

POSITIVE DECLARATION

**NOTICE OF DETERMINATION
OF SIGNIFICANCE**

TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

In accordance with Article 8 of the Environmental Conservation Law (State Environmental Quality Review a/k/a “SEQRA”), and the statewide regulations under the Act (6 NYCRR Part 617) (the “Regulations”), the Town of Plattsburgh Planning Board (the “Lead Agency”) has considered the proposed warehouse and distribution facility also known as “UMS Property, LLC New Distribution Site Plan 2024” inclusive of approximately 774,750 square feet of building, located on New York State Route 22 in the Town of Plattsburgh, Clinton County, New York (the “Action”), as described more fully in the summary attached hereto as Exhibit “A.” The Lead Agency has determined: (i) that said proposed Action is a “Type I Action” pursuant to the Regulations, and therefore coordinated review and notification is required with respect to the Action; (ii) that the Lead Agency has appropriately engaged in a coordinated review of the Action; (iii) that a thorough review of all potential environmental impacts has been conducted; (iv) that upon due consideration, the Lead Agency has concluded that said Action has the potential for significant adverse impacts on the environment; and (v) therefore that an environmental impact statement is required to be prepared in order to assess the Action.

THIS NOTICE IS A POSITIVE DECLARATION FOR THE PURPOSES OF SEQRA.

Lead Agency:

The Lead Agency is the Town of Plattsburgh Planning Board.

2. **Contact for Further Information:**

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3. Action Identification:

The Action includes the development of a warehouse and distribution facility located on NYS Route 22 in the Town of Plattsburgh, Clinton County, New York to support an existing nearby UMS manufacturing facility.

The Project site is located on the west side of NYS Route 22 between Salmon River and Archie Bourdeau Road and is comprised of three separate parcels where the site totals approximately 139 acres, 50 acres of which will be disturbed and where the proposed building is approximately 774,750 sq ft in size. The proposed site currently consists of mostly vacant land.

UMS has entered into a purchase agreement to buy tax parcels 245.-4-40.1, 245.-4-16.2, and portions of 245.-4-22.11 for the proposed development.

4. Action Description:

UMS Property, LLC (“the Applicant”) is proposing the construction of approximately 774,750 square-foot warehouse and distribution facility with approximately 34,600 of office area and related site improvements. The majority of the building and office area would average 60 feet in height with a portion of the warehouse being approximately 100 feet in height.

5. Action Location:

The Action will be located in the Town of Plattsburgh, Clinton County, New York.

6. Lead and Involved Agencies:

Lead Agency: Town of Plattsburgh Planning Board

Involved and Interested Agencies: Town of Plattsburgh Zoning Board, New York State Department of Transportation (“NYSDOT”); New York State Department of Environmental Conservation (“NYSDEC”); New York State Historic Preservation Office (“SHPO”); Clinton County Planning Board; New York State Department of State, Building Standards and Codes – Division of Code Enforcement and Administration (“NYSDOS”); Clinton County Industrial Development Agency (“CCIDA”), Federal Aviation Administration (FAA); and Clinton County Department of Health (“CCDOH”).

7. Reasons for Determination of Significance:

See Exhibit “A” attached hereto.

DATED: August 6, 2024

Town of Plattsburgh Planning Board

By: Tim Palmer

Title: Planning Board Chairman

[Handwritten signature]
8/8/24

Exhibit A

Determination of Significance

Name of Action: UMS Property, LLC New Distribution Center Site Plan 2024

Description of Action & Location: The applicant, UMS Property, LLC, is proposing the construction of approximately 774,750 square-foot warehouse and distribution facility with approximately 34,600 of office area and related site improvements. The majority of the building and office area would average 60 feet in height with a portion of the warehouse being approximately 100 feet in height.

SEQRA Classification: The Project is a Type I Action.

Rationale Supporting Determination:

Potential impacts associated with the proposed Action are identified in the Full Environmental Assessment Form (FEAF). These impacts, which may be reasonably expected to result from the Action, have been compared to the criteria for determining significance identified in 6 N.Y.C.R.R. § 617.7(c)(1) and in accordance with 6 N.Y.C.R.R. § 617.7(c)(2) and (3). The discussion of potentially significant adverse impacts, including those related to stormwater, habitat/vegetation loss, traffic, noise, visual resources, public water supply, fire access and safety, wetland alterations, emissions, and energy demand, as outlined below in accordance with the responses contained in Parts 1 and 2 of the FEAF completed for the project. For each impact category, potential impacts should be evaluated and appropriate mitigation measures should be identified and evaluated to determine how best to address potential adverse impacts associated with the Action.

Impact on Land

The Action will result in construction activity for a duration of two years, which includes ground disturbance, with the potential for increased erosion expanding over an approximate 50-acre area.

Impact on Surface Water

The Action involves construction within a freshwater wetland with an estimated 6.06 acres of federal wetland disturbance. Construction activities will have the potential to impact water quality of water bodies within or downstream of the project site through increased turbidity resulting from construction activities within a freshwater wetland and stormwater discharges associated with the development of the site.

The Action will require the construction of new sanitary wastewater treatment facilities and a stormwater detention pond.

Impact on Groundwater

The Action will generate an estimated 3,000 gallons/day of sanitary wastewater and will require a discharge to groundwater. The DEIS should describe the method of sanitary wastewater treatment and provide an assessment of potential environmental impacts associated with the discharge.

The Action will generate additional water supply demand beyond the current water supply capacity to the site. The Action will require the extension of the existing water supply to the proposed project location. The water supply lacks adequate pressure for fire suppression and additional on-site infrastructure will be required to maintain and apply adequate volumes of fire suppression water, or alternative means of fire suppression. The DEIS should provide an evaluation of water supply capacity, and assess potential impacts associated with connection to the municipal water supply.

Impact on Air

The Action includes proposed combustion units and associated emissions to deliver comfort heating on a limited auxiliary basis during periods of cold weather (i.e, natural gas boiler used as a backup when temperatures drop below 5 degrees), and internal combustion engines to power backup electrical generator(s) and fire suppression system pump(s). The Action may require a NYSDEC Air Facility Registration or other permitting. The Action has the potential to generate fugitive dust during construction activities.

The DEIS should quantify combustion emissions and evaluate potential associated impacts and potential mitigation. The DEIS should also discuss the potential for fugitive dust emissions, associated potential impacts, and mitigation measures.

Impact on Plants and Animals

The Indiana Bat (*Myotis sodalis*) and Northern Long-eared Bat (*Myotis septentrionalis*), both federally and state listed as endangered, have been identified as having the potential to be impacted by the Action. Additional ecological impacts resulting from the Action include the disturbance of a designated significant natural community, Pitch Pine-Heath Barrens. The Action will convert more than 10 acres of vegetated lands to commercial use and may interfere with habitat use for predominant local species, as a result of the +/-21 acres of forest conversion. Notwithstanding, mitigation to reduce adverse impacts to ecological resources (which may include the Freshwater Mussels, as identified in the EAF as a state species special concern and the endangered bat species) would be required.

Impact on Aesthetic Resources

Although the action does not differ significantly from other proximal facilities and projects, the Action has the potential to be visible from officially designated aesthetic resources and public vantage points, including Lake Champlain.

Impact on Historic and Archeological Resources

The FEAF Part 1 indicates the Action is located within or adjacent to an area designated as sensitive for archeological sites. However, the New York State Office of Parks, Recreation and Historic Preservation has issued a finding that “no properties, including archaeological and/or historic resources associated with the Action. Action impacts on cultural and archeological resources, listed or eligible for the New York State and National Registers of Historic Places will be impacted by this project.” However, the Action has the potential for visual impacts to cultural resources in accordance with the *Impact on Aesthetic Resources* section above.

Impact on Transportation

The Action includes a new commercial access driveway off NYS Route 22. The Action includes a projected truck trip of 50 trucks/day which has the potential to impact transportation systems and local road networks, particularly from increased vehicular traffic along NYS Route 22. The Action is proximal to Plattsburgh International Airport. The DEIS should include an assessment of potential impacts to transportation including traffic impacts to local roadways and consistency with Federal Aviation Administration requirements.

Impact on Energy

The Action proposes installation of a new electric substation for a commercial development in excess of 100,000 square feet, including consumption of an estimated 7,500 MWhrs per year of electricity.

Impact on Noise, Odor, and Light

Potential noise impacts associated with both construction and operation of the facility, resulting from both mobile and stationary sources will result from the Action. Mitigation measures and Best Management Practices to reduce adverse impacts on the nearby receptors will be required for both short-term and long-term periods.

The Action proposes outdoor lighting at 25 ft above finished grade.

Scoping Information

Scoping of the issues to be contained in the EIS will be conducted. The Applicant has prepared a draft scope for consideration and is attached to this document. Involved agencies should provide written comments reflecting their concerns, jurisdiction and information needs sufficient to ensure that the EIS will be adequate to support their SEQRA findings.