning Board in developing a Multiple Use Plan; (2) exchange information regarding the opportunities and constraints of the Somerset site for recreational use; (3) determine the type of recreation activities for the area; and (4) aid in the eventual implementation of the study proposals. The majority of the Subcommittee members reside in the Town of Somerset and were therefore able to provide valuable insight and local perspective to the study. Also on the Subcommittee was a representative from the New York State Electric and Gas Corporation. This insured constant communication between the utility company and the Multiple Use Subcommittee during the plan development.

Subcommittee meetings were conducted bi-monthly at the Somerset Town Hall and were held at key phases in the planning process. The meeting dates were April 3, 1979; May 28, 1979; July 11, 1979; July 31, 1979; and September 17, 1979. The meetings were conducted as work shop sessions with the Regional Planning Board staff and Subcommittee members exchanging information regarding the status of various work items. A Multiple Use Subcommittee membership list is included at the beginning of this report. It is envisioned that the Subcommittee will continue to meet through the final review of the Multiple Use Plan by New York State Electric and Gas Corporation and the New York State Public Service Commission.

SECTION V DATA COLLECTION

Data collection for the multiple use analysis was gathered in two phases. The first phase involved collecting general background information regarding other multiple use facilities developed in conjunction with power plant sites. During the second phase, data was gathered relative to the Somerset power plant site and applied to the specific Somerset multiple use analysis. The abovementioned data collection phases are explained more fully in the following paragraphs.

A. BACKGROUND PHASE

The purpose of the background phase was to obtain general information regarding the issues and implications of the concept of multiple use. In particular, efforts were directed towards obtaining case studies of multiple use development at utility facilities similar to the proposed Somerset station. A major consideration was the legal implications of developing recreational opportunities on utility owned property, especially within the climate created by New York State Public Service Commission multiple use guidelines as noted in Section II of this report. Information was requested from utility companies, government agencies, and private consulting firms.

B. APPLIED PHASE

Following completion of the background phase, data was collected regarding site characteristics of the NYSE&G property.

Sources for the applied phase included conversations with local officials, technical reports prepared by NYSE&G regarding the Somerset site and other government planning documents.

The ENCRPB staff conducted numerous site visits to the NYSE&G Somerset property for the purpose of obtaining first-hand knowledge of the site's physical characteristics and recreation potential. A site visit conducted on July 11, 1979 was also attended by members of the Multiple Use Subcommittee. The ENCRPB staff also visited NYSE&G's Milliken Station coal-fired generating plant on Cayuga Lake in Tompkins County, New York. NYSE&G officials conducted a tour of the facilities there, with particular attention given to ash disposal operations at a revegetated ash disposal mound. Information gathered during the Somerset and Milliken site visits was transmitted to Subcommittee members via slides, photographs, and verbal presentations.

SECTION VI
IDENTIFICATION OF POTENTIAL RECREATIONAL
USES AND PROJECT SPONSOR

Two key elements of the multiple use planning process were the identification of recreational uses for the site and the selection of a park sponsor. The latter element was very important because the park sponsor would become responsible for developing and maintaining the park facilities as well as applying for the necessary funding assistance through the federal government.

A. POTENTIAL RECREATION USES

Potential recreational uses for the site were determined at an early stage in the planning process. This was accomplished by reviewing relevant planning documents as well as discussing alternative uses with members of the Multiple Use Subcommittee.

It should be noted that the early identification of recreational uses for the power plant site was only intended to provide Regional Planning Board staff with a guideline to use during further site analysis. The future examination of the various land features present on the site would be the determining factor in deciding which recreation activities to recommend in the Multiple Use Plan. The following paragraphs identify pertinent documents and other appropriate sources which suggest possible recreation uses for the power plant site.

1. TESTIMONY PROVIDED BY THE NEW YORK STATE DEPARTMENT OF PUBLIC SERVICE BEFORE THE NEW YORK STATE BOARD ON ELECTRIC GENERATION SITING AND THE ENVIRONMENT IN THE MATTER OF CASE 80002, NOVEMBER, 1977 - The New York State Department of Public Service staff submitted testimony to the State Siting Board regarding the recreational potential of the Somerset Power Plant site. The testimony concluded that the northeastern section of the site would be suitable for field games as well as hiking, touring trails.

2. ERIE AND NIAGARA COUNTIES REGIONAL PLANNING BOARD ADOPTED REGIONAL RECREATION AND OPEN SPACE PLAN AND PROGRAM, AS AMENDED 1977 - The Regional Recreation and Open Space Plan amended by the ENCRPB in 1977 identifies the site as a future municipal park. The Plan recommends development between 1973 and 1980 and suggests boating, fishing, athletic sports, picnicking, and a beach area as possible recreational activities.

3. TOWN OF SOMERSET MASTER PLAN (Approved, 1972) - The Somerset Master Plan identifies an area on the northeastern section of the power plant site as a future municipal park. Specific recreation activities were not identified for the area, however, the Master Plan does stress the need

to provide recreation areas along Lake Ontario. This points out the desire of the Town to provide water-oriented recreation activities.

4. MULTIPLE USE SUBCOMMITTEE - In order to supplement the data obtained from the abovementioned sources, the Regional Planning Board staff solicited information from the Multiple Use Subcommittee. Feedback gained from the Subcommittee members pointed out a desire to develop facilities for fishing, boating, camping, nature studies, scenic vistas and a beach area.

The recreational uses identified in the preceeding paragraphs were accepted by the Regional Planning Board staff as major activities which should be given strong consideration during the multiple use planning process. Thus, the power plant site was reviewed with the idea of incorporating the abovementioned activities into the Multiple Use Plan wherever feasible.

B. PROJECT SPONSOR

The identification of a park sponsor was not a difficult task. As noted earlier, in this report, both the Erie and Niagara Counties Regional Planning Board's adopted Regional Recreation and Open Space Plan and Program, as amended (1977) and the Town of Somerset Master Plan (1972) recommended a municipal park for the power plant site. This suggested that the Town of Somerset would be the appropriate sponsor for developing the facility. Such a conclusion was reinforced by the approval of the Multiple Use Subcommittee regarding this approach at their July 31, 1979 meeting.

It should be stressed that should the Town of Somerset be unable to pursue project sponsorship, the various elements of the Multiple Use Plan should remain active. The Town of Somerset or other appropriate group should then seek an agreement with Niagara County or the Niagara Frontier State Parks and Recreation Commission regarding their involvement in sponsoring the Multiple Use facility.

SECTION VII GENERAL SITE ANALYSIS

A. GENERAL SITE CHARACTERISTICS

The New York State Electric and Gas Corporation's Somerset station property is on a 963-acre site bounded on the north by Lake Ontario, and on the south by New York State Route 18. There are no distinct east and west boundary characteristics. The west boundary is approximately 1.5 miles eastward of Newfane-Somerset Town Line, and the eastern boundary is approximately .25 miles west of Hartland Road. Two town roads-Potter and Hosmer-bisect the property in a north-south direction from Lake Road to the Lake Ontario shoreline. Both roads, which presently provide access to Lake Ontario, will be removed during the construction of the power plant facility. Figure 3 on page 15 (Somerset Power Plant Site), shows the location of these roads in relation to the eventual power plant facilities.

The site terrain is generally level (i. e. 0-2% slope) with a slight slope towards the lake in the northern half. The shoreline is characterized by high, sharp bluffs. Preliminary coastal erosion data gathered by Thomas Drexhage and State University of New York at Buffalo (SUNYAB) Faculty Advisor Parker Calkins for Mr. Drexhage's Master Thesis (unpublished) at SUNYAB indicate that long term (1875-1974) erosion rates for this section of Lake Ontario shoreline can be estimated at 0.5 feet/year.

Fish Creek and an unnamed stream traverse the property in a northeast direction from Lake Ontario. Fish Creek has been recognized as a major salmonid spawning stream by the New York State Department of Environmental Conservation in their Final Report on Significant Coastal Related Fish and Wildlife Habitats of New York State (June, 1977). The unnamed stream flows through a large wooded area in the north-central section of the site where it forms a small pond. Substantial tree and brush growth occurs along the banks of both streams in several places. The wooded area and abovementioned streams will be preserved throughout the lifetime of the power plant. It should be noted that, presently, a large portion of the site is being leased to local farmers for agricultural use.

The power plant facilities will occupy the western portion of the site with the actual generating facilities located at the foot of what is now Hosmer Road. Coal storage and a rail loop will be located to the south of the generating station. As depicted in Figure 3 (i. e. Somerset Power Plant Site) a majority of the site's eastern portion will eventually be occupied by three distinct Solid Waste Disposal Areas. It is anticipated that these will eventually rise 65-70 feet above grade, with expected slopes of approximately 25% around the landfill perimeters.

SOMERSET POWER PLANT SITE

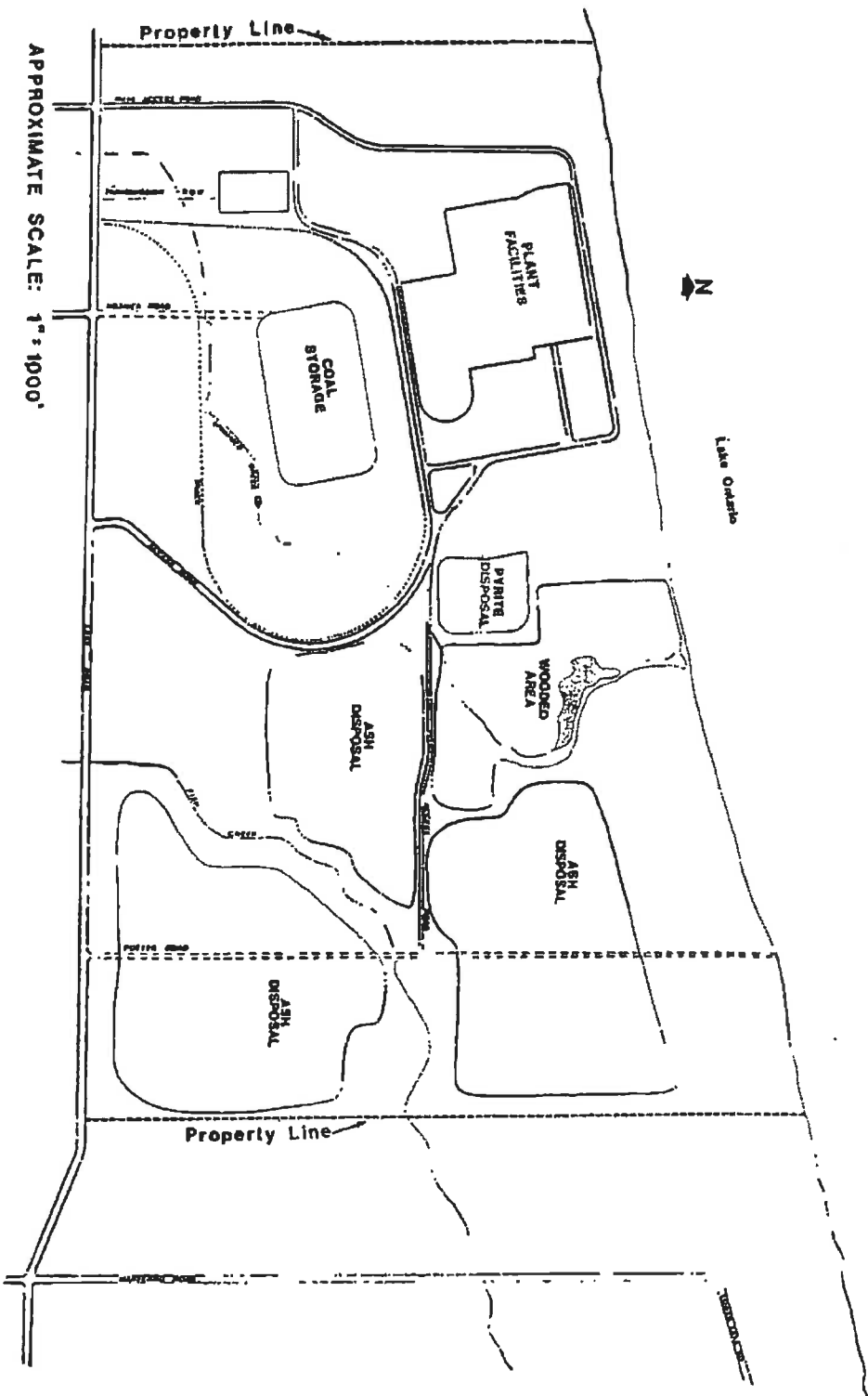


Figure 3. Somerset Power Plant Site

B. SUB-AREAS

In order to analyze the site and thus identify conceptual multiple use alternatives, the New York State Electric and Gas Corporation property was divided by the ENCRPB staff into ten (10) sub-areas. The locations of these sub-areas are shown in Figure 4 (i. e. Somerset Power Plant Site Sub-Areas). The sub-areas were then analyzed against five criteria which are outlined below:

- Recreational Potential
- Distinct Natural Features
- Availability for Multiple Use Activities
- Availability of Public Access
- Major Constraints (e. g. Land area necessary for power generation facilities)

The following paragraphs summarize the results of the analysis conducted by the Regional Planning Board regarding each sub-area in relation to the above mentioned criteria.

1. SUB-AREA A

a. Recreational Potential - Opportunities exist for sledding, cross-country skiing, a wildlife refuge, a campground, toilets, a scenic vista and a playground.

b. Distinct Natural Features - Sub-Area A is presently generally level and is bordered by Fish Creek on the north and west. In the future, Solid Waste Disposal Area III will create an artificial flat-topped hill with steep slope and a height of approximately 60-70 feet above grade.

c. Availability for Multiple Use Activities - Sub-Area A will be available on an interim basis from the present until commencement of solid waste disposal operations, which are projected to occur in the year 2003. The sub-area would be available on a permanent basis upon completion of disposal operations-projected to occur around the year 2015.

d. Availability of Public Access - Sub-Area A has good access available via New York State Route 18 and the southern remnant of Potter Road.

e. Major Constraints - Sub-Area A may experience adverse environmental impacts from disposal operations if used on an interim basis.

2. SUB-AREA B

a. Recreational Potential - Opportunities exist for cross-country skiing, a wildlife refuge, a campground, and toilets.

b. Distinct Natural Features - Sub-Area B is generally level and is bisected by Fish Creek. The Sub-Area is presently in active agricultural use.

[illegible]

Figure 4. Somerset Power Plant Site – Sub Areas

c. Availability for Multiple Use Activities - Sub-Area B is available from the present throughout the life of the plant.

d. Availability of Public Access - Sub-Area B provides good access via New York State Route 18 and existing unimproved farm roads. Additional access could be provided via the power plant construction access road.

e. Major Constraints - Sub-Area B will be impacted from the north and east from solid waste disposal operations and may experience adverse environmental and safety impacts as a result of coal delivery and storage.

3. SUB-AREA C

a. Recreational Potential - Opportunities exist for sledding, cross-country skiing, a campground, toilets and a playground.

b. Distinct Natural Features - Sub-Area C is presently generally level and is bordered by Fish Creek to the east and by a large wooded area to the north. In the future, solid waste disposal will create a flat-topped hill with steep slopes and a height of approximately 60-70 feet above grade.

c. Availability for Multiple Use Activities - Sub-Area C will be briefly available on an interim basis from the present until the commencement of disposal operations around the year 1997. It will be available on a permanent basis upon completion of disposal operations around the year 2003.

d. Availability of Public Access - Sub-Area C's availability for public access is fair. Access could be provided via a portion of Potter Road until solid waste disposal operations commence in Sub-Area A. Public access via the power plant construction access road may be possible after commencement of plant operations.

e. Major Constraints - Sub-Area C will be adversely affected by coal delivery and storage operations throughout the life of the plant.

4. SUB-AREA D

a. Recreational Potential - Opportunities exist for hiking, cross-country skiing, sledding, and a scenic vista.

b. Distinct Natural Features - Sub-Area D is presently generally level and is bordered by Fish Creek on the south. Disposal operation will eventually create a hill similar to those in Sub-Areas A and C.

c. Availability for Multiple Use Activities - Sub-Area D will be available on a permanent basis upon completion of disposal operations which is presently projected to occur around the year 1997.

d. Availability of Public Access - Existing access via Potter Road will be removed.

e. Major Constraints - Sub-Area D will be impacted by solid waste disposal operations.

5. SUB-AREA E

a. Recreational Potential - Sub-Area E provides good opportunities for fishing, a boat launch ramp, swimming, cross-country skiing, a wildlife refuge, a campground, a scenic vista, a playground and motor boating.

b. Distinct Natural Features - Sub-Area E is generally level with a slight slope towards the lake.

c. Availability for Multiple Use Activities - Sub-Area F is not part of the New York State Electric and Gas Corporation's property. If acquired, it would be immediately available on a permanent basis.

d. Availability of Public Access - Access is available via Hartland Road.

e. Major Constraints - Acquisition would have to be negotiated with a separate party.

6. SUB-AREA F

a. Recreational Potential - Opportunities exist for fishing, a boat launch ramp, swimming, cross-country skiing, a wildlife refuge, picnicking, a campground, a scenic vista, a playground and motor boating.

b. Distinct Natural Features - Sub-Area F is generally level with a slight slope towards the lake. Solid Waste Disposal Area I will provide a good buffer when completed.

c. Availability for Multiple Use Activities - Sub-Area F is immediately available on a permanent basis.

d. Availability of Public Access - Availability of access is poor due to scheduled removal of Potter Road. Access would have to be acquired via Sub-Area E.

e. Major Constraints - Availability of access is the major constraint. Some impacts may be experienced as a result of disposal operations in Sub-Area D.

7. SUB-AREA G

- a. Recreational Potential - Opportunities exist for fishing, a boat launch ramp, swimming, cross-country skiing, a wildlife refuge, picnicking, a campground and toilets.
- b. Distinct Natural Features - Sub-Area G is generally level, entirely wooded and is bisected by an unnamed creek which forms a pond.
- c. Availability for Multiple Use Activities - Sub-Area G is immediately available on a permanent basis.
- d. Availability of Public Access - Public access is not presently available.
- e. Major Constraints - The lack of access and impacts from disposal operations represent major constraints.

8. SUB-AREA H

- a. Recreational Potential - Opportunities exist for fishing, a boat launch ramp, swimming, a campground, a scenic vista, a playground, and motor boating.
- b. Distinct Natural Features - Area H is generally level with a slight slope towards the lake.
- c. Availability for Multiple Use Activities - Availability is questionable due to a reserved area and power plant legal and safety considerations.
- d. Availability of Public Access - No access presently exists although future access may be possible via the power plant's main access road.
- e. Major Constraints - Questionable availability, poor existing access and direct safety and health impacts from the power plant represent major constraints.

9. SUB-AREAS I AND J - Minimal analysis was performed on these sub-areas due to the very questionable availability of the land during the operating lifetime of the plant. It was determined that extensive development of the sub-area for power plant purposes would change the natural features of the land.

A major constraint to identifying the best sub-area for multiple use was the coincidental needs of the New York State Electric and Gas for various sub-areas relative to power generation and/or plant construction activities. Due to safety reasons, such uses precluded any serious consideration of

the sub-areas labeled I and J for immediate multiple use development. It was the desire of the Multiple Use Subcommittee, however, to examine all areas, including I and J for possible future development in the event that New York State Electric and Gas would cease operation of its Somerset facilities. This is scheduled to occur in approximately the year 2015.

Based on the results of the preliminary site analysis, Regional Planning Board staff selected three multiple use conceptual alternatives. These are summarized in the succeeding section of this report.

It should be noted that a more comprehensive site analysis was conducted by Regional Planning Board staff relative to the recommended multiple use alternative. This is summarized in Section IX (i. e. Recommended Multiple Use Alternative).

SECTION VIII MULTIPLE USE ALTERNATIVES

A. BACKGROUND

Following completion of the preliminary site analysis, three conceptual multiple use alternatives were developed. Results of the analysis indicated that there existed a wide range of potential alternatives and variations for multiple use at the Somerset site. The potential for numerous alternatives was due to three factors. The first related to the many sub-areas (See Figure 4) which could accommodate some form of multiple use while the second factor pertained to the variety of recreational activities which could occur on the power plant site. The final factor was the various time periods when each sub-area would be available for multiple use. The need by the utility company for various sections of the property during varying time periods tended to foster a wide range of multiple use alternatives based solely on alternative times for their development.

While it was expected that some alternatives would be more feasible than others, it was the intent of the Regional Planning Board staff to depict the widest range of possibilities. Discussions of the alternatives with the Multiple Use Subcommittee were expected to reveal the strengths and weaknesses of each alternative and thereby yield a feasible and recommended alternative.

The following paragraphs outline three multiple use alternatives which were identified following the general site analysis discussed in Section VI of this report.

B. MULTIPLE USE ALTERNATIVES

1. ALTERNATIVE A - Alternative A is illustrated on Figure 5 of this report. The alternative identifies a concentration of recreation uses for the southeastern portion of the power plant site with cross country skiing and a wildlife refuge for the shoreline along the eastern edge of the NYSE&G property. The primary activities are non-water dependent and take advantage of the terrain formed by the solid waste disposal mounds. Such activities include picnicking, camping, sledding, nature trails and a scenic vista. An advantage of Alternative A is the location of Fish Creek and two standing ponds in the area where most of the recreation activities would occur. These would provide useful natural resources adjacent to the proposed trails and picnic areas. The majority of development would occur upon completion of the Solid Waste Area III in the year 2015 which would also represent the approximate year that the plant would become non-operational.

2. ALTERNATIVE B - Alternative B is illustrated on Figure 6 of this report and identifies various recreation uses for the northeastern section

SOMERSET POWER PLANT SITE

CONCEPTUAL MULTI-USE ALTERNATIVE

A

LEGEND:

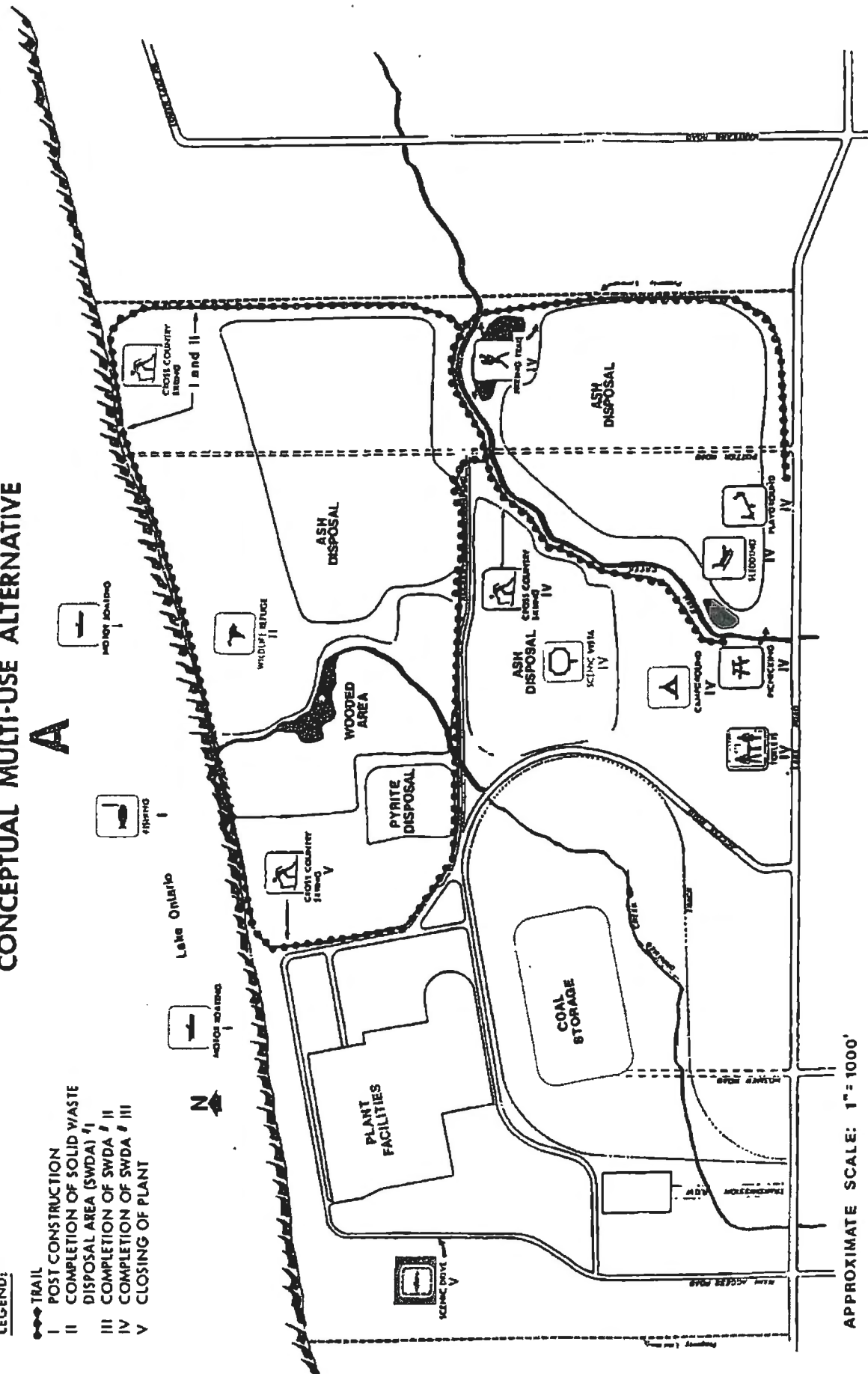
- TRAIL
- I POST CONSTRUCTION
- II COMPLETION OF SOLID WASTE DISPOSAL AREA (SWDA) #1
- III COMPLETION OF SWDA #2
- IV COMPLETION OF SWDA #3
- V CLOSING OF PLANT



Lake Ontario



N



APPROXIMATE SCALE: 1" = 1000'

Figure 5. Multiple Use Alternative "A"

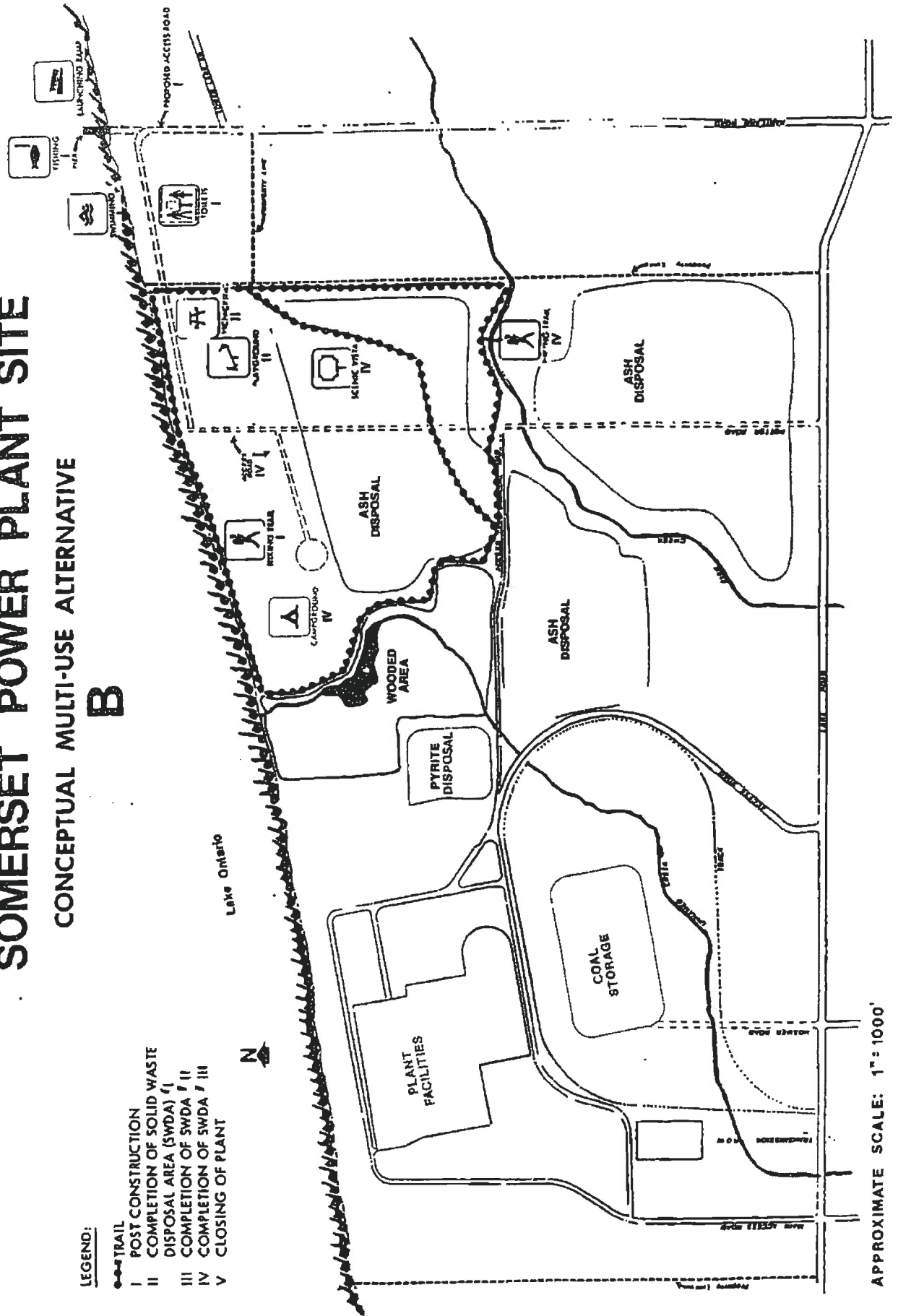
SOMERSET POWER PLANT SITE

CONCEPTUAL MULTI-USE ALTERNATIVE

B

LEGEND:

- TRAIL
- I POST CONSTRUCTION
- II COMPLETION OF SOLID WASTE DISPOSAL AREA (SWDA) #1
- III COMPLETION OF SWDA #2
- IV COMPLETION OF SWDA #3
- V CLOSING OF PLANT



APPROXIMATE SCALE: 1" = 1000'

of the New York State Electric and Gas Corporation's property. In addition, Alternative B includes a 40-acre land parcel outside the power plant property and situated immediately adjacent to the extreme north-east corner of the utility company. The latter area is currently in private ownership and would necessitate fee or less than fee purchase by the Town of Somerset prior to its use as a recreation area. The reason for including the abovementioned land parcel in Alternative B is the access off of Hartland Road which the parcel would provide to the remaining land to be used for multiple use development.

The recreation activities identified under Alternative B are mainly water dependent and include a boat launch ramp, fishing pier, beach area, picnicking, camping, a nature trail and scenic vista. Development of the multiple use facilities would occur during or immediately after power plant construction (i. e. approximately 1985) and upon completion and revegetation of Solid Waste Disposal Area I (i. e. approximately 1997).

3. ALTERNATIVE C - Alternative C is illustrated on Figure 7 of this report and identifies a concentration of recreation uses in the northwest section of the site. These include a fishing pier, boat launch ramp, picnicking, power plant information center and a nature trail. Other non-intensive activities would occur in the areas east of the power generating structures and include trails for cross-country skiing and hiking as well as a wildlife refuge. The development of multiple use activities would occur upon the closing and dismantling of the plant facilities (i. e. approximately 2015). This is due to the closeness of the recreation activities to the power generating area.

C. REVIEW OF MULTIPLE USE ALTERNATIVES

1. REVIEW CRITERIA - After identifying three multiple use alternatives, the Regional Planning Board staff reviewed each approach against four criteria which are noted below.

a. Opportunities For Vehicle Access - A key factor which must be available for a successful multiple use facility is adequate access for automobiles. This is especially true for areas which will be developed for public use. Thus, opportunities for vehicle access was a major criterion used during the review of each conceptual Somerset multiple use alternative.

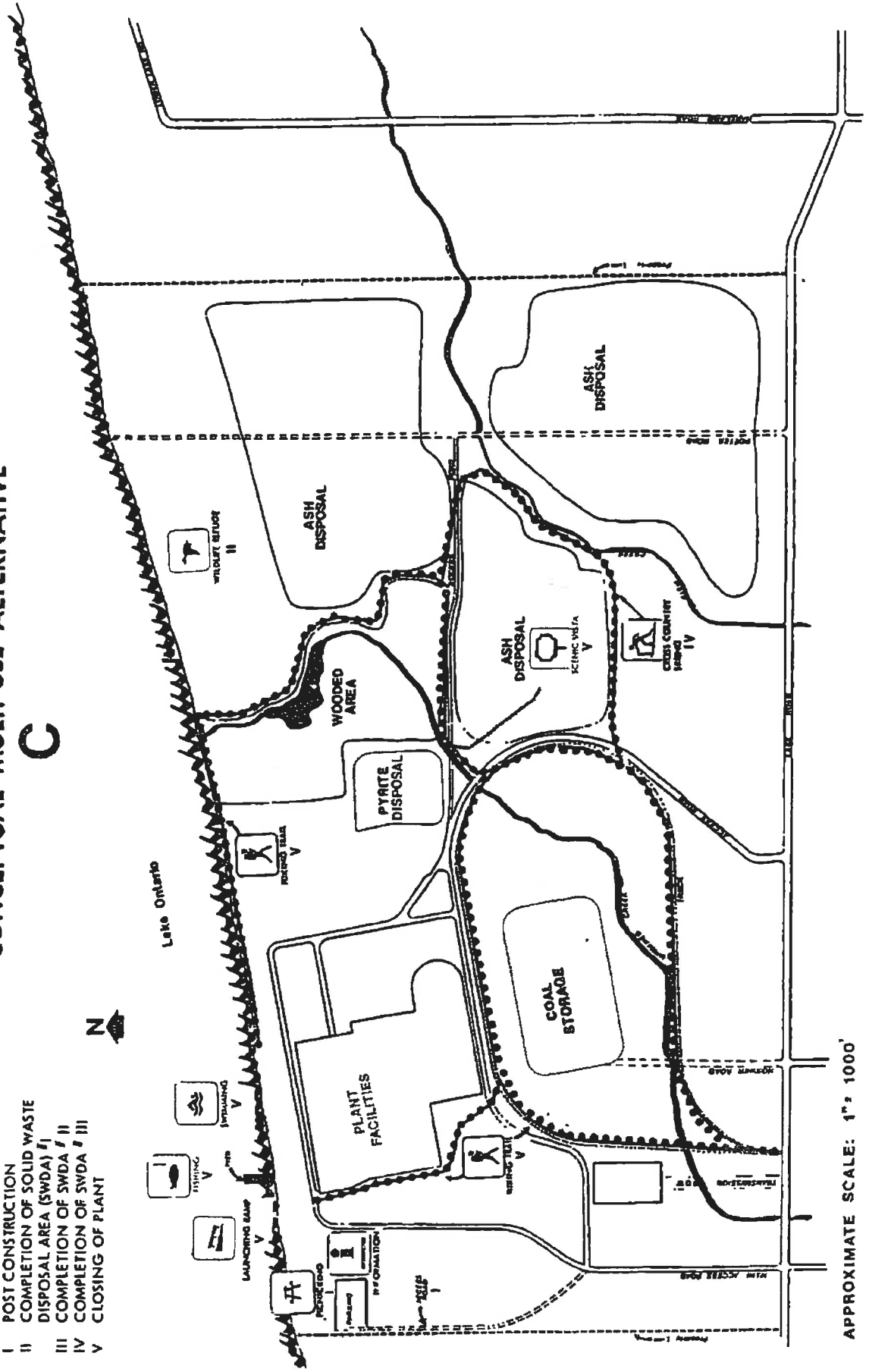
b. Availability of Land For Recreational Development - This relates to the actual year in which the alternative could be developed given the power plant construction and operation constraints.

SOMERSET POWER PLANT SITE

CONCEPTUAL MULTI-USE ALTERNATIVE C

LEGEND:

- TRAIL
- I POST CONSTRUCTION
- II COMPLETION OF SOLID WASTE DISPOSAL AREA (SWDA) #1
- III COMPLETION OF SWDA #2
- IV COMPLETION OF SWDA #3
- V CLOSING OF PLANT



APPROXIMATE SCALE: 1" = 1000'

Figure 7 Multiple Use Alternative "C"

c. Cost - The cost of developing the multiple use facility was also a key criterion used during the review of each conceptual multiple use alternative. It should be noted, however, that detailed cost figures were not defined for each alternative. However, approximate costs of various recreation facilities were determined, thus allowing ENCRPB staff to identify the facilities which would tend to increase the overall cost of an alternative to a great extent. This basically pertained only to a boat launch ramp which was estimated at \$2,000,000. This approximate figure was obtained from the Niagara Frontier State Parks and Recreation Commission, and New York State Sea Grant. Thus, by determining the recreation activities proposed for each alternative and identifying those with boat launch ramps, a sound judgment could be made regarding cost.

d. Ability to Fulfill Recreational Preferences - As noted in Section VI (i. e. Identification of Potential Recreational Uses and Project Sponsor) of this report, a determination of recreational preferences for the area was made by referring to the ENCRPB adopted Regional Recreation and Open Space Plan and Program as amended (1977), as well as the Town of Somerset Comprehensive Plan (approved 1972). In addition, feedback regarding the desired recreational activities for the area was obtained from the Multiple Use Subcommittee. The abovementioned sources noted a strong desire for water oriented activities. Thus, each alternative was reviewed regarding its ability to provide activities such as fishing, boating, swimming, and other water oriented opportunities.

2. EVALUATION - The following paragraphs summarize the Regional Planning Board staff review of the multiple use alternatives relative to the abovementioned criteria. It should be stressed that the Somerset Multiple Use Subcommittee assisted the ENCRPB staff in evaluating the three alternatives.

a. Alternative A

(1) Opportunities for Vehicle Access - As noted earlier in this report, Alternative A reflects a concentration of recreation activity in the southeast section of the site. Thus, opportunities for vehicle access and parking facilities are easily available off New York State Route 18.

(2) Availability of Land for Recreational Development - Since the majority of recreation uses would be located in close proximity to Solid Waste Disposal Area III, the complete development of the alternative could not occur until the disposal area is filled due to safety reasons. This would mean multiple use development in the year 2015. However, it should be noted that the hiking trail and wildlife refuge area in the north-east section of the site could be developed immediately.

(3) Cost - Although a detailed cost analysis was not conducted for each approach, it can be assumed that Alternative A would not be as expensive to develop as the other two alternatives. This is due to the lack of a boat launch ramp which is proposed under Alternatives B and C. The abovementioned facility is very expensive in comparison to the other recreational activities recommended for the multiple use alternatives.

(4) Ability to Fulfill Recreation Preferences - As previously noted in Section V of this report, various planning documents and discussions with Multiple Use Subcommittee members reflected a preference for water oriented recreation activities on the site. Although Alternative A proposes off shore fishing and boating as part of the multiple use approach, the majority of recreational activity would occur away from the shoreline. Thus, Alternative A does not adequately reflect the recreational preference previously noted for the area.

b. Alternative B

(1) Opportunities for Vehicle Access - Alternative B reflects a concentration of activity in the northeast section of the site with proposed public acquisition of an additional 40-acre area along the Lake Ontario shoreline immediately east of the power plant property. In order to provide vehicle access to the interior of the multiple use area, a roadway would have to be constructed by the Town of Somerset. This would extend Hartland Road approximately 400 feet north and then curve westward approximately three fourths of a mile into the multiple use area. A possible alternative to this approach is to provide parking facilities at the end of the existing Hartland Road. This would limit the remaining multiple use area to pedestrian access only.

(2) Availability of Land for Recreational Development - The full development of the alternative hinges on acquisition of the 40 acre parcel of land as well as construction of the access road. The actual time required for this undertaking is difficult to determine since much depends on the speed of the land acquisition proceedings. The multiple use activities proposed for the northeast section of the NYSE&G property could be developed during or immediately after power plant construction (i. e. approximately 1985) and upon completion and revegetation of Solid Waste Disposal Area I (i. e. approximately 1997).

(3) Cost - Alternative B would be very costly to the Town of Somerset due to construction of a boat launch ramp.

(4) Ability to Fulfill Recreational Preferences - Alternative B provides numerous water oriented activities and thus adequately fulfills the recreation preferences previously noted for the area.

c. Alternative C

(1) Opportunities for Vehicle Access - As noted earlier in this report, Alternative C reflects a concentration of recreation activity in the northwest section of the site. Thus, vehicle access would combine use of the Main Power Plant Access Road as well as a new access road to the multiple use area. The latter would be constructed and maintained by the Town of Somerset and extend approximately 2,000 feet in a north-south direction connecting the Main Access Road to the multiple use area.

(2) Availability of Land for Recreational Development - Since Alternative C includes the land area adjacent to the power generating facilities, the complete development of the alternative approach could not occur until the plant was no longer being used for power generation.

(3) Cost - The alternative would be very costly to the Town of Somerset due to construction of a boat launch ramp.

(4) Ability to Fulfill Recreational Preferences - Alternative C provides numerous water oriented activities and thus adequately fulfills the recreation preferences previously noted for the area.

Figure 8 provides a matrix illustrating the evaluation of each Multiple Use Alternative relative to the four criteria. It should be noted that the evaluation of the three alternative approaches resulted in the elimination of Alternative C from further consideration. This was due to the high development cost, access problems and the long waiting period prior to multiple use development.

The evaluation confirmed the difficulty in selecting one multiple use plan given the numerous possible variations involved regarding recreation uses, timing of development, public access needs, and cost considerations. The succeeding section outlines a recommended alternative which attempts to define the most feasible characteristics of Alternatives A and B. Such an approach was based on ENCRPB staff review of the three alternatives as well as discussions with the Somerset Multiple Use Subcommittee.

EVALUATION OF MULTIPLE USE ALTERNATIVES

<u>CRITERIA</u>		<u>MULTIPLE USE ALTERNATIVES</u>		
		Alternative A	Alternative B	Alternative C
1.	Opportunities for Vehicle Access	Good	Poor	Fair
2.	Availability of Land for Recreational Development	Fair	Good	Poor
3.	Cost	Good	Poor	Poor
4.	Ability to Fulfill Recreational Preferences	Fair	Good	Good

Figure 8.
Evaluation of Multiple Use Alternatives

SECTION IX RECOMMENDED MULTIPLE USE ALTERNATIVE

A. BACKGROUND

As mentioned in the preceeding section (i. e. Section VIII, Multiple Use Alternatives), the Multiple Use Subcommittee directed the Regional Planning Board staff to develop a Recommended Multiple Use Alternative which would combine the most desirable elements of Alternatives A and B. While the Subcommittee's recommendation provided some degree of flexibility in the development of a Recommended Multiple Use Alternative, the Subcommittee wanted three elements incorporated into the final Plan. These included the following factors:

- (1) Utilization of the northeast section of the power plant site for recreation activities and concurrent recommendations regarding access to that area.
- (2) The development of the shoreline in the northeast section of the power plant site for immediate passive recreational use.
- (3) Development of long-range plans for public access and use of those portions of the NYSE&G property which will become available throughout the life of the plant (e. g. Solid Waste Disposal Sites).

As stated previously in Section VII (i. e. General Site Analysis), a refined site analysis was performed for those sub-areas where multiple use development was determined to be most feasible. This included an examination of the soil characteristics for the eastern half of the NYSE&G property which incorporated sub-areas A through G. Locations of the sub-areas are shown in Figure 4 (i. e. Somerset Power Plant Site-Sub-Areas) on page 17. The data contained in the Soil Survey of Niagara County, New York (October, 1972), U.S. Department of Agriculture Soil Conservation Service, was used as the major reference source. The soil analysis concentrated on those areas which would not be disturbed by solid waste disposal operations, in particular sub-areas B, E, and F.

Soil characteristics were examined to determine the feasibility of each sub-area to accommodate various recreation opportunities and support activities such as camping, access roads, storage building, and picnicking. The results of the soil analysis showed that only the portion of sub-area F east of Potter Road and sub-area E would accommodate intensive development which includes low buildings, parking areas, and roads. However, most of the other sub-areas examined would accommodate trails, picnicking, wildlife refuge, and athletic sports.

In addition to a soil analysis, the Regional Planning Board staff examined the appropriate sub-areas in light of their relationship with the New York State Electric and Gas Corporation plans for landscaping/revegetation, power plant operations and solid waste disposal. Such plans were included as part of the utility company's application to the New York State Board on Electric Generation Siting and Environment for a permit to construct a power generating facility. Examination of the New York State Electric and Gas Corporation's plans indicates that existing and proposed vegetation would provide excellent wildlife habitats as well as adequate buffers from power plant operations.

The abovementioned analysis was supplemented with numerous site visits and discussions with technical personnel from government agencies. These included Mr. Brian Doyle, New York State Sea Grant Specialist; Mr. Martin Cummings, New York State Department of Public Service; and Mr. Robert Kesil, Niagara Frontier State Parks and Recreation Commission. Through information supplied by the New York State Sea Grant and the Niagara Frontier State Parks and Recreation Commission, it was determined that a boat launch ramp in the power plant site would cost approximately \$2,000,000. The high cost was mainly due to the steep slope present at the site which would necessitate extensive engineering work prior to construction. In addition, the present existence of public boat launch ramps at the Wilson-Tuscarora State Park in the Town of Wilson, New York and Olcott Harbor in the Town of Newfane, New York, as well as recently allocated state funds for a boat launch ramp at Golden Hill State Park in the Town of Somerset indicate that an additional ramp at the Somerset Power Plant would not likely receive funding assistance from New York State or the federal government. This information was relayed to the ENCRPB staff from discussions with the Niagara Frontier State Parks and Recreation Commission.

Given the elements requested for inclusion in the plan by the Multiple Use Subcommittee and the findings of the refined site analysis, a Recommended Multiple Use Alternative was developed.

B. GENERAL DESCRIPTION OF RECOMMENDED MULTIPLE USE ALTERNATIVE

The Recommended Multiple Use Alternative is a long-range plan which calls for the development of a Municipal Park by the Town of Somerset over three distinct time periods or phases. Except for an access road to the multiple use area, development would be confined to New York State Electric and Gas property with the more intensive recreational development concentrated in a 30-acre area in the northeast corner of the site. The Park would be oriented toward passive recreation activities such as picnicking, hiking, and nature study, although accommodations for slightly more active activities such as swimming and sledding are included. The Recommended Multiple Use Alternative utilizes the two most distinctive site characteristics of the New York State Electric and Gas property. These include: (1) the Lake Ontario shoreline; and (2) the artificial hills which will eventually be

created by solid waste disposal operations of the power plant.

The projected use of the land fill sites necessitates development of the park over three distinct phases which correspond to the projected life spans and fill sequences of those sites.

C. PHASE I - 1981-1997

Phase I, shown in Figure 9 on page 34, proposes development along the Lake Ontario shoreline east of Potter Road. This area would be available around 1981 and could be developed over a 16 year period.

An important aspect of Phase I is the provision of shoreline access as well as visual access to Lake Ontario. This would replace access lost by the removal of Potter and Hosmer Roads north of Route 18. Development in this area is contingent upon the Town of Somerset acquiring an access road right-of-way from the junction of Hartland Road and Lower Lake Road to the NYSE&G property.

D. PHASE II - 1997-2015

Phase II, shown in Figure 10 on page 35, proposes expansion of the facilities developed in Phase I to include the area encompassed by Solid Waste Disposal Area I. The development of this area would not begin until the completion of scheduled solid waste disposal operations and subsequent revegetation of the land fill by NYSE&G. Based on Utility Company projections, this would occur around 1997. Activities proposed for this phase would utilize the topography of the artificial hill created by the solid waste disposal operations, and include sledding, cross-country skiing and a scenic viewpoint.

E. PHASE III - 2015-2020

Phase III, shown in Figure 11 on page 36, proposes expansion of the trail system throughout the eastern portion of the NYSE&G property, as well as the development of an additional sledding hill and a wildlife management area. Proposed development would occur following completion of all solid waste disposal operations in the eastern portion of the property and subsequent revegetation of Solid Waste Disposal Areas II and III. This would approximately occur in the year 2015.

F. ACCESS

Access to the Phase I and Phase II areas will be accomplished via a new road running due west from Hartland Road (near Lower Lake Road). The Multiple Use Plan recommends that the utility company purchase and construct the abovementioned road with subsequent transfer of ownership to the Town of Somerset. This recommendation was identified in Section I of this report. Access to the Phase III Area will be accomplished via Lake Road/NYS Route 18.

1981-1997



NOTE: VEGETATION SHOWN IS ALTERED VERSION OF PROPOSED PLANTINGS CONTAINED IN NEW YORK STATE ELECTRIC AND GAS CORPORATIONS "FINAL REPORT ON CAYUGA STATION ASH DISPOSAL" (MARCH 1979)

SOMERSET POWER PLANT SITE

MULTI-USE PLAN - PHASE II

1997-2015

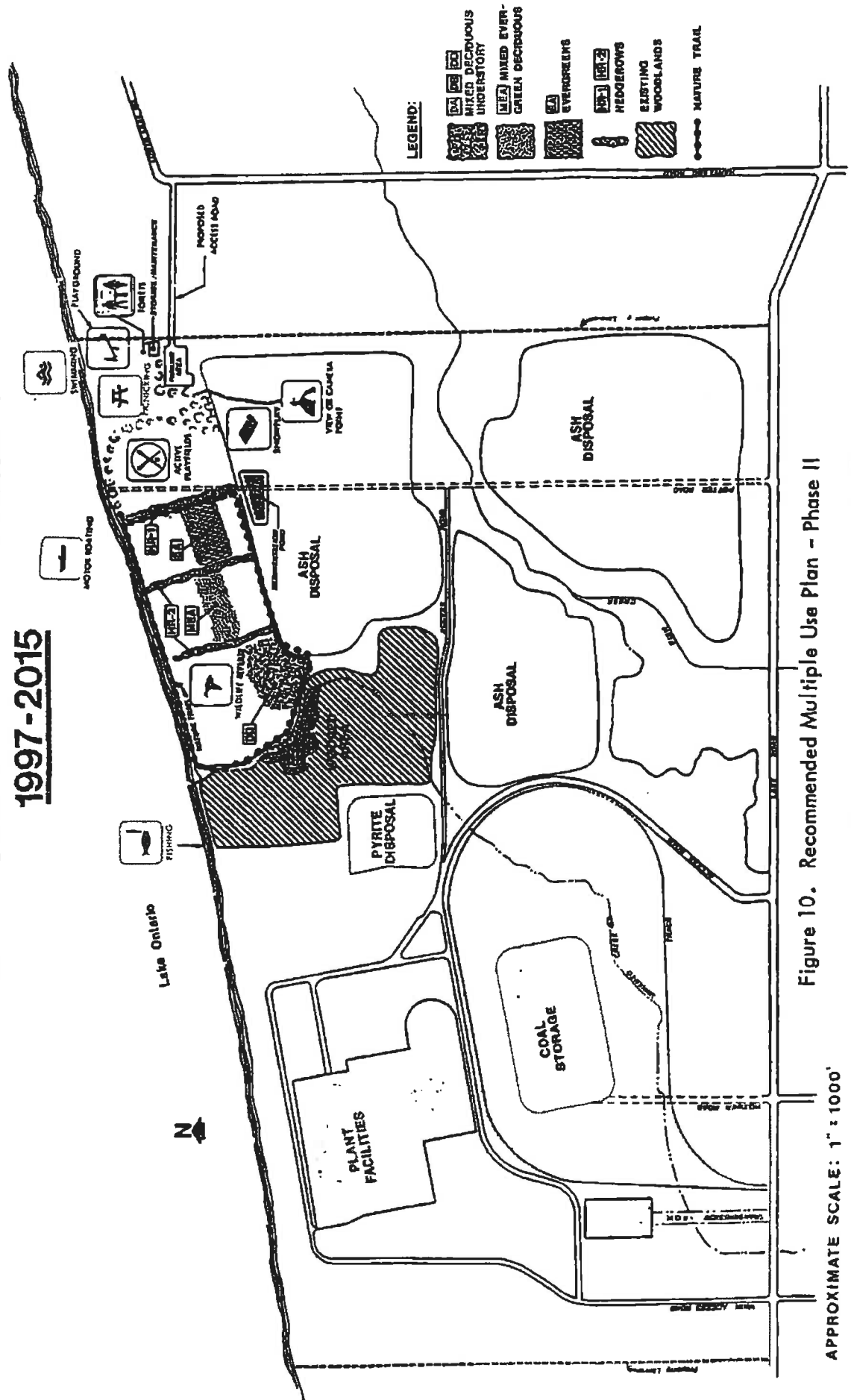
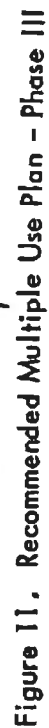


Figure 10. Recommended Multiple Use Plan - Phase II

APPROXIMATE SCALE: 1" = 1000'

NOTE. VEGETATION SHOWN IS ALTERED VERSION OF PROPOSED PLANTINGS CONTAINED IN NEW YORK STATE ELECTRIC AND GAS CORPORATIONS "FINAL REPORT ON CAYUGA STATION ASH DISPOSAL" (MARCH 1979)

2015-2020



APPROXIMATE SCALE: 1" = 1000'

NOTE: VEGETATION SHOWN IS ALTERED VERSION OF PROPOSED PLANTINGS CONTAINED IN NEW YORK STATE PERMITS AND DISCOURAGES ANY OTHER PLANTING OR CULTIVATION. PLANTINGS ARE DISCLOSED IN PERMITS.

G. ESTIMATED COST OF RECOMMENDED MULTIPLE USE ALTERNATIVE

Estimated cost figures (in 1979 dollars) were developed for the Recommended Multiple Use Alternative. These estimates are provided in a high-low range format and are intended to serve as a general guide. The Appendix to this report includes data regarding the determination of estimated costs for the recommended alternative. More precise figures would have to be based on detailed design and engineering data which is not presently available. The following summarizes the cost information developed for the recommended alternative.

	<u>HIGH</u>	<u>LOW</u>
Phase I (1981-1997)	\$ 942,000	\$299,200*
Phase II (1997-2015)	12,100	7,700
Phase III (2015-2020)	<u>77,000*</u>	<u>26,400*</u>
Total	\$1,031,800*	\$333,300*

The estimated cost figures were developed with the assistance of several sources. These included estimates produced by technical staff from the Niagara Frontier State Parks and Recreation Commission, Krehbiel Associates, Inc. and material available in the Regional Planning Board's files.

H. PUBLIC REVIEW

The major elements developed for the recommended Multiple Use Alternative were reviewed by the Multiple Use Subcommittee and Somerset Power Plant Committee at their July 31, 1979 meeting. The organization approved the multiple use approach developed by the Regional Planning Board staff and as reflected in Figures 9, 10, and 11 of this report. The multiple use approach was also forwarded to several state and local agencies for their review and comment. Included among these were the New York State Department of Public Service, the New York State Department of State, the Niagara Frontier State Parks and Recreation Commission, the Niagara County Economic Development and Planning Department, and the Regional Planning Board's Natural Resources Committee. In general, the comments received from these agencies were favorable and supportive of the efforts to provide multiple use development at the Somerset Station site.

*A major portion of the costs are for access, parking, and maintenance facilities, and the difference in the high and low estimates are largely due to reductions in those facilities. Reference should be made to Attachment 1 for more detail regarding cost determination.

SECTION X POTENTIAL FUNDING SOURCES

As noted in Section IX (i. e. Recommended Multiple Use Alternative) of this Plan, the total estimated cost of the Somerset Multiple Use Plan ranges between \$333,300 and \$1,031,800 (these figures represent estimated total cost figures for all three phases). This is a large sum of money especially when the Town of Somerset is recognized as the sponsor of the proposed facility. The Town is a rural community and thus does not have the local revenues available to pursue a project of this magnitude. It is therefore recommended that the Town apply for funding assistance through appropriate federal grant programs.

The following outlines three major federal grant programs through which the development of a multiple use facility on a power plant site would certainly be an eligible activity. It should be stressed that the following is not an exhaustive list, but merely represents the major funding programs. It is recommended that the Town of Somerset pursue all potential funding sources during the implementation phase of the multiple use plan.

A. LAND AND WATER CONSERVATION FUND

1. DESCRIPTION - The federal program provides funds to eligible New York State applicants through the New York State Office of Parks and Recreation for the acquisition of land for conservation and recreation purposes and for the development of parks and outdoor recreation facilities. The program can finance up to 50% of approved project costs.

2. CONTACT AGENCY - Niagara Frontier State Parks and Recreation Commission, Prospect Park, Niagara Falls, New York 14303.

B. COASTAL ZONE MANAGEMENT-IMPLEMENTATION ACTIVITIES

1. DESCRIPTION - The federal program provides funds through the New York State Department of State for local projects which are geared toward implementation of the New York State Coastal Zone Management Program. In this case, the Town of Somerset Multiple Use Facility would be an eligible activity. The implementation program is authorized under Section 306 of the federal Coastal Zone Management Act of 1972, as amended. It must be stressed that New York State will not be eligible for implementation monies until the federal government has approved the New York State Coastal Management Program around November 1, 1980. Funds will be available on an 80% federal and 20% local matching basis.

2. CONTACT AGENCY - New York State Department of State, Office of Coastal Management, 162 Washington Avenue, Albany, New York 12231.

C. COASTAL ENERGY IMPACT PROGRAM

1. DESCRIPTION - The program provides funds through the New York State Department of State to local communities experiencing impacts due to new or proposed coastal energy facilities. Funds can be used for public improvements including parkland acquisition and development. Physical development of the municipal park as outlined in the Multiple Use Plan is certainly an eligible activity under this program which is authorized under Section 308B of the federal Coastal Zone Management Act of 1972, as amended. There are no local matching requirements, thus federal funds are available for communities for one hundred percent of project cost.

2. CONTACT AGENCY - New York State Department of State, Office of Coastal Management, 162 Washington Avenue, Albany, New York 12231.

APPENDIX ESTIMATED COST DETERMINATIONS

For the purpose of determining estimated costs, each phase of the Recommended Multiple Use Alternative was broken down into component activities. These component activities correspond to the major elements of the Recommended Multiple Use Alternative as depicted in the Multiple Use Plan maps, Phases I, II, and III.

The estimated costs were derived by averaging the costs obtained from several sources. They are based upon gross assumptions as to the final content and design of the component activities. The sources used for the cost estimates were:

- (1) technical personnel from the Niagara Frontier State Parks and Recreation Commission;
- (2) Mr. Timothy Frank, Director of Development Planning, Krehbiel Associates, Inc.;
- (3) Open space preservation provisions on file at the Regional Planning Board;
- (4) Mr. Stanley Ralph, Supervisor, Town of Somerset.

The costs were broken down by phases and by component activities, as shown in the chart on the succeeding pages. A high and low range is shown for each component. This was done to demonstrate the degree of flexibility possible within the Recommended Multiple Use Alternative.

The Multiple Use Plan recommends that NYSE&G make the land available to the Town of Somerset at a low cost. Final determination of the land cost is subject to negotiations between New York State Electric and Gas Corporation, and the Town of Somerset or whomever else assumes park sponsorship. For this reason, and rather than trying to estimate land cost, such figures were omitted from the estimated cost of the park development.

ESTIMATED COSTS

<u>PHASE I (1981-1997)</u>	<u>HIGH</u>	<u>LOW</u>
1. Access Road	\$ 36,000	\$ 9,000 ^{1/}
2. Parking Area	130,000	25,000 ^{1/}
3. Swimming Area	4,000	4,000
4. Picnic Area	40,000	40,000
5. Active Play Fields	42,000	14,000 ^{2/}
6. Childrens Play Area	3,000	3,000
7. Trails (.5 mile)	2,000	2,000
8. Support Facilities Maintenance/Storage, Toilets Bathhouse, Utilities	600,000	175,000 ^{3/}
Sub-total	\$857,000	\$272,000
(Standard Engineering fee-10%)	\$ 85,700	\$ 27,200
PHASE I TOTAL	\$942,700	\$299,200

^{1/} Cost differences between high and low figures for access road and parking reflect difference between paved (high) and unpaved (low) road and parking.

^{2/} Cost difference between high and low figures for active playfield reflect inclusion of baseball diamond for high figure.

^{3/} Cost difference between high and low figures for support facilities reflect difference between substantial structure with locker room, work shop and offices (high) and moderate structure for storage, toilets and utilities only (low).

<u>PHASE II (1997-2015)</u>	<u>HIGH</u>	<u>LOW</u>
1. Snow Play Area	\$ 6,000	\$2,000 ^{4/}
2. Scenic Vista	2,000	2,000
3. Trails (.75 mile)	<u>3,000</u>	<u>3,000</u>
Sub-total	\$11,000	\$7,000
(Standard Engineering fee-10%)	\$ 1,100	\$ 700
PHASE II TOTAL	\$12,100	\$7,700
<u>PHASE III (2015-2020)</u>	<u>HIGH</u>	<u>LOW</u>
1. Snow Play Area	6,000	2,000 ^{4/}
2. Parking	52,000	10,000 ^{5/}
3. Trails (3 miles)	<u>12,000</u>	<u>12,000</u>
Sub-total	\$70,000	\$24,000
(Standard Engineering fee-10%)	\$ 7,000	\$ 2,400
PHASE III TOTAL	\$77,000	\$26,400
TOTAL THREE PHASES	\$1,031,800	\$333,300

^{4/} Cost difference between high and low figures for snow play areas reflect substantial fill and grading (high) as opposed to equipment (i. e. snow fence) only (low). The low figure assumes that New York State Electric and Gas will construct disposal mound to accommodate snow play.

^{5/} Cost difference between high and low figures for parking reflect difference between paving and preparation (high) and unpaved gravel (low).

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ERIE AND NIAGARA COUNTIES REGIONAL PLANNING BOARD

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This report was prepared by the following individuals with the assistance of other staff members:

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APPENDIX C

Meetings Summaries

Meetings held throughout the process of updating the Town of Somerset Comprehensive Plan in 2012 and 2016 are as follows:

- Steering Committee Meeting: February 8, 2012
- Steering Committee Meeting: March 14, 2012
- Steering Committee Meeting: April 11, 2012
- Public Meeting: April 30, 2012
- Steering Committee Meeting: May 7, 2012
- Steering Committee Meeting: August 8, 2012
- Kick-off Meeting with the Town: October 26, 2016
- Meeting with the Town: September 3, 2016
- Public Meeting: November 30, 2016
- Public Hearing: December 21, 2016

Notes from these meetings can be obtained from the Town.

APPENDIX E

Barker Chemical Report (without attachments)

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Phase II Environmental Site Assessment

Location:

Barker Chemical
8473 West Somerset Road
Barker (Town of Somerset), New York

Prepared for:

Ms. Amy Fisk
Niagara County Department of Economic Development
6311 Inducon Corporate Drive
Sanborn, New York 14132

LaBella Project No. 221436

August 10, 2012

Phase II Environmental Site Assessment

Location:

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August 10, 2012

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1.0 Introduction and Background

1.1 Introduction

LaBella Associates, P.C. ("LaBella") was retained to conduct a Phase II Environmental Site Assessment (ESA) at the property located at 8473 West Somerset Road, Barker (Town of Somerset), Niagara County, New York, which is hereinafter referred to as the "Site." Figure 1 shows the location of the Site while Figure 2 identifies the historic Site characteristics.

The 10.9-acre Barker Chemical Site was used from the 1930 through the 1970s for the manufacture and distribution of fungicides and herbicides, and has since lain dormant for an extended period. This property has been the subject of significant investigation and remediation efforts by the New York State Department of Environmental Conservation (NYSDEC) and the United States Environmental Protection Agency (USEPA).

In December 1999, the NYSDEC completed a preliminary investigation of the Former Barker Chemical Site. This investigation documented the presence of metals at elevated concentrations and low pH surface water (1.71 to 3.62 standard pH units) throughout the Site. In late January 2000, based upon the presence of low pH surface water, the Niagara County Health Department (NCHD) issued a public health advisory to nearby residents cautioning against entry onto the Site. In response to this advisory the NYSDEC implemented an emergency Site security action by placing warning signs across the front of the property and installing high visibility fencing around the direct contact areas of concern.

In May 2000 the NYSDEC made a request to the USEPA to evaluate the Site and perform removal actions, as appropriate, to address the public health threats from low pH surface waters, and to identify, contain, control and/or remediate any other hazardous wastes or hazardous substances found at the Site. Due to the public health threat that existed, USEPA agreed to this request.

Following a Removal Site Evaluation (RSE) of the Site in June 2000 to determine the nature and extent of contamination requiring remediation, the USEPA removal action was authorized on September 29, 2000. The NYSDEC has subsequently completed additional investigations of the Site.

1.2 Areas of Concern

The USEPA's and NYSDEC's work focused on a number of areas of the Site, and these included the production area (which had contained five abandoned buildings), an above ground storage tank, two lagoons (the North and South Lagoons), one filled lagoon (the Filled Lagoon) and two large areas void of vegetation (the Barren Strip and Lime Waste area). The areas are shown in Figure 2 and are discussed individually in the following sections.

A number of areas of the site contained high concentrations of sulfur, which had been used in the pesticide manufacturing process. The presence of sulfur at the Site has resulted in high acidity in surface water.

1.2.1 Production Area

The Production Area is located between West Somerset Road and the Central Drainage Ditch, and once included five buildings. Four of the buildings were removed during USEPA removal activities to facilitate an assessment of soil conditions while one of the storage buildings remains standing.

As part of the 2000 removal action, USEPA demolished the buildings and conducted a soil sampling program to identify the extent of contamination, if any. Based upon the results of this assessment, the USEPA identified arsenic as the primary contaminant in soil underlying the former Production Building. As a result, the soil from the former Production Building area was excavated to a depth of approximately two feet and sent to Modern Landfill for disposal. Two confirmatory samples were collected from native clay. The excavation was backfilled with clay and covered with stone from a local quarry.

For reasons discussed later in this report, this area of the Site is the most likely location for any future development at the Site. Because of this, additional investigation was determined to be necessary to evaluate the location's suitability for development.

1.2.2 Low pH Trough

North of the Production Area, the Low pH Trough was the primary drainage channel for the Former Barker Chemical Site, and was approximately 30 feet by 100 feet in size. USEPA excavated approximately 250 tons of arsenic contaminated sediment from this channel to a depth of 1 to 2 feet. Excavated soils were sent off-site for disposal. The excavation was backfilled with limestone rip rap from a local quarry to reduce erosion during rainfall or snow melt events, and to buffer any low pH runoff that might occur during the completion of remedial activities.

1.2.3 Lime Waste Area and Central Drainage Ditch

The Lime Waste Area contained a whitish-gray, lime-like waste material with large quantities of sulfur and was a contributing factor to the low pH runoff from the Site. While remediating this area, a natural spring was encountered that discharged water with a pH less than 2 at a continuous rate. USEPA also believed that precipitation and snow melt leaching through the lime waste was producing acidic runoff. As a result, USEPA excavated approximately 825 tons of waste from this area and sent off-site for disposal. The excavation was backfilled with one foot of clay and one foot of topsoil, and graded to promote surface water runoff. The area was hydroseeded to provide a vegetative cover.

Once excavation activities were complete, USEPA created an east-west drainage trough (Central Drainage Ditch) immediately south of the Lime Waste area to promote better site drainage. This ditch was excavated into native clay to a depth of approximately 1½ feet, and connects to the natural spring encountered during excavation of this area. The Central Drainage Ditch flows into the remediated Low pH Trough through a culvert under the gravel roadway.

1.2.4 Ponded Water Area

The Ponded Water area was located on the eastern portion of the property to the north of the

Central Drainage Ditch. This area appeared to be an overflow area and/or historic discharge area from the South Lagoon, and contained low pH surface water. During USEPA's removal action, approximately 100 cubic yards of sludge from this trough were excavated and placed into the South Lagoon. The sludge had a distinct black-green color and was visually removed from this area. The Ponded Water area was restored with wetland sediment from Buckhorn Marsh.

1.2.5 Aboveground Storage Tank

The above ground storage tank was one of two or three small tanks historically located in this area of the Former Barker Chemical Site. During the USEPA removal action, the contents of the tank were removed, with the tank cleaned and subsequently scrapped. USEPA then excavated approximately 400 tons of contaminated soil from this area for off-site disposal. The Storage Tank Area was excavated to a depth of two feet, reaching native clay soil at the base of the excavation. Confirmatory samples were not collected from this excavation. The excavation was backfilled with stone from a local quarry to promote better drainage, and was connected to the Central Drainage Ditch. Sediments from Buckhorn Marsh were placed on the quarry stone for restoration purposes.

1.2.6 Barren Strip

The Barren Strip contained a brownish-gray, fine-grained waste material and was very wet, devoid of vegetation, and appeared to be impacted by low pH runoff and Site contaminants. This area was remediated during roadway construction to gain access to the North Lagoon and Chip Area via the excavation of impacted soil for off-site disposal. The Barren Strip was excavated to a depth of 1.5 feet, reaching native clay soil at the base of the excavation. The excavation was backfilled with approximately three feet of stone to create a roadway.

1.2.7 Filled Lagoon

The analytical results from the USEPA's investigation indicated that the waste material (black sludge with blue-green mottling underlies the lime-like waste) in the Filled Lagoon contained significant concentrations of sulfur. However, the USEPA did not identify any impacts to the environment by this material. As a result, USEPA did not complete any remedial actions in this area, but did place topsoil within the lagoon area to enrich the existing soil.

1.2.8 South Lagoon

In 2000, USEPA documented two problems with the South Lagoon that needed to be addressed by the removal action: (1) the acidic water within the lagoon and (2) the acidic lagoon sludge. The sludge itself did not exhibit the characteristics of a hazardous waste, but did contain high concentrations of sulfur that USEPA believed was the source of the low pH water in the lagoon. Samples of this sludge were sent to a testing lab to assist USEPA with a recipe for sludge stabilization. Along with the sludge sample, USEPA sent the lab a sample of weathered lime that was available from a previous USEPA Superfund project in Buffalo, New York. The testing lab recommended that a mixture of 5% Portland cement, 20% weathered lime and 75% sludge from the South Lagoon would produce a stabilized mass with a strength sufficient to support heavy equipment during stabilization operations.

At the start of the stabilization process, water from the South Lagoon was pumped into the North Lagoon. A long reach excavator was then utilized to mix the sludge, lime and Portland cement according to the recipe. Due to excessive water within the sludge, clay was added to the mixture to help dry the sludge.

The end result was a monolith of stabilized sludge resembling concrete, which was capped with at least one foot of clay and one foot of topsoil within the original confines of the South Lagoon. The cap was graded to promote surface water runoff into the remediated Low pH Trough. The final cap was hydroseeded to provide a vegetative cover.

While this work was generally effective in stabilizing the sludge in the South Lagoon, one boring completed by the NYSDEC in this area encountered crystallized sulfur and lime and layers of what was believed to be Portland Cement, suggesting that mixing was not complete.

1.2.10 North Lagoon

Like the South Lagoon, the North Lagoon contained low pH water and acidic sludge. Initially, USEPA neutralized the water in the lagoon with weathered lime, bringing the pH into the 4 to 9 range for off-site disposal. Approximately 366,000 gallons of neutralized water were shipped to this facility for treatment. Once the North Lagoon was dewatered, weathered lime and clay were added to help solidify the sludge. Because the quantity of sludge in this lagoon was substantially lower than in the South Lagoon, USEPA determined that it was less expensive to excavate and dispose of the material than to stabilize it in place. As a result, approximately 3,200 tons of sludge were excavated from the lagoon and disposed off-site. The North Lagoon was restored with a minimum of one foot of wetland sediment from Buckhorn Marsh and flooded with 500,000 gallons of water.

1.2.11 Eastern Boundary Ditch

An open drainage ditch parallels the eastern boundary of the Site from West Somerset Road to the north end of the South Lagoon, where it makes a sharp eastward turn. This ditch ultimately feeds Golden Hill Creek, a tributary to Lake Ontario. In 2000, The NYSDEC measured the pH of surface water in the Eastern Boundary Ditch was only slightly acidic (pH of 6.74), which was consistent with the December 17, 1999 measurement. However, the NYSDEC recommended periodic monitoring of pH in the surface water at the Site.

1.2.12 Chip Area

The Chip Area contained arsenic contamination of unknown origin, although it was suspected that arsenic-containing waste was dumped in this area by Barker Chemical. This is the area where the green-blue chips were observed by NCHD personnel in 1999. USEPA removed trees and brush from the Chip Area before excavating approximately 600 tons of arsenic contaminated soil for off-site disposal. The excavation area was restored with topsoil and hydro seeded to provide a vegetative cover.

1.2.13 Northern Portion of the Site

Based on a review of existing files, no investigatory work has been completed in the area of the Site north of the Chip Area. Prior to the transfer of property ownership, investigation including soil and groundwater characterization is recommended.

1.3 NYSDEC Investigation and Conclusions

In 2003, the NYSDEC conducted a Site Investigation to evaluate areas of the Site not remediated by USEPA to determine the degree to which waste and sludge had contaminated Site soil, groundwater, surface water and sediment. The Site Investigation Report was completed in March 2007 and augmented in the January 2009 Supplemental Site Investigation Report (SSIR). The SSIR concluded that, while waste materials were present in the Filled and South Lagoons and impacts to groundwater and surface water remain, no hazardous waste is present on the Site.

Due to the absence of hazardous waste, this Site did not qualify for inclusion in the NYSDEC Registry of Inactive Hazardous Waste Disposal Sites in New York State. However, due to the presence of contamination and waste at this Site in the center portion of the Site (the area extending from the Central Drainage Ditch to the Chip Area), the NYSDEC recommended the restriction of redevelopment activities to the southern portion of the Site that was deemed to be remediated fully by USEPA. It was further recommended that no subsurface activities take place in the Filled and South lagoons as waste is still present at these locations. If excavation in these lagoons is necessary, excavated materials must be transported off-site for proper disposal as discussed in the Soils Management Plan contained in Appendix C of the SSIR. The NYSDEC also recommended that methods should also be put in place to avoid direct contact with low pH and contaminated surface water at the Site. Lastly, the NYSDEC concluded that groundwater underlying the Site should not be utilized as a source of potable or process water, without necessary water quality treatment as determined by the Niagara County Health Department.

Based on the SSIR, the NYSDEC classified the Site as Class C. This classification used for sites where the Department has determined that remediation has been satisfactorily completed under a remedial program (i.e., State Superfund, Brownfield Cleanup Program, Environmental Restoration Program, Voluntary Cleanup Program). These sites are issued Certificate of Completions (COCs) but may still require ongoing maintenance and periodic certification of institutional/engineering controls (IC/ECs).

1.4 Phase II ESA Objectives

Despite extensive efforts by the NYSDEC and USEPA, redevelopment of the Site has not occurred because ownership remains a question, contaminants are known to remain at the Site, and portions of the Site had yet to be investigated. These contaminants include volatile organic compounds (VOCs), semivolatile organic compounds (SVOCs), pesticides, metals, sulfide, and sulfate, in the Site soil, sediment, surface water, and groundwater.

The unknown nature of current conditions at the Site and of the redevelopment costs associated with addressing the contamination issues at the property has prevented Niagara County from foreclosing on the tax-delinquent property. To address these concerns, the County obtained a grant from National Grid to confirm the efficacy of the previous remedial efforts at the Site; characterize areas not previously assessed; estimate costs for additional remedial activities, if any; and identify an appropriate end use for the property.

To assist the County in determining if property tax foreclosure is appropriate at this site, the Phase II ESA was implemented to identify the level of environmental impairment at the site which in turn could attempt to determine feasible redevelopment options and corresponding site remediation/preparation costs. As such, this investigation was conducted in order to address those environmental concerns identified in prior environmental reports that were not previously addressed, including:

- Additional characterization in the portion of the Site targeted for redevelopment (the southern portion of the Site).
- Soil characterization in the area of the Site not previously investigated, north of the Chip Area.
- Measurement of surface water pH.
- Collection of surface water samples to characterize current conditions.
- Additional characterization of groundwater conditions in the southern and northern portions of the Site.

2.0 Field Investigation Summary

This investigation was devised based upon a review of a Request for Proposal (RFP), relevant reports provided by Niagara County, and our experience with Phase II ESAs of similar brownfield sites.

This section provides a summary of the fieldwork completed as part of this Phase II ESA, which included the following:

- Surface soil screening and analysis to characterize the chemistry of surface soils in:
 - The southern portion of the site (between West Somerset Road and the Central Drainage Ditch)
 - Areas to the north of the Chip Area not previously characterized
- Subsurface soil sampling in:
 - The southern portion of the site
 - Accessible areas to the north of the Chip Area
- Surface water characterization:
 - Collection of two surface water samples
 - Measurement of pH in surface waters to provide updated information
- Groundwater characterization:
 - In the southern portion of the Site to characterize groundwater conditions in the area most likely to be redeveloped
 - To the immediate north and south of the lagoons to characterize impacts, if any, from the materials stored in the lagoons
 - In the existing wells down-gradient direction of the lagoons to determine if contaminant concentrations have significantly changed over time
- Performance of an asbestos survey in the remaining structure

2.1 Surface Soil

A subsurface utility stakeout was arranged with the Underground Facilities Protection Organization (UFPO) to locate any underground public subsurface utilities servicing the Site.

On June 13, 2012, a sample grid system was established across the targeted areas with more concentrated nodes in the areas of the Site that appeared to have received fill. At each location, LaBella utilized an X-Ray Fluorescence (XRF) meter to screen the soils for lead, arsenic and other metals. Based upon the screening results and visual observations, samples were collected for laboratory analysis to characterize areas of elevated metals concentrations and to assess site-wide conditions.

A total of 28 surface soil samples were collected from the southern portion of the Site. The samples were collected in seven rows of four with each sample being approximately 25 feet apart. In addition, a total of 18 surface soil samples were collected from the portion of the Site north of the chip area. Such were collected in nine rows of two with each sample being approximately 100 feet apart. The sampling locations are shown on Figures 3 and 4.

To confirm the field screening measurements and further characterize the surface soils, eight surface soil samples were submitted under standard chain-of-custody procedures for laboratory analyses using United States Environmental Protection Agency (USEPA) methods. Five were submitted from the southern portion of the site (SS3, SS6, SS13, SS24 and SS28), while three were submitted from the northern portion of the site (SS29, SS40 and SS45).

The samples were analyzed for TCL SVOCs and pesticides, Target Analyte List (TAL) metals, leachable pH, and sulfur. This analytical program was selected based on the findings of previous investigatory activities performed by the NYSDEC and the USEPA.

2.2 Subsurface Soil

A subsurface utility stakeout was arranged with the Underground Facilities Protection Organization (UFPO) to locate any underground public subsurface utilities servicing the Site.

A total of nine soil borings (designated B-1 through B-9) were completed on June 14 and 15, 2012, by Natures's Way Environmental of Alden, New York, under LaBella observation. The borings were advanced to depths ranging from approximately 7.4 to 11 feet below ground surface using a truck-mounted Geoprobe® direct-push sampling system. Three soil borings were advanced immediately north of the north lagoon while six soil borings were advanced on the southern portion of the Site. The locations of the soil borings are shown on Figure 5.

The Geoprobe® unit utilizes a four-foot-long macro-core sampler with disposable polyethylene sleeves. Soil cores are retrieved in four-foot sections that can be cut from the polyethylene sleeves for observation, field screening, and sampling. The macro-core sampler was decontaminated between samples and borings using an Alconox and water solution.

The soil from the borings was screened using a photoionization detector (PID), which measures concentrations of total organic compounds. The soil from the borings was also evaluated for visual and olfactory evidence of contamination and these observations as well as lithologic and other pertinent information were recorded on boring logs. Soil boring logs prepared by LaBella are included in Appendix 1.

LaBella collected one soil sample from each of the 9 boring locations for laboratory analysis. The samples were placed on ice and transported to a New York State Department of Health Environmental

Laboratory Approval Program (ELAP) certified laboratory under proper chain-of-custody protocols for analysis of TCL SVOCs and pesticides, TAL metals, leachable pH, and sulfur.

Upon completion of direct-push drilling activities, all soil borings not completed as wells were backfilled with cuttings.

2.3 Surface Water

During the June 2012 field program, many of the surface water location previously sampled by USEPA and the NYSDEC were dry. The only locations in which water was present were the Eastern Drainage Ditch and the North Lagoon. LaBella measured pH at the bend in the Eastern Drainage Ditch where the flow direction changes from north to east and in three areas of the North Lagoon. Surface water samples were also collected from the Eastern Boundary Ditch and the North Lagoon.

The sample were collected by carefully dipping a pre-clean jar supplied by the laboratory into the surface water body and pouring the water into each of the required sample bottles. The sample were analyzed for TCL VOCs, SVOCs, and pesticides, TAL metals, sulfate, and sulfide.

2.4 Groundwater

On June 14 and 15, 2012, LaBella installed five shallow overburden, one-inch diameter, temporary groundwater monitoring wells in selected soil borings. The well locations were based on observed evidence of impairment and local hydrogeological conditions encountered during the soil characterization activities. Three of the wells were installed on the southern portion of the Site, and two of the wells were installed on the northern portion of the Site. The locations of the wells are shown on Figure 4.

Each well was completed with five to ten feet of one-inch, Schedule 40 0.010-slot well screen connected to the appropriate length of schedule 40 PVC well riser. The borehole annulus surrounding the well screen was filled with quartz sand to one to two feet above the screen section. The remaining annulus was bentonite-sealed to approximately one to two feet below ground surface, and then grouted to ground surface. Each well was completed with a protective casing. New wells TPMW3 and TPMW5 were developed through the removal of three to five well volumes from each well using dedicated bailers.

In addition, LaBella redeveloped two of the existing permanent wells within the central portion of the Site (MW3 and MW5) in order to confirm previous sampling results, evaluate whether trends in contaminant concentrations were evident, and evaluate the potential for off-site migration of contamination. The locations of the wells are shown on Figure 5.

Two groundwater samples were obtained from the new wells on the southern portion of the Site for analysis of TCL VOCs, TCL SVOCs, TCL pesticides, TAL metals, sulfate and sulfide. In addition, one groundwater sample was obtained from a permanent well (MW5) for analysis of TCL pesticides, TAL metals, sulfate and sulfide. As mentioned above, the groundwater sample collected from MW3 was only submitted for analysis of TCL pesticides. Lastly, one trip blank was submitted for analysis of VOCs for Quality Assurance/Quality Control (QA/QC) purposes.

Consistent with previous investigatory activities at the Site, groundwater recharge rates were very slow, resulting in the lack of samples from TPMW1, TPMW2, MW1 and MW12 were not sampled for analysis.

Furthermore, the volume of water in MW3 was very limited so that only TCL Pesticides were sampled from this well.

2.5 Regulated Building Materials

LaBella completed a pre-demolition inspection that included the following tasks:

- A. Visual inspection of the building.
- B. Bulk sampling of suspect asbestos-containing materials (ACM) from the interior and exterior of the building, including the roof. Suspect ACM were collected in the field and submitted for laboratory analysis
- C. Submitted ACM samples were analyzed using Polarized Light Microscopy (PLM) analysis to determine the presence of asbestos.
- D. Lead testing was completed with Lead Chek swabs.
- E. Inspection of the building for the presence of fluorescent light fixtures.
- F. Inspect for the presence of mercury-containing thermostats and light bulbs.
- G. Collect and record site data sufficient to report approximate locations, condition and quantities of confirmed ACM. General locations of lead-based paint will be recorded.
- H. A final report was prepared for the Pre-Demolition Regulated Building Materials Assessment and is included in Appendix C.
- I. Prepare an asbestos abatement cost estimate.

3.0 Results

LaBella submitted eight surface soil samples, nine subsurface soil samples, two surface water samples and four groundwater samples for laboratory analysis to evaluate the surface and subsurface conditions in the areas previously identified. A copy of the laboratory analytical report is included in Appendix 2. The soil results were compared to the NYSDEC Part 375-6.8 Unrestricted, Commercial and Industrial Soil Cleanup Objectives (SCOs), while the water results were compared to the NYSDEC Ambient Water Quality Standards and Guidance Values (TOGS 1.1.1 Table 1). The different media are discussed individually below.

3.1 Site Geology and Hydrogeology

The borings were advanced to 7.4 to 11 feet below grade before encountering direct-push equipment "refusal." Soils at the Site consisted primarily of sand and silt with some gravel identified in the borings.

Apparent saturated conditions were encountered at depths ranging from 8 to 11 feet below grade, although the fine-grained nature of the overburden makes estimating the elevation of the water table difficult.

3.2 Surface Soil

The 46 surface soil sample locations were screened using an XRF. The results are shown in Table 1. These screening results demonstrate relatively good correlation with the analytical laboratory results for the eight submitted samples. The samples with high to very high concentrations of metals in the screening results also have high to very high concentrations in the laboratory results. However, when the

concentrations are lower, the screening results tend to overestimate the laboratory results. This may be a result of the variability present within the soil matrix.

The screening results show:

- Arsenic
 - Screening results were above the SCO in many instances. However, the laboratory results did not corroborate these findings in most cases.
 - The two samples (SS-24 and SS-28) with the highest screening results contained laboratory concentrations significantly above the Industrial Use SCO.
- Copper
 - With the exception of SS-28, screening results for copper were below the Commercial Use SCO for all samples and Residential Use SCO for most samples.
 - The screening results for SS-28 were very high (123,600 ppm or 12.36 %) which was generally corroborated by a very high laboratory result of 51,800 ppm.
- Lead
 - With the exception of three samples, screening results for lead were below the Commercial Use SCO for all samples and Residential Use SCO for more than half the samples.
 - While the screening result for SS-24 was slightly above (less than two times) the Commercial Use SCO, the laboratory result was slightly less than the SCO.
 - The screening results for SS-28 were high (2,919 ppm) which was generally corroborated by a laboratory result of 1,780 ppm.
 - The screening and laboratory results for SS-40 were above the Commercial Use SCO.
- Zinc
 - The zinc results were relatively inconsistent, as demonstrated by the screening and laboratory results from SS-3, SS-6, SS-13, SS-29, SS-40, and SS-45. In each case, the screening result was above the Residential SCO but the laboratory result was below the SCO.
 - The screening results for SS-28 were very high (66,100 ppm or 6.61 %) which was generally corroborated by a very high laboratory result of 62,800 ppm.

The surface soil analytical results are summarized in Table 2 and showed:

- One TCL SVOC was detected in SS24 and two TCL SVOCs were detected in SS28 above Unrestricted SCO. However, the concentrations were below the Commercial Use SCO.
- Three TCL pesticides were detected in SS13, two TCL pesticides were detected in SS24, and one TCL pesticide was detected in SS45 above Unrestricted SCO but below the Commercial Use SCO.
- One TAL Metal was detected in SS24 and two TAL Metals were detected in SS28 above Unrestricted, Commercial and Industrial SCO. The material in SS28 was gray in color and was present in a slightly mounded area that paralleled the eastern property boundary.
- Leachable pH levels appear to be in the normal range for all of the surface soil samples.
- Sulfur levels appear to be elevated in the surface soil samples collected from the southern portion of the Site.

APPENDIX D

Regional Plan Information: Regional Framework For Growth Maps

CHAPTER 3. GUIDING GROWTH & INVESTMENT

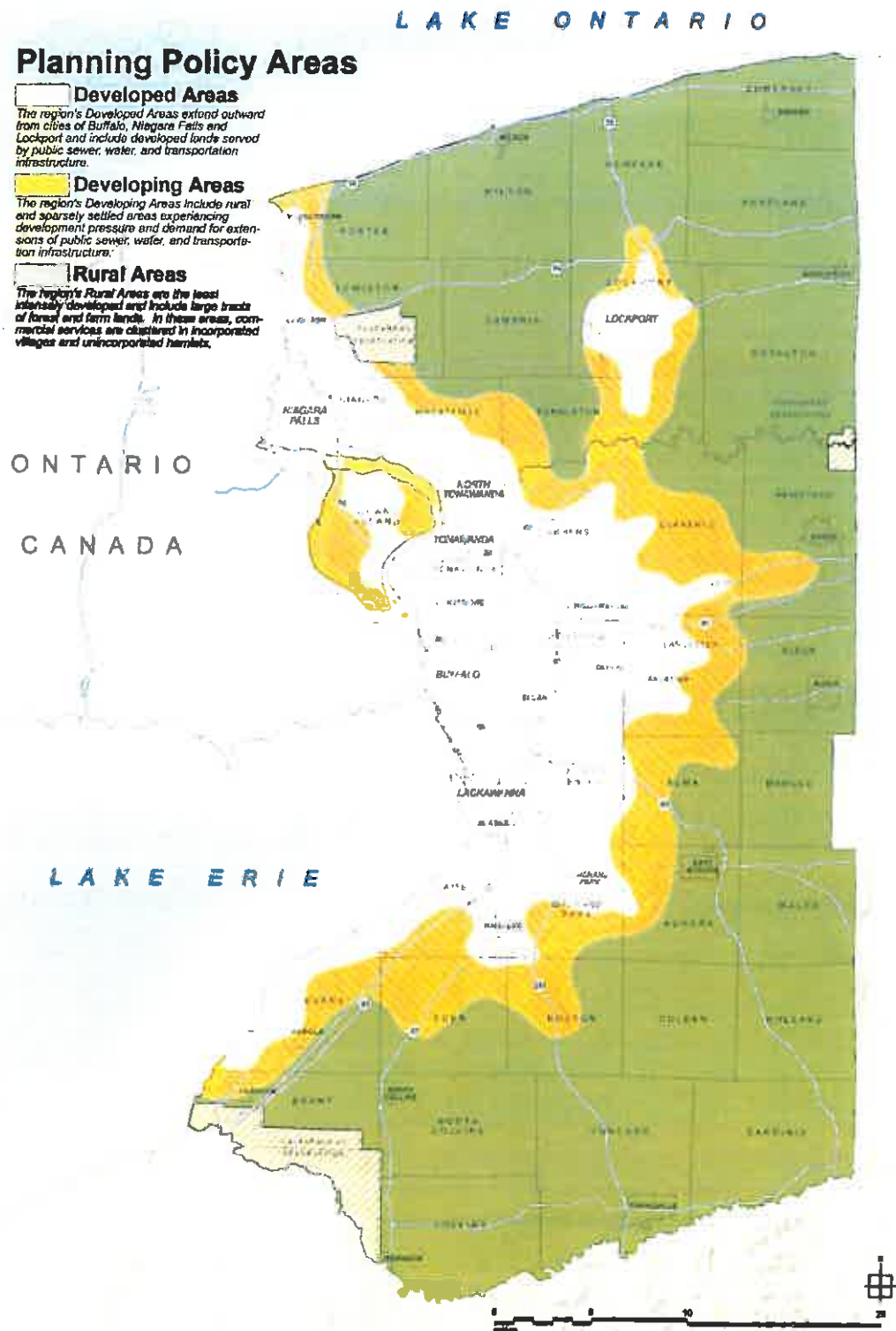


Figure 14. Planning Policy Areas.

CHAPTER 3. GUIDING GROWTH & INVESTMENT

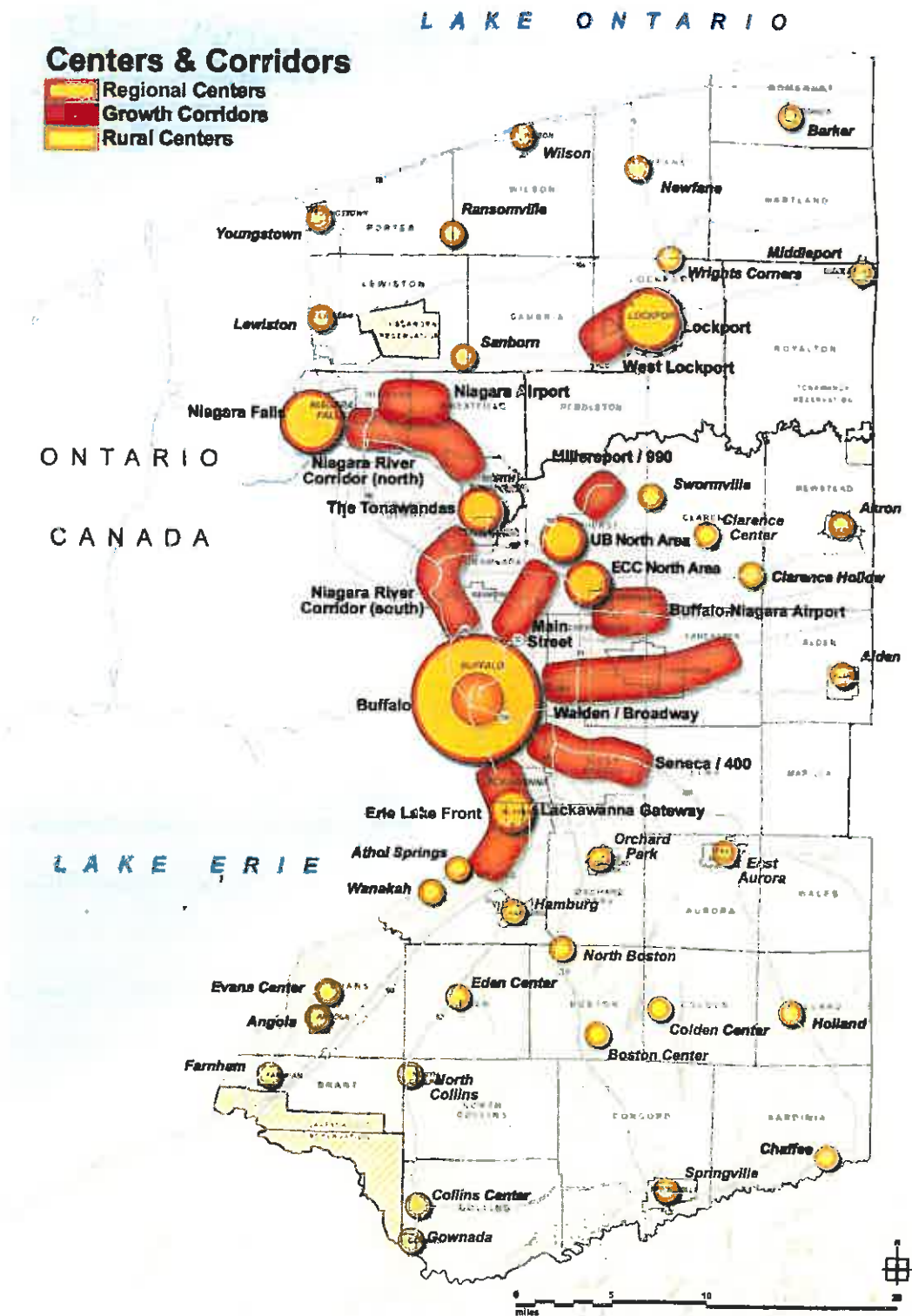


Figure 15. Centers & Corridors.



Figure 16. Conservation Overlay: Natural Systems



Figure 17. Conservation Overlay: Heritage Assets