

## STATEMENT OF FINDINGS

### TOWN OF MALTA COMPREHENSIVE PLAN 2005

Pursuant to Article 8 (State Environmental Quality Review Act – SEQRA) of the Environmental Conservation Law and 6 NYCRR Part 617, the Town of Malta Town Board, as lead agency, makes the following findings.

**Name of Action:**

Town of Malta Comprehensive Plan 2005

**Description of Action:**

Adoption of the Town of Malta Comprehensive Plan 2005 by the Town of Malta Town Board.

The Town of Malta has undertaken the preparation of a comprehensive plan. The Town of Malta has a Comprehensive Plan that was last updated in December 2000. From 2000 until 2005 Malta has undergone considerable growth and unexpected changes. The main impetus for the 2005 Comprehensive Plan Update is the recent approval of the Luther Forest Technology Campus (LFTC) Planned Development District # 46, which allows for the construction of four nanotechnology manufacturing facilities and similar ancillary technological use facilities. The Technology Campus has the potential to employ approximately 10,000 people over a 10 to 25 year period, thereby, leaving the Town open to being reshaped. It is the Town's intention to have a proactive approach rather than a reactive approach to the LFTC. The Town's plan is to encourage a well-matched pattern of new development that incorporates good planning techniques, and to enhance recreation, open space, historic, and cultural resources that will meet its projected population growth. The comprehensive plan is viewed as a means of planning for controlled growth to achieve a desired vision and to protect the existing community character and quality of living that existing residents enjoy and have contributed to over the years.

**Location:**

Town of Malta, Saratoga County, New York.

**Agency Jurisdiction:**

The Town of Malta Town Board is the only involved agency associated with adoption of the Town's Comprehensive Plan. In accordance with the Agricultural Districts Law and §239-m of the General Municipal Law, copies of the Comprehensive Plan and SEQRA documentation have been submitted to the NYS Department of Agriculture & Markets and the Saratoga County Planning Department.

**CERTIFICATION OF FINDINGS:**

The Town of Malta, as Lead Agency is issuing this Statement of Findings pursuant to 6 NYCRR 617.11. Specifically, the Town Board hereby finds:

- requirements of 6 NYCRR 617 have been met; and
- consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigation measures that were identified as practicable.
- The GEIS is comprehensive and contains the facts and conclusions relied upon to support the Town Boards Statement of Findings and indicates social, economic and other factors which formed the basis of its findings.

**Date Final GEIS Filed:**

August 2, 2005

**Facts and Conclusions:**

The Town of Malta Town Board authorized the preparation of a Generic Environmental Impact Statement (GEIS) to address the potential impacts of the Town of Malta Comprehensive Plan 2005 on land use, natural resources, transportation, and cultural resources. While some comprehensive plans identify future land use from which zoning can be created/amended, the Town of Malta Comprehensive Plan 2005 is a strategic planning document that will carry out future plans and studies necessary to define appropriate land use and to solve some very complex problems facing the Town. Such issues include reinvestment in neighborhoods and commercial areas, the conservation and management of community resources and services, the preservation of natural resources and open space, and growth management.

Land use policy is yet to be developed for certain areas, such as the Route 9 north and south corridor, and cannot be done until the overlay district/corridor plan is complete. The implications of the policy that develops from the additional study/planning may have environmental impacts. The Town would address this at the time the plan is considered for adoption.

The Comprehensive Plan is a mitigation document for the many issues that have arisen in the Town since the last comprehensive planning and zoning work was completed. The recommendations and action items will help the Town to refocus on a common vision,

begin to address current issues that trouble the community, and prepare for anticipated future development and associated impacts.

Upon establishment of the Malta Town Board as Lead Agency on April 18, 2005, a Positive Declaration was filed using the Draft Comprehensive Plan and Draft GEIS contained therein as documentation for determining significance. The Draft Comprehensive Plan and Draft GEIS was then determined complete for public review on May 9, 2005 and subsequently filed, along with the Notice of Completion and Hearing Notice pursuant to 6 NYCRR 617.12. A SEQR Public Hearing was held June 8<sup>th</sup> 2005. The comment period closed June 22, 2005. The Malta Town Board determined the Final GEIS complete on August 1, 2005.

It is the intent of the Town of Malta Town Board as Lead Agency to issue this Findings Statement pursuant to 6 NYCRR 617.11 of SEQR. Specifically, the Lead Agency hereby provides the following facts and conclusions in the Comprehensive Plan 2005 and Draft and Final GEIS relied upon to support this decision:

### *Land Use*

The plan recommends the following:

- Preserve/protect wetlands and stream corridors through the use of local, state and federal regulations.
  - Preserve open space through the use of conservation easements, creative site design or acquisition.
  - Discourage medium and high-density development in rural/agricultural areas and direct it to appropriate locations through zoning.
  - Work with community leaders and service providers to ensure that the growth of community services matches the planned levels of development.
  - Provide for planned residential, commercial, and technology/office/industrial districts and open space zoning that give unique opportunities with benefits to the Town, and increase linked open space and recreational areas. Discourage the use of such districts for the sole purpose of attaining higher density development than permitted by the underlying zoning.
  - Provide for future recreational areas, including both active and passive recreation, using the new recommended standards identified in the Recreation and Open Space Needs Assessment Report.
  - Support recreational development along Saratoga Lake, Round Lake, and the Kayaderosseras Creek, to provide residents access and recreational opportunities.
  - Conserve steep slopes to protect the Town's aesthetic characteristics, as well as its water resources, through the use of development guidelines.
  - Identify important vistas and protect the views to and from these areas through the use of design guidelines. Incorporate these guidelines into Site Plan review requirements.
  - Develop architectural and design guidelines for industrial and commercial development.
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- Preserve agricultural lands.
- Preserve agricultural lands and promote agricultural activities.
- Develop overlay standards for development along Route 9 that promote visual appeal, with guidelines for attractive landscapes, signage sufficient to identify businesses without promotional qualities, architecture fitting for the area, parking that is discretely hidden from passing motorists, shared entrances to backland developments, and buffering to protect adjacent land uses.

### *Natural Resources*

The plan recommends the following:

- Protect the Town's natural resources to ensure their availability for future use and enjoyment by the community and for the health of the community's natural environment.
- Discourage development on areas of steep slopes.
- Protect stream corridors, wetlands, and significant habitat through local, state and federal regulations and guidelines.
- Discourage development in areas with severe soil limitations without proper techniques to mitigate the limitation(s).
- Support the promotion of active and potentially active farmland and agricultural districts within the Town, through compliance with the New York State Agriculture and Markets Law and Transfer of Development Rights programs, to preserve agricultural lands.
- Continue to promote the Conservation Easement Program for open and agricultural lands.
- Protect the rural character of the Town by changing/increasing zoning in rural agricultural areas, and limiting the use of PDDs, unless it can be demonstrated that there is a significant benefit to the Town.
- Maintain and improve surface water quality by the continued requirement of sediment and erosion control plans for proposed subdivisions, minimal disturbance of streambed and banks, and best management practices for the applications of fertilizers and pesticides. The Town will review the annual Stormwater Management Report prepared by the Town per the new Phase II SPEDES permit, and will begin to develop the use of a Watercourse Management District to formally identify critical streams and outline protection criteria.

### *Transportation*

The plan recommends the following:

- Maintain the integrity of the State and County roadway system within the Town through coordination with the NYS Department of Transportation and the Saratoga County Public Works Department.
- Encourage the use of mass transportation, car pooling, and other transportation management plans whenever practical.

- Participate in regional studies or plans to develop a light rail transportation system.
- Require developers to investigate mass transit alternatives, particularly with regard to the development of the Luther Forest Technology Campus and NYSERDA properties. Such alternatives may include car pool matching, van pool programs, and/or shuttle services.
- Encourage the interconnection of bike trails with surrounding communities.
- Provide landscaping and pedestrian/bicycle improvements, particularly within the Downtown and other areas of concentrated development. Require new development to incorporate sidewalks and multi-use (pedestrian, bicycle) path systems into development plans (such as those identified in the Downtown Pedestrian plan in the Linkage Study).
- Utilize access management techniques such as shared driveways, parking and service roads (identified in the Highway Access Plan in the Linkage Study).
- Require new development to plan for the future development of adjacent parcels including the reservation of road right-of-ways and a provision for linkages between parcels, including pedestrian links (identified in the Linkage Study).
- Initiate traffic calming techniques in the Downtown and other identified areas such as access management (i.e., roundabouts), streetscape improvements (landscaping, street trees, improved sidewalks), and reduced speed limits to encourage pedestrian movement.
- Continue to maintain roads and right-of-ways to provide safe and efficient transportation throughout the Town.
- Continue to work with the Village of Round Lake with the planning of the Round Lake Bypass and to protect the Village from significant traffic increases related to new development.
- Promote the existence and use of bike trails through the creation and distribution of maps outlining the designated routes.
- Minimize impacts such as noise and traffic congestion.

### ***Cultural Resources***

The plan recommends the following:

- Develop a comprehensive listing of potential properties eligible for local, state and national designations
- Continue to pursue funding and grants to make improvements to the Saratoga County Heritage Trail and the Parade Ground Trail, or fund other trail construction to connect cultural resources within Malta.
- Develop a plan to connect the Saratoga County Heritage Trail to other trail systems in and outside the Town.
- Enhance public access to and awareness of the historic lenticular truss bridge spanning the Ballston Creek at Ruhle Road by the use of improved shoulders, right-of-way corridors and off-road paths.
- Update and enact the Master Plan for the Dunning Street Parade Ground.

- Encourage participation among historians in the County and the region to implement plans to promote heritage tourism, through such projects as the following: research and document the history of mills along the Kayaderosseras, educate and raise awareness of the Route 9 corridor and its importance to the economic history of this area, and explore and document the archeology of Native American prehistory (pre-Europeans) around Round Lake and Saratoga Lake.
- Seek consultation from the Town Historian during the planning review process when applications come before a Board to aid in determining the historic significance of the site.
- Promote educational opportunities, festivals, and celebrations, etc. relating to the history of Malta.

### *Housing*

The plan recommends the following:

- Continue to use the Open Space Development Law that recognizes the availability of utilities, environmental constraints, and adjacent land use.
- Promote housing for senior citizens and those with disabilities.
- Review development projects for visual and neighborhood compatibility as well as engineering criteria.
- Housing should be developed to conform to Traditional Neighborhood Design, which promotes walk-ability and a sense of place as identified in the Design Standards adopted in 2004.
- Encourage new programs and facilities of cultural importance.
- Pursue affordable housing programs.

### *Recreation/Open Space*

The plan recommends the following:

- Require residential and commercial projects to incorporate provisions for sufficient recreational opportunities for residents or employees of these new developments. The recreational needs of adults, children and seniors should be addressed.
- Fees should be collected for the development of community wide recreational facilities and open space acquisition from proposed residential and commercial development.
- Encourage new programs and facilities to be provided by for-profit and not-for-profit groups and organizations.
- Utilize the Recreation and Open Space Needs Assessment Report to prioritize facility needs, and develop a plan to systematically provide these additional recreational facilities. Fees collected from developers, State or other funding, and Town monies can be utilized to develop these facilities

- Encourage expansion of the Community Center property to incorporate indoor and outdoor recreational facilities.
- Identify future locations for Town parks and facilities.
- Continue to work with the County, other municipalities and private groups to develop the multi-use pedestrian trail that follows the D&H Railroad bed.
- Explore other opportunities to develop additional multi-use trails.
- Encourage the preservation of open space and parkland by conservation easements, transfer of development rights, purchase of development rights, creative site design, land acquisition, zoning, incentive zoning and local, State and Federal regulations through their land trust agencies.
- Develop environmentally sensitive lands for nature study and educational programs.
- Continue to enhance connectivity between the Towns of Malta, Milton, Ballston, and the Village of Ballston Spa, through multi-use trails, sidewalks or expanded shoulders on existing roadways as identified in the Linkage Study.
- Explore the development of the abandoned trolley line for equestrian uses.
- Develop nature trails in appropriate scenic areas.
- Provide sufficient active recreation for the Town's growing residential and commercial development.
- Develop existing parkland in accordance with the Town's Recreation and Open Space Needs Assessment Report from 2004.
- Encourage inter-municipal and private organization cooperation in the development of recreational opportunities that will benefit neighboring municipalities and school districts.
- Encourage cooperation between developers and the Town of Malta to gain access to the Kayaderosseras Creek, Saratoga Lake, Round Lake, other creeks, streams and wildlife corridors.
- Encourage the inclusion of passive parks, dog parks, and trail connections in projects proposed by developers.
- Encourage an open space and trail network connecting parks, preserves, open spaces, facilities, and community resources.
- Encourage the development of a trail system along the Kayaderosseras Creek. Consult the Director of Parks and Recreation during the planning and development stages.

***Community Service:***

- Support fire and emergency medical personnel through funding and recruitment of new volunteers, cross-training of Town personnel, and volunteers from employers, to maintain adequate coverage to ensure the safety and well being of all residents and local workforce.
- Evaluate the capacity of community facilities such as fire, emergency medical personnel, and highway maintenance facilities etc., and consider such alternatives as new facilities and the consolidation of existing facilities.

- Promote community services such as an elementary school, community college, public library, or health facility.
- Encourage and support fire and emergency personnel in their goal to educate the public regarding fire safety and first-aid techniques.
- Support existing medical facilities located in Town and nearby that serve Malta residents.
- Encourage the development of assisted living facilities in the Town.
- Establish and encourage open communication between the Town's volunteer emergency services, the Luther Forest Technology Campus, and NYSERDA's emergency service responders.
- Encourage and support emergency preparedness plans.
- Evaluate and pursue the possible location of a community college satellite campus.
- Encourage and support partnerships between the public schools and colleges, and the technology companies located in the Luther Forest Technology Campus and NYSERDA properties.
- Support the provision of child care, senior citizen, youth services, and social programs to accommodate the needs of residents and the local work force.
- Advocate and plan for educational services, medical services, and buildings to house both public and private programs, to address the needs of the community and its workforce.

#### ***Public Utilities***

- Develop performance standards for growth in the Maltaville Neighborhood to protect the underground aquifer in this area.
- Develop policies to address the extension of utilities into areas zoned Land Conservation or Rural Residential/Agricultural.
- Require developers to show that they can provide an adequate and safe water supply and demonstrate that it will not negatively impact existing water supplies.
- Require that all on-site sewage disposal systems be designed in accordance with State regulations and be approved by the appropriate agencies.
- Require developers to comply with State, Federal and Town standards when planning stormwater control systems.
- Identify future growth areas to which utilities will be extended. Utilities will be installed underground as practicable. Fiber optics, necessary for high technology business, will be encouraged in appropriate areas.
- Participate in any County plans to develop a County-wide or regional water system.
- Promote emergency connectivity between public and private utilities.
- Require the necessary sewer infrastructure upgrades along the Route 9 corridor in order to accommodate property owners in accordance with the Master Plan.
- Develop standards for external lighting.

- Develop standards for installation of public utilities such as lighting, sewer, water, and underground utilities for developers to incorporate.

### *Business and Employment*

- Coordinate Town economic development activities with regional economic development efforts, especially as it relates to high technology and clean-energy initiatives.
- Maintain diverse office/commercial and industrial growth and encourage technology sector growth, to maintain a stable tax base, and to provide current and future residents employment opportunities, goods and services.
- Target appropriate land uses for large parcels.
- Transform Malta from a community that commutes out of town to their place of employment, to a community that also works within the town in which they live.
- Target appropriate areas in the Town, such as the Route 9 corridor, for job growth and business development that supports and provides services to Malta residents and employers.
- Encourage attractive business entrances similar to that of the State Farm Insurance building at Exit 12.
- Encourage shared entrances and parking.

### **THRESHOLDS FOR FUTURE SEQR ACTIONS:**

Pursuant to 6 NYCRR 617.15(c)(1), no further SEQR compliance is required if subsequent proposed actions will be carried out in conformance with the conditions and thresholds established for such actions in the GEIS or Findings Statement. An amended findings must be prepared if a subsequent proposed action was adequately addressed in the GEIS but was not addressed or was not adequately addressed in the Findings Statement for the GEIS.

A Negative Declaration must be prepared if a subsequent proposed action was not adequately addressed in the GEIS and the subsequent action will not result in any significant environmental impacts. A supplement to the GEIS must be prepared if the subsequent proposed action was not addressed or was not adequately addressed in the GEIS and the subsequent action may have one or more significant adverse environmental impacts.

Since the Comprehensive Plan and GEIS have only evaluated the proposed change in zoning to Neighborhood 11 and the proposed uses which would allow the Town to achieve the Vision for the other Neighborhoods, all other actions while potentially consistent with the vision for the Comprehensive Master Plan would have to undergo a more detailed SEQR review. Therefore all future actions, exempting the current proposed zoning changes, by the Town Board, Planning Board, or Zoning Board relative to the implementation of the

Comprehensive Plan that would involve the adoption of land use plans and policies or modifications of zoning and subdivision regulations and local laws should be reviewed pursuant to SEQR through the preparation of a full Environmental Assessment Form (EAF). If, upon review of the EAF, it is determined that the action will have no significant impact, a Negative Declaration can be issued, thus ending the SEQR process. If it appears that significant impact may occur and the impact and associated mitigation cannot be sufficiently addressed and mitigated, as documented in parts 2 and 3 of the EAF, a Supplemental EIS should be prepared. The Supplemental EIS should take full advantage of the documentation already provided in the GEIS for this Comprehensive Plan.

Determination of the significance of any action relative to SEQR should include a thorough evaluation by the Lead Agency (in most cases the Town Board for the adoption of plans and other local regulatory amendments) of the consistency of the proposed land use plan or legislation with the recommendations of this Comprehensive Plan.