

99-F-0558

Exhibits 23-28

Exh. 23-35
11/1/00
gmh

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE
BOARD ON ELECTRIC GENERATION SITING AND THE ENVIRONMENT
THREE EMPIRE STATE PLAZA, ALBANY, NY 12223-1350



PERMANENT MEMBERS

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DEBRA RENNER
Acting Secretary

*for applications filed after 12/1/99

April 21, 2000

Mr. Philip Mooney
Project Manager
59 Independence Way
Oswego, New York 13126

Howard J. Read, Esq.
Sam M. Laniado, Esq.
Read and Laniado, LLP
25 Eagle Street
Albany, New York 12207-1901

Re: Case 99-F-0588 - Application of Heritage Power LLC for a Certificate of Environmental Compatibility and Public Need to construct and operate an 800-megawatt natural gas-fired combined cycle electric generating plant in the Town of Scriba, Oswego County, New York.

Dear Messrs. Mooney, Read and Laniado:

As Chairman of the New York State Board on Electric Generation Siting and Environment, I am informing you pursuant to Public Service Law (PSL) §165(1) that the Article X application filed by Heritage Power LLC on February 23, 2000 generally complies with PSL §164(1). Therefore, I will fix a date for commencement of public hearings on your application.

Although I have determined the application to be in compliance, there are several areas of the application that need additional information or revisions to facilitate review of the filing. Accordingly, pursuant to PSL §165(1), the following additional information is needed to supplement the application:

1. An application for Modification of the Independence Station's State Pollution Discharge Elimination System (SPDES) Permit, which must be submitted to the Department of Environmental Conservation (DEC) by April 26, 2000.
2. A supplemental analysis of the characteristics of existing forest resources on the proposed site, including presence of wetlands and vernal pools, to be submitted by May 15, 2000 (see Stipulation 12, clauses 35 and 39).
3. A supplemental analysis of the impact of the proposed facility on the surrounding forest resources, vernal pools and wetlands with particular emphasis on the impacts to the spotted salamander and other important species utilizing such habitat, to be submitted by May 15, 2000 (see Stipulation 9, clauses 4-7, 10 and Stipulation 12, clause 30).
4. A second CO catalyst vendor quote (see Stipulation 1, clause 2(e)).
5. A description of the methodology used by General Electric in determining the emission rate from the proposed system (PM/PM10 limits) (see Stipulation 1, clause 2(g)).

This determination is contingent upon the applicant's compliance with the above dates and providing the parties with the additional analysis of non-criteria pollutants (see Stipulation 1, clause 3(g)), by May 26, 2000.

It is my understanding that the staffs of the Department of Public Service, the Department of Environmental Conservation and the Department of Health have conveyed discovery questions on these areas detailing the concerns and needed information. I am fixing May 16, 2000 as the date for the commencement of public hearings. The applicant should be prepared to state how it plans to address any outstanding discovery questions and any additional analysis requests at that time.

Sincerely,



Maureen O. Helmer
Chairman

cc: All Parties

Review of Heritage Station Application Impact Analysis

Vito Pagnotti, Impact Assessment and Meteorology Section
and

Reginald Parker, Air Permit Engineer, NYSDEC Region 7

Division of Air Resources

Heritage Power proposes construction of an 800 megawatt electric generating station, to be located in the town of Scriba, Oswego County, adjacent to the existing 1,042 MW Independence Station. Natural gas will be the exclusive fuel used. This summary addresses the air quality modeling issues and results for the project. The applicant followed a modeling protocol revised in January, 2000 and approved in February, 2000. A waiver from preconstruction monitoring was requested from USEPA in December, 1999, and approved in January, 2000.

In addition, Regional staff inspected the emission rates and control technologies and approved them. Specifically, it was determined that: 1) the Best Available Control Technology (BACT) for all Prevention of Significant Deterioration (PSD) pollutants was properly determined; 2) the Lowest Achievable Emission Rate (LAER) for NO_x emissions and the corresponding Emission Reduction Credit (ERC) sources were properly determined; 3) the application complies with the New Source Performance Standards (NSPS); 4) the applicant's determination of non-major source applicability for Maximum Achievable Control Technology requirement is appropriate; and 5) all submissions required by 6NYCRR Parts 200, 201, 225, and 227-3 were properly determined. The corresponding requirements have been incorporated in draft PSD and Part 201-6 permits.

Stack height determination is based on balancing better dispersion potential with increasing heights and a desire to minimize the visual impact (aesthetics). Good engineering practice (GEP) guidelines present a method for determining a calculated GEP formula height for stacks based on dimensions of the most influential structure. For Heritage Station the GEP stack height computed is about 276 feet. The proposed stack height for the combustion turbines is 225 feet. This height mitigates any offsite cavity concentrations and through modeling it is also demonstrated to cause insignificant impacts relative to National Ambient Air Quality standards. Stack heights for the auxiliary boiler (195 ft) and the emergency diesel generator (170 ft) are also less than GEP height, and also model out insignificant impacts.

A computation of air quality impacts was conducted for a range of operating conditions, including various loads, temperatures, and emission parameters. After a screening analysis, the refined modeling used five years of recorded hourly meteorological data and refined terrain elevations. The surface observations were collected from 1985-1989 at the Nine Mile Point

Power Station along with mixing heights derived from upper air soundings at Buffalo, New York. The USEPA Industrial Source Complex Model (ISCST3) evaluated receptors at simple terrain (height below stack top elevation) and intermediate terrain (height between stack top elevation and plume height elevation). Intermediate and complex (terrain above plume height) were also evaluated with the SCREEN3 model in VALLEY mode. Maximum concentrations predicted overall were used for compliance assessment. These models are approved and appropriate for the project under USEPA's guidelines. Section 6.7 addresses the air quality modeling for criteria pollutants—ISCST3 results in Table 6-24, page 6-46; SCREEN3 (Valley) results in Table 6-29, pages 6-46,47.

SCREEN3 was also used to evaluate any possible cavity impacts (section 6.7.3, page 6-47) from the stacks which are less than GEP heights. Except for the cooling towers, no entrainment of stack plume in any building cavities results. The entire cavity region for the cooling tower will be fenced in, and predicted concentrations are not required for consideration in compliance evaluation.

Shoreline fumigation (Section 6.7.4, page 6-48) was also considered due to the proximity of Lake Ontario (about 2,500 feet from stacks). SCREEN3 was used initially, then the ISCST3 was used for a more refined estimate of this effect. Results are presented in Table 6-30, page 6-48.

Table 1 shows the total concentrations predicted for the proposed facility for the pollutants of concern (impacts are the highest concentrations predicted for each pollutant for each averaging period by any of the models used). Note that background levels, which are controlling in these totals, were based on air quality data collected from NYSDEC monitoring stations closest to the Project site—most data from the Syracuse area, except for NO₂ (Loudonville, near Albany) and particulates (Rochester). All are below their respective National Ambient Air Quality standards, with the greatest percentage (about 55%) for particulate matter, still well below. Table 2 shows Prevention of Significant Deterioration (PSD) results—concentrations are below significant impact levels, with 24-hour particulate matter the highest (4.65) but under its threshold of 5 micrograms per cubic meter. And, thus increment consumptions are small percentages of allowable increases.

In addition, the project was required to evaluate the impact of many non-criteria pollutants from the combustion turbines, auxiliary boilers, emergency diesel generator, and cooling towers. Section 6.8 addresses modeling for non-criteria pollutants. All predicted concentrations (including those for beryllium and fluorides, which have state standards) were below applicable one-hour and annual thresholds for combined Heritage/Independence Station (Tables 6-35, 6-36, pages 6-57, 6-58). The Department of Health reviews the appropriateness of all non-criteria pollutants which do not have state standards.

An acid deposition impact analysis was done for the project and Independence Station to quantify the project's contribution to New York State's total deposition of sulfates and nitrates (Section 6.9). Results of the estimated deposition impacts showed values less than 0.25 per cent

of the total New York State point source and county source impacts, which are insignificant rates.

Results of visibility and soils and vegetation analyses showed impacts below required screening thresholds. USEPA VISCREEN was used based on maximum particulate and NOx emissions-predicted plumes from the project were below the plume perceptibility levels at both Lye Brook Wilderness Area and the Adirondack Park.

In summary, the application has appropriately addressed all required impact analysis concerns and has demonstrated compliance with NAAQS and PSD increments.

TABLE 1- AIR QUALITY IMPACTS OF HERITAGE STATION VERSUS NAAQS

POLLUTANT	AVERAGING PERIOD	NAAQS ^a (ug/m ³)	MAXIMUM TOTAL SOURCE IMPACTS ^b (ug/m ³)	MAXIMUM IMPACT as PERCENT NAAQS (%)
NO ₂	Annual	100	28.6	28.6
SO ₂	3 hour	1300	76.6	5.9
	24 hour	365	37.9	10.4
	Annual	80	7.9	9.9
CO	1 hour	40,000	9139.8	22.9
	8 hour	10,000	4610.8	46.1
PM ^b	24 hour	150	66.7	44.5
	Annual	50	27.4	54.8

TABLE 2 - PSD CLASS II INCREMENT CONSUMPTION

POLLUTANT	AVERAGING PERIOD	SIGNIFICANT IMPACT LEVELS	MAXIMUM ALLOWABLE INCREASE ^d (ug/m ³)	TOTAL HERITAGE INCREMENT CONSUMPTION (ug/m ³)	PERCENT INCREMENT CONSUMPTION (%)
NO ₂	Annual	1	25	0.30	1.2
SO ₂	3 hour	25	512	8.77	1.7
	24 hour	5	91	1.42	1.6
	Annual	1	20	0.05	0.3
CO	1 hour	2,000	N/A	110.77	N/A
	8 hour	500	N/A	28.82	N/A
PM ^c	24 hour	5	30	4.65	15.5
	Annual	1	17	0.36	2.1

Notes for PSD Review Summary Tables

Standards are set in 40 C.F.R. 50.4-50.11

Includes background monitoring data from NYSDEC sites

^c Assumes all TSP is PM₁₀

^d Limits are set in 40 C.F.R. 52.21(c). Represents allowable increase over baseline concentrations from all sources within impact area



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50 ROWES WHARF • BOSTON, MASSACHUSETTS 02110-3319

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John A. DeTore
Direct Dial: (617) 330-7144
E-mail: jdetore@rubinrudman.com

September 19, 2000

U.S. Environmental Protection Agency
Acid Rain Program (6204J)
501 3rd Street, NW
Washington, DC 20001

**Subject: Heritage Power, L.L.C.
Acid Rain Certification of Representation
ORIS Code 55366**

To Whom It May Concern:

In accordance with 40 CFR 72.24, Heritage Power, L.L.C. is submitting herewith the Certification of Representation regarding the selection and identification of the Acid Rain Program Designated Representative for Heritage Station in Oswego, New York. The public notice of this selection appeared in the Palladium-Times on Tuesday, August 10, 2000.

If you have any questions, please feel free to contact me, or Thomas Dreisbach, Jr., the Designated Representative, directly at (518) 385-9122.

Very truly yours,

RUBIN & RUDMAN, LLP
Attorneys for Heritage Power LLC

By: 

John A. DeTore

Enclosure

cc: Leon Sedefian (NYSDEC)



Certificate of Representation

For more information, see instructions and refer to 40 CFR 72.24

This submission is: New Revised (revised submissions must be completed in full; see instructions)

This submission includes combustion or process sources under 40 CFR part 74

STEP 1
Identify the source by plant name, State, and ORIS code.

Heritage Station	NY	55366
Plant Name	State	ORIS Code

STEP 2
Enter requested information for the designated representative.

Name Thomas O. Dreisbach, Jr.		
Address Heritage Power, L.L.C. 59 Independence Way Oswego, NY 13126		GE International Power Systems One River Road, Bldg. 2 Schenectady, NY 12345
Phone Number (315) 343-6002	(518) 385-9122	Fax Number (315) 343-5175 (518) 385-3181
E-mail address (if available)		

STEP 3
Enter requested information for the alternate designated representative, if applicable.

Name	
Phone Number	Fax Number
E-mail address (if available)	

STEP 4
Complete Step 5, read the certifications, and sign and date. For a designated representative of a combustion or process source under 40 CFR part 74, the references in the certifications to "affected unit" or "affected units" also apply to the combustion or process source under 40 CFR part 74 and the references to "affected source" also apply to the source at which the combustion or process source is located.

I certify that I was selected as the designated representative or alternate designated representative, as applicable, by an agreement binding on the owners and operators of the affected source and each affected unit at the source.

I certify that I have given notice of the agreement, selecting me as the 'designated representative' for the affected source and each affected unit at the source identified in this certificate of representation, in a newspaper of general circulation in the area where the source is located or in a State publication designed to give general public notice.

I certify that I have all necessary authority to carry out my duties and responsibilities under the Acid Rain Program on behalf of the owners and operators of the affected source and of each affected unit at the source and that each such owner and operator shall be fully bound by my actions, inactions, or submissions.

I certify that I shall abide by any fiduciary responsibilities imposed by the agreement by which I was selected as designated representative or alternate designated representative, as applicable.

I certify that the owners and operators of the affected source and of each affected unit at the source shall be bound by any order issued to me by the Administrator, the permitting authority, or a court regarding the source or unit.

Where there are multiple holders of a legal or equitable title to, or a leasehold interest in, an affected unit, or where a utility or industrial customer purchases power from an affected unit under life-of-the-unit, firm power contractual arrangements, I certify that:

I have given a written notice of my selection as the designated representative or alternate designated representative, as applicable, and of the agreement by which I was selected to each owner and operator of the affected source and of each affected unit at the source; and

Allowances and the proceeds of transactions involving allowances will be deemed to be held or distributed in proportion to each holder's legal, equitable, leasehold, or contractual reservation or entitlement or, if such multiple holders have expressly provided for a different distribution of allowances by contract, that allowances and the proceeds of transactions involving allowances will be deemed to be held or distributed in accordance with the contract.

The agreement by which I was selected as the alternate designated representative, if applicable, includes a procedure for the owners and operators of the source and affected units at the source to authorize the alternate designated representative to act in lieu of the designated representative.

Heritage Station
 Plant Name (from Step 1)

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

<i>James O. Overstreet</i> Signature (designated representative)	Date 9/8/00
Signature (alternate designated representative)	Date

STEP 5
 Provide the name of every owner and operator of the source and identify each affected unit (or combustion or process source) they own and/or operate.

Name Heritage Power, L.L.C.					<input checked="" type="checkbox"/> Owner	<input checked="" type="checkbox"/> Operator
U01	U02					
ID#	ID#	ID#	ID#	ID#	ID#	ID#
ID#	ID#	ID#	ID#	ID#	ID#	ID#

Name					<input type="checkbox"/> Owner	<input type="checkbox"/> Operator
ID#	ID#	ID#	ID#	ID#	ID#	ID#
ID#	ID#	ID#	ID#	ID#	ID#	ID#

Name					<input type="checkbox"/> Owner	<input type="checkbox"/> Operator
ID#	ID#	ID#	ID#	ID#	ID#	ID#
ID#	ID#	ID#	ID#	ID#	ID#	ID#

Name					<input type="checkbox"/> Owner	<input type="checkbox"/> Operator
ID#	ID#	ID#	ID#	ID#	ID#	ID#
ID#	ID#	ID#	ID#	ID#	ID#	ID#

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John A. DeTore
Direct Dial: (617) 330-7144
E-mail: jdetore@rubinrudman.com

September 19, 2000

U.S. Environmental Protection Agency
Acid Rain Program (6204J)
501 3rd Street, NW
Washington, DC 20001

**Subject: Heritage Power, L.L.C.
Phase II Acid Rain Permit Application
ORIS Code 55366**

To Whom It May Concern:

Heritage Power, L.L.C. is submitting herewith the Phase II Acid Rain Permit Application in accordance with 40 CFR 72.30.

If you have any questions, please feel free to contact me, or Thomas Dreisbach, Jr., the Designated Representative, directly at (518) 385-9122.

Very truly yours,

RUBIN & RUDMAN, LLP
Attorneys for Heritage Power LLC

By: 

John A. DeTore

Enclosure

cc: Leon Sedefian (NYSDEC)



Phase II Permit Application

For more information, see instructions and refer to 40 CFR 72.30 and 72.31

This submission is: New Revised

STEP 1
Identify the source by plant name, State, and ORIS code.

Plant Name Heritage Station	State NY	ORIS Code 55366
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STEP 2
Enter the unit ID# for each affected unit, and indicate whether a unit is being repowered and the repowering plan being renewed by entering "yes" or "no" at column c. For new units, enter the requested information in columns d and e.

a Unit ID#	Compliance Plan		d New Units Commence Operation Date	e New Units Monitor Certification Deadline
	b Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)	c Repowering Plan		
U01	Yes	No	02/2003	05/2003
U02	Yes	No	06/2003	09/2003
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			

STEP 3
Check the box if the response in column c of Step 2 is "Yes" for any unit.

For each unit that is being repowered, the Repowering Extension Plan form is included.

Heritage Station
Plant Name (from Step 1)

STEP 4
Read the standard requirements and certification, enter the name of the designated representative, and sign and date

Standard Requirements

Permit Requirements.

- (1) The designated representative of each affected source and each affected unit at the source shall:
 - (i) Submit a complete Acid Rain permit application (including a compliance plan) under 40 CFR part 72 in accordance with the deadlines specified in 40 CFR 72.30; and
 - (ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain permit application and issue or deny an Acid Rain permit;
- (2) The owners and operators of each affected source and each affected unit at the source shall:
 - (i) Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the permitting authority; and
 - (ii) Have an Acid Rain Permit.

Monitoring Requirements.

- (1) The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
- (3) The requirements of 40 CFR part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

Sulfur Dioxide Requirements.

- (1) The owners and operators of each source and each affected unit at the source shall:
 - (i) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)) not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
 - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An affected unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
 - (i) Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or
 - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an affected unit under 40 CFR 72.6(a)(3).
- (4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or an exemption under 40 CFR 72.7, 72.8, or 72.14 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

Nitrogen Oxides Requirements. The owners and operators of the source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

Excess Emissions Requirements.

- (1) The designated representative of an affected unit that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.
- (2) The owners and operators of an affected unit that has excess emissions in any calendar year shall:
 - (i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
 - (ii) Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

Recordkeeping and Reporting Requirements.

- (1) Unless otherwise provided, the owners and operators of the source and each affected unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Administrator or permitting authority:
 - (i) The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
 - (ii) All emissions monitoring information, in accordance with 40 CFR part 75, provided that to the extent that 40 CFR part 75 provides for a 3-year period for recordkeeping, the 3-year period shall apply.
 - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,
 - (iv) Copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
- (2) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Heritage Station
Plant Name (from Step 1)

Liability.

- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7, 72.8, or 72.14, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
- (2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
- (3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
- (4) Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.
- (5) Any provision of the Acid Rain Program that applies to an affected source (including a provision applicable to the designated representative of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.
- (6) Any provision of the Acid Rain Program that applies to an affected unit (including a provision applicable to the designated representative of an affected unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO_x averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one affected unit shall not be liable for any violation by any other affected unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
- (7) Each violation of a provision of 40 CFR parts 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities. No provision of the Acid Rain Program, an Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7, 72.8, or 72.14 shall be construed as:

- (1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
- (2) Limiting the number of allowances a unit can hold; *provided*, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;
- (3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;
- (4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

Certification

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name Thomas O. Dreisbach, Jr.	
Signature <i>Thomas O. Dreisbach</i>	Date 9/8/2000



TOWN OF SCRIBA



COMPREHENSIVE PLAN

JUNE 7, 2000

SCRIBA TOWN BOARD

Steven A. Baxter, *Supervisor*

Norma Canale

David Girard

Brian Kocher

James Oldenburg

SCRIBA PLANNING BOARD

James Wellington, *Chairman*

Steven Gosselin, *Vice Chairman*

Thomas Bradway

Beth Canale

Gary Holthouse

Charles Rinoldo

George Stooks

**Town of Scriba
Comprehensive Plan**

June, 2000

This plan was developed by the Town of Scriba Planning Board in conjunction with the Oswego County Department of Planning and Community Development

Town of Scriba Planning Board Members

James Wellington, Chairman
Steven Gosselin, Vice-Chairman
Thomas Bradway
Beth Canale
Gary Holthouse
Charles Rinoldo
George Stooks
Kevin Caraccioli, Counsel
Suzanne Gosselin, Secretary

Scriba Town Board

Steven A. Baxter, Supervisor
Norma A. Canale, Deputy Supervisor
David Girard
Brian Kocher
James Oldenburg

Special Acknowledgment

The Town of Scriba would like to thank Mr. Charles Young for his contribution to the comprehensive plan. Mr. Young has extensive knowledge about the history of the Town of Scriba. Mr. Young wrote the local settlement history section of the plan.

Special Thanks

To the citizens of the Town of Scriba for their input from the Citizen Survey. Also a very special thank you to the Citizen Volunteers who met each month with us to work on the development of the plan at the meetings and for their extra assignments outside of the work sessions.

Town of Scriba Comprehensive Plan

Introduction

Natural Resources and Environment

Historic Resources

Transportation

Infrastructure and Utilities

Housing

Community Facilities

Parks, Recreation and Open Space

Economic Development

Land Use and Community Design

Implementation

Introduction

The purpose of the Town of Scriba Comprehensive Plan is to serve as a guide to local officials and decision makers. The comprehensive plan provides a basis for how development can best be accommodated presently and in the future. The comprehensive plan includes not only physical development but social and economic issues. The Town of Scriba Comprehensive Plan includes information about the town's physical features, current land use, demographic information and public concerns and desires. The Plan is designed to provide the Town of Scriba's vision. All land use regulations and decisions should be consistent with this plan.

Local Settlement History

Nearly 200 years ago, the Town of Scriba was created by the NYS Legislature by removing it from the Town of Fredericksburg (Volney, Palermo, Scriba and Schroepel) effective March 1812. The area was originally part of the Town of Mexico and was part of Scriba's Patent, comprising most of Survey Towns No. 17 and 18 - named for the holder of the Patent, George Ludwig Christian Scriba. The township was bordered on the north by Lake Ontario and on the west by the Oswego River.

The land was heavily forested, with many swamps, and its settlement was slow. Not until the British evacuated Fort Ontario in 1796 was the first settler recorded. Henry Everts is credited with establishing his home at the foot of Seneca Hill and taking sods from the river bank to plant for grasses to feed his cattle. With his humble beginning, agriculture became the main basis of the economy of the township for the next 150 years.

Early on, it was discovered that apple trees grew well in the area, and to make the apples a produce suitable for transporting to distant markets, the apple drying business developed. Apple drying towers were found in many parts of Scriba, and rising two to three stories high made them hard to miss. They were a major architectural feature well into the 20th Century. Not until the late 20th Century was their place on the skyline replaced with the cooling tower of Niagara Mohawk Unit II. It became a symbol both of the township and of its industrial economy.

The People

By 1820 Scriba had 741 inhabitants. Following the national pattern, most of the inhabitants had come in from the East. The major exception to this was the large number of Irish, Scotch-Irish, and French-Canadians who came in from Canada. By 1845, the population was 5,495 people, but a large number of these lived in the village of East Oswego, and when the City of Oswego was formed in 1848, the population was reduced to 2,738 in 1850. It was not until 1970 that the population of the township approached the number that it had in the 1800s.

Again, following the national pattern, Scriba had a number of people from southern and eastern Europe come into the area in the early part of the 20th Century. Still, the population did not grow significantly until after World War II. Spurred on by new economic opportunities in the township which offered jobs and lower taxes, more people remained and many more moved in. Water and sewer lines helped to make Scriba a suburb of the City of Oswego with many people working there, as well as in Fulton and Syracuse. By 1998, the estimated population was 6,627 people - up 2.4% over the figures in the 1990 Census.

The Economy

Originally, the majority of the working population in the town was engaged in agriculture, along with related occupations like smiths, carpenters and coopers. Scriba's location on the Oswego River and on Lake Ontario also offered jobs as "lakers" or "canalers." In 1855, 12% of the working population were in these water-related occupations.

Before it could be used, the land had to be cleared. This task was complicated by the large number of stones which had to be removed. The many stone walls of Scriba attest to this! Swamps had to be drained and this led to muck farming, which was, and is, an important part of the town's agricultural scene.

The development of better roads, canal building, and the coming of the railroad provided the means for getting the products to market.

Fruit became the major agricultural product of Scriba. While apples and strawberries were the two important crops, pears and other types of berries were also produced.

Apples grew well in Scriba and soon the local production exceeded the market for fresh fruit. Then the dry apple business was developed which allowed the shipment to distant markets. Around 12 apple dryers were located in various parts of the township and their two or three story high towers dominated the landscape. Many Scriba women supplemented their income by working at the dryers from September until December of each year. The results of their labors were shipped to Boston, New York, Philadelphia and Baltimore, where they were transported overseas. Germany was a big importer of these apples.

Cider apples were also in big demand. During the Prohibition years of 1926 and 1927, the late Ernie Richardson recalled that 26 to 36 railroad cars were shipped from Lycoming.

The commercial growing of apples in Scriba ended in the early 1930s when the big freeze killed the trees.

By far, the largest crop in Scriba were strawberries. Until air transportation eliminated the metropolitan market by allowing shipments from California and elsewhere, Scriba berries were much in demand and commanded premium prices. The late E.J. Lawton recalled that in 1898, 14,000 crates of berries were shipped from Lycoming. Since these were 36 quart crates, it is easy to see that 504,000 quarts were sent. Berries were also shipped from the siding on the Hall Road near East 10th Street and they were sold at the Strawberry Market on East Second Street in Oswego.

The late Ernie Richardson recalled one commission man telling of shipping over a million dollars in berries in one of the biggest years. The largest shipment that he could remember was 11 railroad cars in one day. Each car load held from 250 to 300 crates along with the necessary ice to keep them fresh.

After World War II, the competition from the west and rising labor costs helped to end the shipment of berries.

Dairy farming was also an important part of the agricultural scene in Scriba. At least six creameries/cheese factories existed in the township but gradually they closed and the milk was shipped to other areas. Today, there is mostly just young stock on the few farms left.

Industrialization

After World War II, Scriba underwent a profound change. Agriculture had declined as the major occupation and its citizens, for the most part, worked outside the township. Their children went to school in the City of Oswego, the post offices had been closed except for Lycoming, for nearly 50 years; and the local churches were closing or struggling to survive. The local grocery stores were unable to compete with the emerging supermarkets. In short, the elements which could have maintained a Scriba community no longer existed.

The growth of industry in Scriba helped to re-establish the town as a thriving entity. Starting with Alcan, then Niagara Mohawk Units I and II, then the James A. FitzPatrick plant, and with Site Energies, Scriba became an important industrial area.

Alcan

Alroll was formed by a joint partnership of Alcan Aluminum, Ltd., Cerro Corporation, National Distillers and Chemical Corporation, and Scovill Manufacturing Company. These companies used reroll stock coils of aluminum which can be fabricated into a finished sheet product used as aluminum siding, Venetian blinds, can stock or foil. The need for more reroll stock, and plate aluminum led to the building of a plant in Scriba.

A 515 acre site was selected at Walker's Corners because the raw materials and ingots could be received by ship at the Port of Oswego, as well as by rail and truck. Plentiful electrical power was also an important consideration. Construction began on the rolling mill in the spring of 1961 and continued until 1963 when production began.

In 1965, Alcan acquired the interested of its partners and a new corporation was formed - Alcan Aluminum.

A plate mill was added to the original plant and in the early 1970s other additions were made. A cold mill was completed whose stock could be used for automobile trim, cooking utensils, food wrapping, TV dinner trays, can stock, etc. Remelt 2 was another addition, along with a recycling center, which were designed to melt poor grades of scrap and to recycle low grade and dirty scrap aluminum.

During the 1990s, the older recycling plants were replaced by Recycle II and Recycle I. Recycle II converts used beverage cans into molten aluminum. It has the capacity to recycle 180 million pounds or about 6 million aluminum cans per year. Recycle I principally converts scrap generated during customer can-making operations into molten aluminum, and has an annual capacity of about 190 million pounds. In 1999, improvements were commenced which will increase these figures.

These improvements were possible because of the ability to get less costly energy from the Energies Independence Station. The firm currently employs about 750 people.

Niagara Mohawk

The Nine Mile Point Nuclear Station is the result of 16 years of research and experience in nuclear power technology by Niagara Mohawk engineers. In 1961, the utility acquired approximately 1,500 acres along the Lake Ontario shore. Preliminary work was done in 1964, including the excavation of the nuclear reactor pit, and construction began in 1965. Nine Mile I, a boiling water reactor unit, began producing electricity in 1969. It can produce 614 megawatts of power.

Nuclear energy seemed to be the wave of the future in the 1970s and 1980s, since it apparently produced clean, inexpensive electricity. Thus, Niagara Mohawk, along with the Long Island Power Authority, Rochester Gas and Electric Corp. and Central Hudson Gas and Electric combined to build Nine Mile II, 1,140 megawatt unit. It began production in 1988. The 545 foot cooling tower, which is used to get rid of waste heat, dominates the countryside.

Currently, Niagara Mohawk is in the process of getting out of the electrical production business and Units I and II are for sale. Such a sale will require the approve of a number of government agencies. An important consideration will be the 1,330 employees who will be affected by the sale.

James A FitzPatrick Plant

The increased demand for power lead the NYS Power Authority to buy land from Niagara Mohawk at Nine Mile Point in order to build what was named the James A. FitzPatrick Nuclear Power Plant.

The 825 megawatt unit began production in July 1975 and has provided electricity to New York State industries producing jobs for New Yorkers from Niagara Falls to Long Island. Municipal electric systems, rural electric cooperatives and private utilities have also received power for their customers.

When the Power Authority decided to sell the FitzPatrick nuclear plant and one at Indian Point III in Westchester County, a record setting bidding war was started. At the end of March 2000, it was decided to sell the two plants to Entergy Corp. of New Orleans for \$636 million. For the first time, these properties will be privately owned and subject to some for of taxation. As part of the agreement, about 800 employees will retain their jobs at Nine Mile Point.

Sithe Energies, Inc.

The newest industry in Scriba, and the last of the 20th Century, is Sithe Energies, Inc. founded in 1984. The company is owned by Vivendi, France's largest service company, the Marubeni Corporation, a major Japanese trading company, its management and stockholders. It owns 38 power plants world-wide.

Plans were started for the Oswego Independence Station in 1989, ground was broken in December 1992 and the plant started operating in November 1994. Its natural gas fueled power facility produces 1,040 megawatts of power with only 48 highly trained people employed.

In September 1999, Sithe announced plans to expand its power generation operation. The new facility, Heritage Station, will be a 800 megawatt facility powered by natural gas. It is anticipated that construction will take three years.

Summary

The growth of industry in Scriba in the last 40 years has been accompanied by a growth in population. With this has come increase demand of a suburbanized population upon the town government. Thus, the role of local government has become much more important than it was in the past.

Citizens demand paved, snow-free roads, garbage collection, more sewer and water lines, and more regulations controlling the growth of the town. The Scriba Town Board created the Town Planning Board to accomplish the ticklish task of maintaining the quality of life in the township, while at the same time, controlling growth. They must balance "the way things used to be" with the realities of present life, and their responses to this daunting task will have effects on all Scriba residents.

Demographics

The Town of Scriba is home to 6,472 people. Scriba is the fifth most populated town in Oswego County and has a land area of 41.2 square miles. According to the 1990, Census the population density is 157 persons per square mile. Scriba has seen significant population increases for the past three decades and is considered one of Oswego County's high growth communities.

Town of Scriba and Oswego County Population Trends by Decade

<u>Area</u>	<u>Year</u> 1950	<u>%</u> Change	<u>Year</u> 1960	<u>%</u> Change	<u>Year</u> 1970	<u>%</u> Change	<u>Year</u> 1980	<u>%</u> Change	<u>Year</u> 1990
Scriba	2,248	10%	2,489	31%	3,619	34%	5,455	19%	6,472
Oswego County	77,181	10%	86,118	15%	100,897	11%	113,900	7%	121,785

The 1990 population forecasts were developed for the years 2000 and 2010. At that time it was anticipated that the population would continue to increase at a rate of 10%-12%, however, the most recent population estimates, updated in 1994, show a much more sluggish 3.3% increase. Based on the changing local economy, natural increase, existing data, and the fact that Scriba is a high growth community, we should estimate the actual projected population between 3.3% and 12%. The following chart illustrates estimated population projections by using a low or more conservative estimate of 4% that is consistent with the existing growth pattern county-wide. A medium level of 6%- 8% growth takes into account current trends and additional growth due to a positive change in the local economy. A high end (10%- 12%) estimated population is based on the population projection factors of the 1980 estimates.

Population Projection Estimates

<u>Year</u>	<u>Low</u>	<u>Medium</u>	<u>High</u>
2000	6,731	6,860 7,272	7,119 7,249
2010	7,000	7,272 7,409	7,830 8,119

By understanding the age and make-up of the current population, the town will be better equipped to serve its residents. The following chart illustrates the age distribution for the Town of Scriba.

Population Distribution by Age
1990 Census

<u>Age</u>	<u>Number of Persons</u>	<u>Percentage of Population</u>
0-4 years	567	9%
5-17 years	1,379	21%
18-21 years	330	5%
22-29 years	915	14%
30-39 years	1,275	20%
40-49 years	814	13%
50-61 years	608	9%
62+ years	<u>584</u>	<u>9%</u>
Total	6,472	100%

Like Oswego County, the Town of Scriba is limited in its racial diversity. The total number of persons listed in the 1990 Census information as non-white is 83. This is approximately 1% of the population of the town.

According to the 1990 Census information, the median family income is \$35,849. This is higher than the county's median family income of \$33,888. Scriba also mirrors Oswego County when considering the level of education for those more than 25 years of age. Forty-five (45%) of Scriba residents have received a high school diploma. An additional 35% have had some higher education. County-wide, 41% of residents have received a high school diploma and 34% have had some higher education.

Responses from the Town of Scriba Comprehensive Plan survey suggest that approximately 35% of residents work outside Scriba but in the County. Another 26% work in town, 11% work outside the county, 14% consider themselves retired, and 15% did not respond.

A brief analysis of the demographic information suggests that Scriba is home to many families with children under the age of 18. The percentage of seniors living in the town is slightly lower than the county average of 13% of the population.

Natural Resources and Environment

Town of Scriba's natural environment is defined by the lowlands, drumlins and coastal areas. The Oswego County Comprehensive Plan defines these areas as ecological zones. Exhibit 1 is the Oswego County Comprehensive Plan (OCCP) Ecological Zone Map, which visually defines the Eastern Ontario Plain and the Oswego Drumlin areas that dominate most of the Town of Scriba. This information is based on the 1982 Ecological Zones of Northern New York developed by the NYS DEC Division of Fish and Wildlife. These zones were distinguished on the basis of both natural and social factors. Natural factors included bedrock geology, land form and topography, soil productivity, climate and forest type. Social factors are effects of man's activities and include land ownership, land use, road access and human population density.

Physiography and Topography

The Town of Scriba Natural Resources Inventory describes the topography of Scriba as similar to the Erie-Ontario Lowlands physiographic province: "Near the shoreline of Lake Ontario the landscape is primarily a broad, featureless plain with only minor relief, however, farther inland where the land gradually rises from the level of the lake, topographic features become more distinctive and the landscape is broken by a series of elongated, glacial ridges."

Oswego Lowlands

The Oswego Lowlands are a subunit of the Erie-Ontario Plain, bordered on the west by the Oswego River Corridor, on the south by the Oneida Lake Outlet/River, on the east by the Transitional Tug Hill and on the north by the Eastern Ontario Plains and Salmon River (See Exhibit 2). The Oswego Lowlands have scattered low rounded hills surrounded by wetlands. The underlying unconsolidated sediments are sands, gravel and clays deposited at the edges of the glacial Lake Iroquois. In many places, the glacial till is overlain by lacustrine sediments.

The Oswego Lowlands are underlain by the Clinton Group, Medina Group and Lorraine Group bedrock. The Medina Group consists of red sandstones and shales of Upper Ordovician and Lower Silurian age. (See Exhibit 3)

Hydrology - In Scriba, the Oswego Lowlands drain into the Lake Ontario Drainage Basin, which eventually drains into Lake Ontario.

Wetlands/Vegetation/Wildlife - Ecological communities in the Oswego Lowlands region include agricultural upland fields, shrub swamps, forest lands and wetland agricultural fields. Wetlands in the region provide habitat for species such as muskrat, beaver, mink, raccoon and opossum. Upland areas provide habitat for deer, fox, coyote, squirrel, rabbit and mice.

Oswego Drumlins

The Oswego Drumlins are glacial deposits from gravel that generally are oriented in a north/south direction and parallel the direction in which the glacier moved. Drumlin terrain is hilly and is atypical of glacial lake plains.

Hydrology- Streams in the drumlin region flow into Lake Ontario.

Wetlands/Vegetation/Wildlife - Due to the nature of drumlins, these areas have a variety of smaller ecological community types in which maple, beech and associated uplands are predominant at higher elevations. Between the drumlins are numerous small, interconnected wetlands and small stream corridors which typically can harbor red maple and beech-birch forests and alder swamps. (OCCP, II-8)

Although much of the Lake Ontario Coastal Area in the Town of Scriba is developed, it should be noted that this area is extremely important for the migration of birds, particularly neotropical migrants and raptors. In the spring, the shoreline of Lake Ontario is a stop-over area for migrating songbirds which rest and forage during the day and fly across Lake Ontario at night. The most common songbird species are Catbird, Yellow Warbler, and Common Yellow Throat.

The Lake Ontario Coastal Zone is a very rich habitat area with an abundance of wildlife and has been identified by the NY Natural Heritage Program as an area of particular rarity. There are 21 rare species and 11 rare or exemplary habitats. The area also harbors a number of rare and endangered species and many significant species. The dunes and wetlands are of unparalleled importance for rare plants, animals and communities. (The Nature Conservancy, April 1995)

Eastern Ontario Plain

The Eastern Ontario Plain is located between Lake Ontario, Oswego Lowlands and Transitional Tug Hill physiographic zones. The bedrock geology of the region is part of the Lorraine Group and is primarily gray sandstone in the Town of Scriba.

Hydrology- Similar to other ecological regions, streams in the Eastern Ontario Plain and the Town of Scriba drain into Lake Ontario.

Wetlands/Vegetation/Wildlife - In addition to riparian wetlands a second distinct wetland type in this region which can be found in areas of Scriba, is one which is characterized by a relatively flat topography situated well above the level of Lake Ontario. Poorly drained ablation tills have promoted the formation of evenly distributed small wetlands, many of which are connected by streams.

The Eastern Ontario Plain in Scriba supports primary and secondary successional growth. Abandoned pastures and orchards are the first stages of successional growth after active agriculture ceases and are characterized by low, grassy and herbaceous vegetation, scattered shrubs and small trees, orchard grass, golden rod, raspberry and Queen Anne's lace.

Northern hardwoods include four dominant species - sugar maple, yellow birch, american beech and hemlock. Other common species are red maple, white ash, basswood and black cherry.

Common wildlife species found in the region include woodcock, cottontail rabbit, ruffed grouse and grey squirrel. Deer and ring-necked pheasant populations are small. Fur bearers include raccoon, mink, red fox, grey fox and skunk.

Surficial Geology

Surficial geology is a layer of unconsolidated surficial material overlying the bedrock formation in the Town of Scriba. This material was deposited approximately 10,000-20,000 years ago. Map Plate #4 illustrates the different types of surficial geologic deposits which occur in Scriba. In order to understand the properties of the various deposits it is necessary to understand a few geological definitions, such as those of permeability and sorting. "The permeability of rock is its capacity for transmitting a fluid." "Sorting, in the genetic sense, may be applied to the dynamic process by which material having some particular characteristic, such as size, shape, specific gravity or hydraulic value, is selected from a larger heterogeneous mass." (Dictionary of Geological Terms) The following is a list of those deposits and a brief explanation of their properties.

Till - a till deposit is representative of a non-sorted and non-layered sediment deposited directly from the glacial ice.

Lodgement till has rock fragments and glacial flour, very fine-grained rock, which were deposited beneath an actively moving glacier. This type of deposit is characteristic of drumlin topography.

Ablation Till - a deposit that was deposited in places over the lodgement till by melting of the transporting glacial ice. Ablation till is coarser and more permeable than lodgement till.

Lacustrine sediments deposited in the bottom of glacial lakes are composed of extremely fine-grained sands, silts, and clays.

Sand and gravel deposits found in the town "were deposited primarily by streams flowing from the ice margins of the advancing and retreating glacial ice. Outwash sands and gravels, which are layered sediments deposited by streams of glacial meltwater, are well sorted, coarse and generally have good permeability." (Scriba NRI, p. 16).

Kame deposits which are composed of stratified sand and gravel, were formed when the original deposition was modified by the melting of glacial ice. Kame sands and gravels are coarse with some sorting and have good permeability.

Wave Delta deposits were formed by waves as glacial meltwater sediments settled at the mouths of streams where they entered lakes (Scriba NRI, p. 64). Wave Delta deposits consist of sand and gravel and are highly permeable and well sorted.

Alluvial deposits consist of clay, silt, stones or gravel material which was deposited by running water.

“There are also deposits of muck in Scriba in the partly enclosed basins between drumlins. These are organic deposits formed during post-glacial to recent time. They consist of the decomposing remains of woody and herbaceous plants and have poor permeability.” (Scriba NRI, p. 65).

Surficial geology is related to soil formation and hydrology. Understanding soil properties is important for land use planning purposes as it relates directly to capability for the development of land and density issues.

Soil Limitations

If you're interested in understanding the specific make up of the soils in the town, a detailed soil inventory is available in the Town of Scriba Natural Resources Inventory (NRI). The Town of Scriba Comprehensive Plan Soil Limitations Map, Plate 1, illustrates the limitations of the soil for development purposes. This map illustrates a comprehensive evaluation of each of the soil properties, such as texture, color, structure, mineralogical properties and slope. By examining the soil properties an analysis of the soil's limitations for development purposes can be produced.

Generally, the Town of Scriba soils have limitations due to excessive drainage and slow permeability. There are few areas in the town that have only a few or possible limitations. This is indicative of most of Oswego County. This does not mean that septic systems and basements can not be built and utilized. It simply means that additional costs may be incurred to do so.

Surface Waters

Surface Waters include creeks, ponds, wetlands, rivers and lakes. The Town of Scriba has two major drainage basins - Lake Ontario East Drainage Basin and the Oswego River Drainage Basin. Most of the area of town located to the south of County Route 4 is located in the Oswego River Basin. The balance of the town is in the Lake Ontario East Drainage Basin. It is important to understand how property drains in order to accurately evaluate the impacts of development on properties located downstream and ultimately the impacts on Lake Ontario.

Oswego River Corridor

Approximately 3 miles of the Oswego River corridor lies in the Town of Scriba. The river bank in this area has serious erosion issues. Contributing factors are the type of soil, fluctuating water levels and development in the area. The clearing of riverbanks for access to the waterfront leaves vulnerable soils prone to erosion and siltation, which in turn impacts water quality.

Groundwater

The principle groundwater aquifers of Scriba are within unconsolidated sediments of sand, silts and gravels and boulders. The following table is from the Town of Scriba NRI. This table correlates the surficial geological formations of Scriba with their potential well yield. "Moderate to good well yields are common from lake silts and fine sand, outwash sand and gravel, kame and kame terrance sand and gravel and wave delta sand and gravel. Clay and silt sediments generally yield the least amount of ground water." (Scriba NRI, p. 36)

Potential Well Yields of Surficial Geologic Materials in Scriba

<u>Unit</u>	<u>Material</u>	<u>Potential Well Yield</u>
M	Muck	Unsuitable
T-1	Lodgement Till	Poor
T-a	Ablation Till	Poor to Moderate
L-sc	Lake Silt and Clay	Poor
L-ss	Lake Silt & Fine Sand	Poor to Moderate
S-a	Aeolian Sand	No Potential
SG-o	Outwash Sand & Gravel	Good
SG-k	Kame & Kame Terrance Sand & Gravel	Good
SG-w	Wave Delta Sand & Gravel	Good

Note: Potential yield categories of poor, moderate and good represent the expected yield of a typical described deposit based on well information inside and outside of the mapped area. Classification of water yield is as follows:

- Poor - less than 1 gallon per minute
- Moderate - 5 to 50 gallons per minute
- Good - greater than several tens of gallons per minute

Source: United States Geological Survey (1979).

The Town of Scriba Surficial Geology Map #2 shows that the town has a varying geological makeup. This explains why some areas of the town have ample ground water and other areas of the town suffer from water shortages. Some areas are not as well suited for aquifer recharge. "Class I aquifer recharge soils are well-drained all year round, while Class II soils have a seasonal high water table which limits recharge to those times of the year when the water table is low (generally late summer and early fall)." (Scriba NRI) Information regarding wetland classifications is provided in the Appendix.

Vegetation

The Town of Scriba's surface vegetation is primarily designated as deciduous forest, open field, successional field and shrub land. These determinations were made by identifying vegetation classifications on aerial photos, vegetative identification analysis and selected site evaluation. As illustrated on the Surface Vegetation Map # 3, there are opportunities to maintain existing deciduous forest areas.

The Town of Scriba also has numerous regulated wetlands. The Regulated Wetlands Map illustrates the wetland classification for areas regulated by the NYS Department of Environmental Conservation. Wetland classification was established by the DEC, not as a ranking tool, but as an identifying tool. Some wetlands are more valuable for flood protection or as wildlife habitat areas.

The New York State Wetland Classification-Section 664.7 has been included in the appendix. This document identifies the elements used in the classification of a New York State Regulated Wetland.

Flood Hazard Areas

The Flood Hazard Area Maps are based on maps prepared for the Federal Emergency Management Agency (FEMA) and National Flood Insurance Program. The Flood Hazard Map #4 depicts areas at potential flood risk based on a flood which could occur at least once every 100 years.

The southern portion of the town was studied and mapped in 1982. The northern portion of the town was revised and new flood zone maps were printed in 1992. The mid-section of the town has not been studied. The actual study and mapping of flood hazard areas is done by each state. In New York, the mapping of flood areas is based on development pressures; thus, the fastest growing communities are evaluated first. The mid-section of the town is not considered to be a high growth area at this time. The Town of Scriba remains on the list of towns that have not had their entire land areas studied. According to the NYS Department of Environmental Conservation, a firm date for completion of the unstudied area is not known.

Unique Areas and Natural Assets

The most unique natural asset in the town is Lake Ontario. Lake Ontario is one of the Great Lakes, and it is a freshwater resource. Lake Ontario is an international navigable water body. "In 1987, the governments of Canada and the United States made a commitment, part of the Great Lakes Water Quality Agreement (GLWQA), to develop a Lakewide Management Plan (LaMP) for each of the five Great Lakes. According to the 1987 agreement, "LaMPs shall embody a systematic and comprehensive ecosystem approach to lake management." (Lakewide Management Plan for Lake Ontario, May 1998)

One of the most notable wooded areas is West Nine Mile Point Woods. The Rice Creek Biological Field Station Habitat and Wildlife Inventory: Guide to Coastal Zone Lands, published in 1976, indicated that this area consists of two major habitat types; an intermediate forest and open fields in various stages of succession. The woods are fairly undisturbed, except by the lake shore where seasonal camps are found.

The major tree species consist of black oak, sugar maple, paper birch, white ash and quaking aspen. The canopy cover is very dense and reaches a height of about 45 feet." Although much of this wooded area still exists today, the area is facing development pressures. This is a concern because of the mature woods and the variety of the habitats located there. This area also serves as a natural buffer from the power plant. The area is also large enough to provide animal and bird habitat. If this area continues to develop, the animals and birds that currently live in this area will be affected. This area should be studied further, so that possible impacts can be identified and avoided if possible.

Teal Marsh/Milea Beach Area

This area is privately owned. According to the Rice Creek Biological Field Station Habitat and Wildlife Inventory, "the Milea Beach area comprises an area of high habitat diversity. Teal Marsh constitutes a large part of Milea Beach, also found here are areas of deciduous wood, misted woods, and swamp woods, ranging from young intermediate woods to areas that are relatively undisturbed and mature.

The barrier beaches that border Teal Marsh are somewhat developed for recreational uses. Milea Beach Road, once a dirt access road, is now a privately owned paved road which cuts through a fairly mature mixed woods, the dominating species being red maple, beech and sugar maple. Hobblebush, maple-leaved viburnum and striped maple are common understory and ground cover species which Hare Doll's Eyes, Solomon's Seal, Painted Trillium and Foam Flower. Also located in these woods is Lady's Slipper, an orchid species which is protected by law."

Coastal Resource Legislation

The following is a description of the legislation that has passed and is designed to protect Lake Ontario and other unique coastal areas.

Coastal Barrier Resources Act - In 1982, Congress passed the Coastal Barrier Resources Act. The intent of this law is to minimize the loss of human life, damage to wildlife, fish and other natural resources and wasteful expenditure of government funds for property damages. The passage of this act established a coordinated action by federal, state and local governments to ensure the more appropriate land uses and conservation purposes. The act lists the importance of coastal barriers as natural storm protective buffers, migratory bird habitats, and unique fin fish and shellfish nesting areas. The barriers also have significant resources of scenic, scientific, recreational, natural, historic, archeological, cultural and economic importance which should be protected.

In 1990, the Coastal Barrier Improvement Act of 1990 was signed into law. The act amended the Coastal Barrier Resources Act of 1982. This amendment expanded the Coastal Barrier Resources System. The amendment includes six areas in Oswego County. The area known as Walker-36, located as unit NY-76, is located in the Town of Scriba. The area is located in the Teal Marsh area. Map #5 illustrates the area included in the 1990 Coastal Barrier Improvement Act.

The NYS Coastal Erosion Hazard Areas Act, Article 34 of the Environmental Conservation Law was passed in 1981 by the New York State Legislature.

The intent of this act is to protect those areas of the state's coastline most prone to erosion and to discourage development in or near fragile coastal areas. The Coastal Erosion Hazard Areas Act required that the NYS Department of Environmental Conservation map the areas which are protected by law. The Town of Scriba opted not to implement this law locally. Local administration of the law can be done by adopting an erosion hazard ordinance or local law. Since the town chose not to adopt an erosion control law or ordinance, NYS Department of Environmental Conservation, acting under authority from the state legislature, is the implementing agency. The minimum statewide regulations contain: minimum set back requirements, development regulations to prevent any increase in erosion, regulation to prevent adverse impact to natural protective features and variance procedures.

The two designated Coastal Erosion Hazard Areas in the Town of Scriba are located along Lake Ontario from the northern boundary of the City of Oswego/Town of Scriba to just south of Lake View Road and approximately 1,000 feet of lake frontage just south of Nine Mile Point Road. The Coastal Erosion Hazard Area maps are on file at the Oswego County Department of Planning and Community Development.

Opportunities and Constraints

In the last twenty years, the coastal area in Scriba has experienced changes. The area has had an increase in industrial and residential development. The shoreline is home to Alcan, Sithe Energies, Niagara Mohawk and the New York Power Authority. However, due to federal and state legislation, the impacts along the shoreline have been minimal. The Town of Scriba has also been fortunate in that some of the industries (Alcan and Sithe Energies) that have located along Lake Ontario have chosen to maintain natural vegetative buffers along the shoreline. These industries have also donated or designated areas of their development as open space. It should be noted that the Town has included buffering standards for lakes, rivers, streams and wetlands within the Site Plan Review Law.

The Lake Ontario shoreline is very important to migrating birds. As development pressures continue, it should be noted that if there is too much development in this area, the area will no longer be suitable for the migrating bird population. The Nature Conservancy is in the process of finalizing a study which addresses migratory birds along the Lake Ontario shoreline. Scriba also has many wetlands. One of the most unique wetlands or marshlands is Teal Marsh, which is located in the Coastal Barrier Natural Resource Area. This area should be viewed as an environmental resource.

Water quality and quantity are of concern to the citizens in the town. The surficial geology and the varying soil types make it difficult to predict well yields, especially if development and demand of water resources continue. The development of a public water and sewer system may be desirable, but public water and sewer systems are costly; therefore, an economic feasibility analysis should be completed and the findings presented to the residents.

In the interim, water conservation methods should be utilized. One way to address water quantity issues is by incorporating development policies in the site plan review process that will ensure that the water quantity and quality are maintained.

Requiring vegetative buffering and maximum impervious surface coverage per lot standards are just two examples of regulations that cumulatively over time will have an impact on water resources.

When researching information about the Town of Scriba, it was recognized that the Federal Emergency Management Agency (FEMA) flood mapping information was incomplete. A written request has been submitted to have the last panel completed. If development pressures become more intense in the mid-section of the town, the town may want to consider reiterating this request to FEMA. In order to properly address future land use issues, it is important to have this information.

Goals, Objectives and Strategies

Goal: Recognize and conserve the natural resources of The Town of Scriba in order to maximize the long-range economic, social and environmental benefits for current and future generations.

Objective 1: Protect the quality of the town's groundwater.

Strategies:

- a. Adopt site development guidelines or regulations which help to maintain the groundwater quality. (ie, buffering, erosion control techniques, maximum impervious surface requirements, etc.)

- b. Eliminate septic systems from flood plains.

Objective 2: Maintain and increase the quantity of the water resources for town residents.

Strategies:

- a. Develop a plan to provide public water to areas of the town which are facing economic and industrial development opportunities.

- b. Research and develop a feasibility plan to provide public water to areas of the town that wish to have public water in the future.

- c. Provide public education opportunities for town residents concerning water conservation techniques.

Objective 3: Support the protection, stabilization, and restoration of Lake Ontario Coastal Zones' important environmental resources.

Strategies:

- a. Promote low impact shoreline stabilization techniques and encourage ecological site planning in all shoreline areas.

- b. Protect migratory bird habitat along shorelines, especially in the form of conservation easements and landowner management agreements.

- c. Support development along the Oswego River and canal to be done in accordance with the NYS Canal Plan and the buffering guidelines suggested by the Oswego County Environmental Management Council.

Objective 4: Support long-term planning and control mechanisms to ensure residents, resources and properties are safeguarded from the effects of flooding and water level fluctuations.

- Strategies:**
- a. Limit development in the 100-year flood plain area to low intensity land uses and ensure that floodways are unobstructed in order to minimize flood damage potential.
 - b. Require storm water management plans as part of site plan review for development which is over five acres or has an impervious surface coverage of more than 75%.
 - c. Require that stream geometry be maintained so as to sustain the hydrologic functions of streams.
 - d. Continue to participate in the National Flood Insurance Program.
 - e. Advocate to the NYS Department of Environmental Conservation to map the flood hazard areas in the interior section of the town.
 - f. Support the enforcement of Federal and State wetland regulations as they relate to flood control.
 - g. Support Oswego County's efforts to ensure the maintenance of the Lake Ontario lake level so that shoreline erosion is not accelerated.
 - h. Advocate keeping waters of the Great Lakes in the Great Lakes Watershed.

Objective 5: Implement an ecological approach to site development and long range planning in the town to protect unique plant, animal and bird habitats and to sustain the traditional pastimes of hunting, fishing, trapping and viewing wildlife.

- Strategies:**
- a. Guide development to sites with existing infrastructure and low impact on natural resources.
 - b. Identify potential wildlife movement corridors between major open space areas and encourage their incorporation into greenways, trails and local comprehensive planning efforts.
 - c. Prevent decreases in groundwater recharge and stream base flow as to maintain aquatic life, assimilative capacity and potential water supply.
 - d. Encourage landowner agreements or donation of conservation easements by waterfront industries for the purposes of habitat protection, especially along Lake Ontario and major waterways.

Historic Resources

The National Register of Historic Places is an important tool for the nationwide preservation process. It is a resource which contributes to the understanding of the historic and cultural foundations of the United States. Administered by the National Park Service, under the Secretary of the Interior, the National Register is a working list of properties determined to be of national, state or local significance and worthy of preservation and consideration in planning or development decisions. Properties on the listing are distinguished because they are documented and evaluated according to uniform standards. (OCCP, III-1) In the Town of Scriba, only the Riverside Cemetery is listed on the National Register of Historic Places.

The Heritage Foundation of Oswego, a not for profit organization, dedicated to identifying and preserving historic resources in Oswego County, is in the process of finalizing a historic resources inventory for the county. This document is expected to be completed in the summer of 1999. The Heritage Foundation has identified and documented a variety of historic and potentially historic resources throughout the county by time and period. The following information concerning the historic resources in the Town of Scriba is based on the Heritage Foundation's inventory information and analysis.

"The property types sought for the Heritage Foundation's reconnaissance survey were determined by examination of the history of the town and selected from the list of contents and study units prepared by the State Historic Preservation Office. Property types considered for inclusion are listed on a chart entitled Town of Scriba - Themes and Property Types which has been included in the appendix. Of the properties considered, only those with significance in town or county history and with acceptable levels of integrity based on configuration and period architectural detail are listed in the document." The following information in this section is a brief overview of the type of resources that exist in the Town of Scriba. For a more detailed inventory and analysis, it would be prudent to consult with the Heritage Foundation of Oswego.

Inventory of Historic Resources by Theme

Transportation is a historic resource classification theme. The Oswego branch of the Erie Canal which ran along the east bank of the Oswego River in Scriba is located off property fronting on County Route 57 and was replaced when the barge canal was developed. However, the stonework of the lock still exists and is in fairly good condition.

Governmental buildings is another historic theme for resource classification. In the Town of Scriba is the Lycoming Post Office, located on County Route 29, south of the Miner Road intersection. The building is a 1 1/2 story brick Greek Revival building. The building attached to the north side was a former feed store, then a funeral home, and is now a dwelling.

According to the Heritage Foundation survey, there are six 19th Century churches in the town. These churches exhibit conventional architectural styles such as Greek Revival, Romanesque and Gothic Revival. The following is a list of 19th century churches.

- * Former Methodist Church, NW corner, County Route 4 and County Route 53 (Lansing Corners) - 1873
- * Lycoming United Methodist Church, Miner Road West Lycoming intersection - 1875
- * United Pentecostal Church (former First Baptist), North Road, west of North Scriba - 1875
- * Former Baptist Church, Scriba corners, now owned by the Town of Scriba - 1887

The town has many historic cemeteries scattered throughout the town. The most notable cemetery is the Riverside Cemetery, located on County Route 57, which is listed on the National Register of Historic Places. In the cemetery is the Page Chapel built in 1906. It is a stone Gothic Revival Chapel, with the steeple removed. The chapel is beautiful and interesting. The following is a list of the historic cemeteries.

- * Blossom Cemetery - County Route 1, east of Creamery Road intersection - date unknown
- * Ellsworth Mausoleum, North Scriba Union Cemetery - County Route 1, west of North Scriba
- * Hillside Cemetery - Klocks Corner Road - 1.9 acres - 1812
- * Brooks-Eaton Cemetery - Baistell farm, Whittemore Road, first farm on north side, east of Meyer Road - 1812
- * Worden-Sweet Cemetery - Middle Road, east of Creamery Road - date unknown
- * Peck Cemetery - County Route 4 (Hall Road), opposite Paddy Lake Road - 3.1 acres - date unknown
- * Mattison Cemetery - south side NYS Route 104, just east of County Route 63 (Kocher Road) - date unknown
- * South Road Rural Cemetery - corner of Fredericksburg Fare and Burt Boulevard, off County Route 4 between City Line Road and Lansing Corners. Established by the Hall family. There are 10 Civil War veterans buried here - 1801-1920
- * Old Family Burial Ground - County Route 53 (Kingdom Road), located on east side of road - early 19th century
- * Claus Cemetery - Larry Parkhurst woods off Dutch Ridge Road, between County Route 53 and Whittemore Road - early 19th century
- * Kingdom Road Cemetery - east side, County Route 53 between County Route 4 and Dutch Ridge Road - early 19th century

- * Carr Cemetery - south side New York State Route 104, east of County Route 29 - early 19th century
- * Askew Cemetery - located in woods south of Middle Road, between Kocher Road and Creamery Road - mid 19th century
- * Whittemore Cemetery - Meyers Road at Scriba Town line - 1850

Other historic religious resources include the Ontario Bible Conference Campground, located on Lake View Road, off of County Route 1A. Some of the buildings date from the 1920's and 1930's (while some of the dormitories are new). The log cabin was built by campers in 1976.

In 1807 the Town of Scriba had many one room schoolhouses. After consolidation with the Oswego City School District in the 1940's, all of the Scriba schools closed. The remaining school houses are: located at Lansing Corners (County Route 4 and County Route 53); on Kocher Road, between Middle road and County Route 1; on NYS Route 104, at Lakeview Road and County Route 1A; and Hall Road near County Route 29.

*This information was provided by the Heritage Foundation of Oswego County.

Another area of focus when discussing historic resources is architecture. Interestingly, 8 of the 12 homes identified by the Heritage Foundation inventory are located on NYS Route 104. The other four are located on County Route 53, County Route 4 and two on County Route 1.

The following is a brief property description of each of the early 19th century homes:

- S-24: c1830. Peckham-Bales-Paura House - north side, NYS Route 104, east of Kocher Road. Five-bay, two-story Federal style house with center entrance, sidelights and transom; roof rafters protrude under the room overhead. Located on a former plank road, the house was a stagecoach station in the mid-19th century; the tollgate was located here. (21.0.1.10)
- S-35: c1810. George Cuppernull House - NW corner Kocher Road and NYS Route 104. Five-bay, 1 ½ story, Federal style residence with two dormer windows added later, post and beam construction, and some hand-hewn beams in basement. In the 19th century, the house was owned by the Ingersoll family. The family (probably part of the Loomis Gang) was arrested by Federal agents for manufacturing counterfeit money.
- S-36: c1840. William and Ann Stark House - County Route 1, east of County Route 29. Greek Revival, two-story upright with wing, ell to rear, wide frieze, returns on eaves, corner pilasters, recessed porch, and classical front doorway with sidelights and transom.
- S-37: c1840. Katherine Landrigan House - NYS Route 104 at Scriba Corners. Greek Revival, 1 ½ story upright with wing, and porch with square columns across wing. This is probably the site of Jehiel Stone's log cabin (he came to Scriba Corners in 1804). The east wing was built in 1838. The first town meeting was held at the home of Jehiel Stone on March 1, 1812.

- S-38: c1840. Greek Revival Residence - County Route 53, west side, close to Volney line. 1 ½ story Greek Revival farmhouse with wing, recessed porch with doors into the wing and into the front parlor, broad frieze, returns on eaves, corner pilasters and ell to rear.
- S-39: c1830. Shearid (Joe) Haney House - RD #2, Box 90, north side of NYS Route 104, Scriba Corners, east of Creamery Road. Five-bay, 1 ½ story Greek Revival residence, wide frieze contains three small rectangular windows covered by iron grills, double front door with architrave trim surrounding, four-panel transom above, pedimented roof above entry porch with sunbeam design and shamrock design in gable, corner pilasters, and interior parlor windows have nice architrave trim. House built by George Stone, son of early settler Jehail Stone.
- S-40: c1840. Donald Enos House - 3159 County Route 1 (North Road). A square Greek Revival residence with hip roof, a recessed porch with front entry in center position, wide frieze, corner pilasters, and flat lintels. Formerly, there was a saw mill on back of property (only dam and spillway left under the power lines). (21.0.1.5)
- S-41: c1835. Bruce Sherman House - RD #2, Box 78, NYS Route 104 Scriba Corners. Five-bay, 1 ½ story Greek Revival house with long side to street. Four-column (square Doric) portico with pediment at center front, wide frieze, corner pilasters, impressive front door flanked by two pairs short Doric pilasters supporting lintel and one pair tall pilasters supporting transom, four-pane sidelights with molded panels beneath, and transom area filled in by wood panel (not sure whether transom pane was ever there). Barn with board and batten sided privy in rear; doors with long hinges 18" to 28" in length. (21.0.1.17)
- S-42: c1840? Robinson-Smart-Penfield House - NYS Route 104, east of County Route 63. Square stone house with wooden wing, hip roof, front entrance with sidelights and pedimented lintel, windows of facade have flat stone lintels and sills, and windows of sides and rear have stone arched lintels. (21.0.1.9)

According to the 1855 census, Thomas and Clarissa Welch lived here. Welch was born in Ireland and lived in Scriba for 20 years. They had four daughters, ages 10, 11, 12 and 13. Brother Thomas Michael Welch lived with them.

Thomas Robinson, born in Oneida County, a mulatto (according to 1865 census), lived here in 1875. House valued at \$1,000 in 1865 census. Robinson is buried in Riverside Cemetery.

- S-43: c1840. Margaret Wales House - Hall Road between Lansing Corners and Klocks Corners. Five-bay Greek Revival residence with long side to street, center door with sidelights and transom, and wide frieze. Dormer windows added by owner's grandfather in 1910-13 period. Wing in rear added about 1865. Post and beam construction. Deed to farm dates from 1825, listed as cabin first, then house later. Structure in rear towards west was a creamery and butter factory. (21.0.1.14)

S-44: c1840. Derosie House - NYS Route 104 on north side from Simpson Drive. Five-bay, 1 ½ story Greek Revival residence, center doorway with sidelights and pedimented lintel, 6/6 windows, and porch added later.

S-45: c1830. Leon Slobe House - 2824 NYS Route 104, SW corner at Scriba Corners, entrance up hill on Klocks Corners Road. Five-bay, 1 ½ story Greek Revival residence with barn located on 1 ½ acre lot. Square beams in basement are hand-hewn with bark still on. Mortise-tenon joints can be seen in attic. Barn with perpendicular siding was a former apple-drying business and blacksmith shop. Same hand-hewn beams can be seen in barn; there are three modern garage doors.

S-45a: c1840. Robert Simpson House - Simpson Drive. Greek Revival, 1 ½ story residence. Frieze on south side has small rectangular windows. Original front door with sidelights and transom remains. For family history, see Churchill, part III, p. 289.

*Information provided by the Heritage Foundation.

Other later nineteenth century homes in Scriba were Italianate in style. The following is a property list highlighting five unique late 19th century architecturally significant homes.

S-46: c1860. Mark B. McFall House - County Route 53 between Dutch Ridge Road and County Route 45. Two-story square upright with hip roof, wing with ell to rear, wide frieze, and front porch with turned spindle fretwork and columns. A combination of Greek Revival and Italianate features. The house is located across the road from a former cider mill and apple dryer. (21.0.1.12)

S-47: 1840-1850. Aldrich-Merritt House - south side of NYS Route 104 at Scriba Corners. Two-story brick Italianate house, hip roof, brackets, four-window bay, and wing. Porch roof is supported by square columns on pedestals. House was built by a retired lake captain, Mr. Turner. An unusual feature is the "tucking." After the brick was lain, it was washed with kerosene containing a red dye. Then, marble dust was mixed with an unknown bonding agent and pressed between the bricks with a "tucking iron." (21.0.1.16)

S-48: 1882. Frank Church House - NYS Route 104 at Scriba Corners. Two-story square Italianate house, hip roof, single brackets, double front door with horizontal transom. The house was built by James W. Church, III, a descendent of John B. Church who, with Alexander Hamilton and John Lawrence, owned a large wedge of land in Oswego City and Scriba called "Hamilton Gore."

S-49: c1860. Jesse Bennett House - Hall Road just east of City Line Road. Two-story square brick residence, hip roof, cupola with paired Romanesque windows, front door with sidelights and elliptical fanlight above. Jesse Bennett and his wife (Harriet Hall) had two children, Norman and Naioma. Naioma married Jacob Richardson and their son, Norman, became a lawyer, real estate person, mayor of Oswego and builder of the Richardson-Bates House at 135 East Third Street, Oswego.

S-50: c1870s. William and Nancy Oleyourrk House - NE corner of County Routes 1 and 29. Gothic Stick style residence, clapboards and scalloped shingles, decorative barge board, bay window, triangular lintel with sunburst design over second floor windows. Charles Donnelly built the house. Charles was father of John O. Donnelly who owned the property in 1867. (according to 1867 Atlas)

*Information provided by the Heritage Foundation.

Finally, the last theme addressed is Art and Literature. The town of Scriba has the only modern day monumental art in Oswego County. The most commonly found public art is statues of Civil War soldiers. The Town of Scriba is home to the outdoor sculpture entitled Lighthouse, which is located on the grounds of Site Energies, Inc., off County Route 1A. The contemporary outdoor monument was designed by Owen Morrel of New York City. It is made of aluminum and stainless steel mirrors. It weighs approximately 18,000 pounds.

For more detailed information regarding the inventory of historic resources throughout the town, contact the Heritage Foundation of Oswego.

Archaeological Resources

The Town of Scriba has no archaeological resources of significance. "The county's archeological resources are concentrated along the Oswego River, Oneida Lake, the Salmon River and Lake Ontario at the mouth of the Salmon River at Selkirk Shores. Additionally, the Town of New Haven, the villages of Parish, Central Square, and Pulaski, and the cites of Fulton and Oswego are exceptionally sensitive areas." (OCCP, III-3)

Opportunities and Constraints

The Town of Scriba has many historic resources. To date, only one of these resources is listed on the National Register of Historic Places, thus, opportunities exist for other historic resources to apply for the National Register. Many of the properties are owned privately, and national register placement must be initiated by the property owner. The town may wish to encourage and assist local residents in initiating this process. The Heritage Foundation of Oswego County suggests that the following sites have National Register potential.

- S-2: Lock in Oswego River - Plank Property
- S-4: Parkhurst Farm
- S-7: Lycoming Post Office
- S-36: William Stark House
- S-39: Haney House
- S-40: Enos House
- S-48: Frank Church House
- S-50: William Oleyourrk House

As previously stated, eight of the twelve historically significant residential structures are located on New York State Route 104.

There is a need to address the future of New York State 104 as it relates to these properties. Highway access, traffic flow and any future roadway improvements could impact these historic resources. The town could create special guidelines or regulations for buffering or limiting access in areas adjacent to local historic resources.

The Town of Scriba is also fortunate in that it has a 20th century public art sculpture. The development of future historic and cultural structures are limited due to economic constraints and modern day thinking that buildings and structures should be functional not architecturally pleasing. It should be realized that historic structures can be preserved in such a manner that enables continued use or reuse of a structure. When structures with historic significance are preserved, everyone benefits.

Goals, Objectives and Strategies

Goal: Encourage the maintenance of the historic character of the Town of Scriba.

Objective 1: Encourage the preservation, maintenance, rehabilitation and appropriate adaptive reuse of older and historic structures in the town.

Strategies

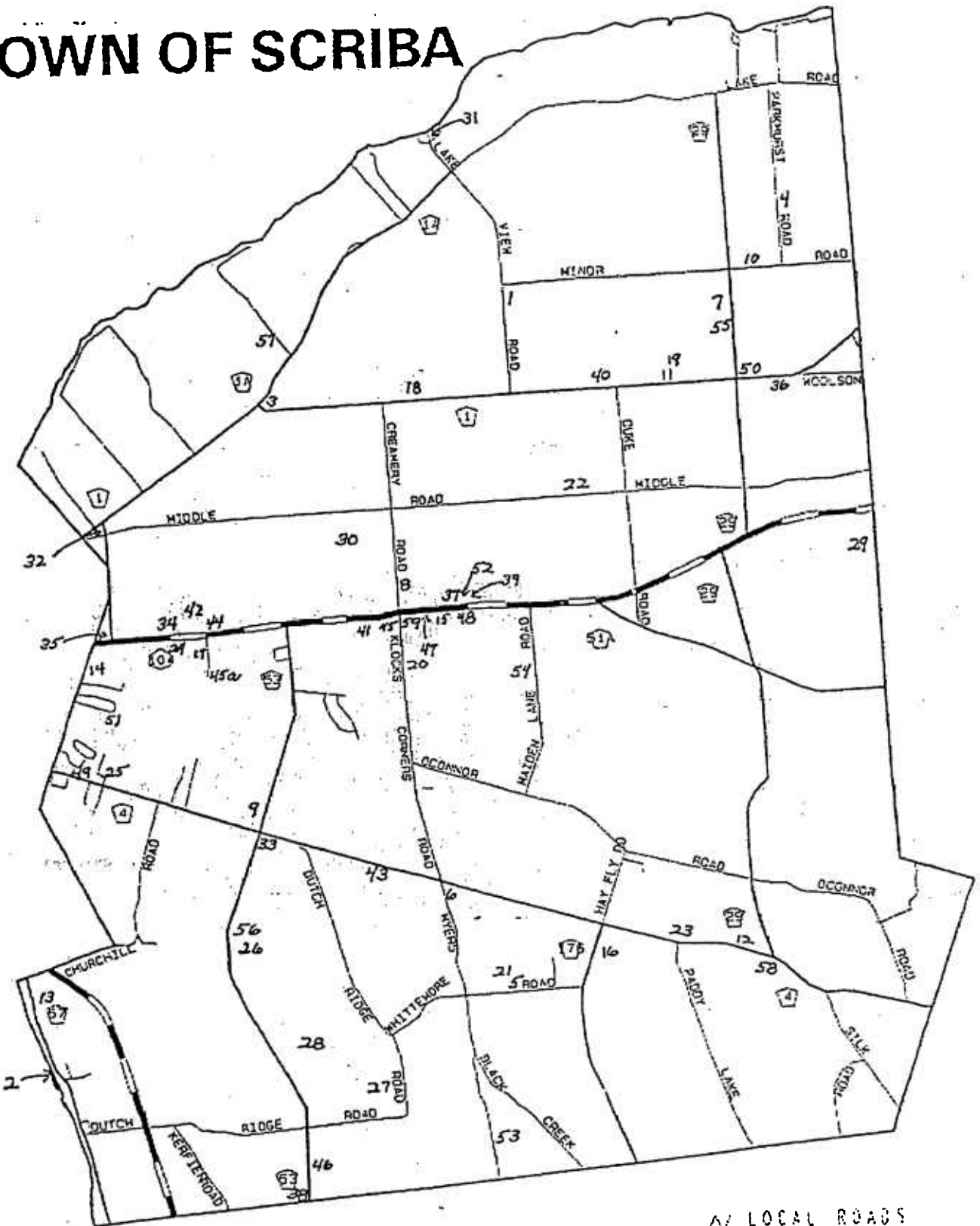
- a. Assist private property owners in making application to the National Register of Historic Places.
- b. Enable the Town Historian to create a local register of historic places.
- c. Incorporate historic resource identification into the site plan review process.
- d. Develop alternative standards for historic structures which would permit the relaxation of land use classifications and parking codes to encourage the adaptive use of historic structures and/or to prevent their demolition.
- e. Identify historically significant areas whose character could be preserved through the implementation of a historic resource preservation guidelines or an overlay district.

Objective 2: Preserve historic resources as a means of attracting economic development to the Town.





Strategies:

- a. Promote tourism associated with historic resources...
- b. Encourage private investment for restoration work.

TOWN OF SCRIBA

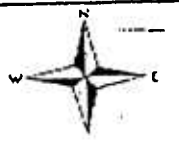


(MAP NOT TO SCALE)

-  LOCAL ROADS
-  COUNTY ROADS
-  STATE ROADS
-  U.S. AND INTERSTATE ROADS



BASE MAP PREPARED BY OSWEGO
 COUNTY DEPARTMENT OF
 PLANNING AND COMMUNITY
 DEVELOPMENT JUNE 1997



Transportation

The Town of Scriba's road system is made up of state, county and local roads. The majority of the roads are the responsibility of the town or the county. The only state roadways are NYS Routes 104 and 481. There are no federal highways or roadways in the town.

One of the best ways to evaluate a road system is to examine how the roads are used. One way to accomplish this is by using the Functional Classification System. "This is a process by which roads and streets are grouped into classes according to the character of service they are intended to provide. Central to this process is the understanding that vehicular traffic requires the use of a network of roads and that these roads also provide varying degrees of access to adjoining land use activities. Functional classification defines the role that a particular road or street should play in accommodating the flow of vehicles through a highway network. At the same time, this highway network must provide access to adjoining property."(OCCP, IV-2)

There are five major categories within the Functional Classification System. These categories are as follows:

Principal arterial: the main intrastate or interstate highway for the movement of people, goods and services. This roadway links one end of the state to the other. It should be noted that mobility is the most important issue.

Minor arterial: a regional thoroughfare, providing for the movement of people, goods and services. Mobility is important but does not rise to the same concern as that of a principal arterial.

Major collector: the function of this roadway is to link local communities together or provide linkages to higher functionally classified roads such as minor or principal arterials.

Minor collector: these roadways provide connections within a community or to higher level roads. "Access becomes increasingly more important for lower level roads such as collectors, as compared to an arterial." (OCCP, IV-2)

Local roads: these roadways are non-designated county, town, village or city streets. Usually these roads primarily function to provide access.

Generally speaking, rural communities which are larger in size (square miles) should have a variety of functionally classified roadways to accommodate the movement of people, goods and services.

As demonstrated by Map #8, the Town of Scriba has two principal arterials, two major collectors, three minor collectors and a host of local roads. It should be noted that there are no roads in the town designated as minor arterials.

During the summer of 1995, the NYS Department of Transportation, in conjunction with the City of Oswego and the Oswego County Departments of Planning and Community Development and Public Works, conducted a detailed analysis of Routes 481 and 104.

The purpose of this study was to determine if an east-side bypass of Oswego connecting Route 481 and 104 is justified. The final report was issued in 1997. It identifies a variety of deficient segments along these highways but does not support a bypass of Oswego.

Public Transportation - Bus Service

Centro of Oswego, Inc., located in Oswego, is a subsidiary of the CNY Regional Transportation Authority and operates the only public transportation available in the Town of Scriba. Centro's Oswego County Loop Bus Route runs along Route 104 in Scriba. Although there are no designated bus stops in the Town of Scriba, the bus can be waived down if someone is interested in riding. This Centro bus route provides public transportation between the City of Oswego and Town of Mexico, as well as to the City of Fulton.

Rail

There is a Conrail line that serves industry located in Scriba. The line is designated for freight traffic only. The service is known as the Fulton Secondary and it runs from the Montreal Secondary Line near Liverpool to Oswego along the east side of the Oswego River. (OCCP, IV-5) It then travels northeasterly to Scriba. Currently, Alcan and Niagara Mohawk utilize this rail service.

New York State Barge Canal

"In 1992, the New York State Barge Canal was redesignated as the New York State Canal System. The area has a total of 524 miles of canals in four main sections. These are the Erie, Oswego, Champlain, and Seneca Canals." (OCCP, IV-6)

Oswego County contains the Oswego Canal and a portion of the Erie Canal. The Oswego Canal is bounded by the Town of Granby, City of Fulton, Town of Minetto and City of Oswego on the west and the Town of Schroepfel, Village of Phoenix, Town of Volney, City of Fulton, Town of Scriba and City of Oswego on the east.

"In 1990, traffic on the Oswego Canal carried 84,714 tons of commodities, which was nearly 80% lower than the 412,110 tons carried in 1960.- Since 1990, commercial use of the canal has essentially ceased. In recent years recreational traffic along the canal has continued to increase." (OCCP, IV-6) The section of land along the Oswego Canal which is located in the Town of Scriba is primarily privately owned and residential in nature. The only public land along the canal in the Town of Scriba is owned by New York State and is located between the waters edge and County Route 57.

Air

The Town of Scriba is home to one of the six heliports located in the County. The heliport is privately owned and operated by the Niagara Mohawk Power Corporation. The Oswego County Airport is located four miles south of the Town of Scriba in Volney.

Bicycle

Currently, there is only one designated bicycle route in Oswego County, the Seaway Trail Bike Route. This bicycle route does run through the Town of Scriba. The Seaway Trail Bike Route extends along NYS Route 3 from the Jefferson County border to NYS Route 104B along 104B to County Route 1 in the Town of New Haven, and through the Town of Scriba to the City of Oswego. Within the City of Oswego, it follows local streets to County Route 89 in the Town of Oswego. From there, it continues to West Lake Road, Sabin Road, Demass Road and NYS Route 104A to Cayuga County.

The NYS Department of Transportation has developed three classifications for bicycle routes. Class 1 routes occur along a right of way separate from any road or highway. Class 2 routes are signed bikeways on a separated lane along the shoulder of an existing road. Class 3 routes are those on-road and designated by a municipal body. According to the Department of Transportation classifications, the portion of Seaway Trail Bike Route in the Town of Scriba would be considered a Class 3 bicycle route.

Pedestrian

Due to the rural nature of the Town of Scriba there have not been any pedestrian routes designated; however, as the town continues to develop, the town will want to address the needs of pedestrians, especially in areas located by the town center.

Opportunities and Constraints

The Town of Scriba's road system faces many constraints. One of the most noted is financial. The cost of building and expanding roads is very expensive. When representatives from the NYS Department of Transportation made a presentation to the town, they indicated that building new state highways or roadways was not possible. The NYS Department of Transportation is interested in maintaining the integrity of the existing road system. The department has taken an active interest in corridor management as a means to preserving the intended function of their roads.

The Federal government has taken an interest in improving and enhancing roadways for pedestrian safety and scenic aesthetics. (ISTEA and TEA-21 programs) In 1991, Congress adopted the Intermodal Surface Transportation Efficiency Act (ISTEA). The first goal of this act was, to develop a National Intermodal Transportation System that is economically efficient and environmentally sound, that provides the foundation for the nation to compete in the global economy and which will move people and goods in an energy-efficient manner. The main idea of ISTEA was to integrate the country's transportation system. This legislation sought to get away from classic highway orientated policy and move toward a more integrated transportation policy.

In June 1998, President Clinton signed the Transportation Equity Act for the 21st Century (TEA 21). "This legislation updates Titles 23 and 49 of the United States Code (U.S.C.) And builds on the major changes made to Federal transportation policy and programs addressed in the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA).

The legislation includes numerous provisions that address improvements and changes to the implementation of transportation enhancement (TE) activities." (Fhwa.dot. website, p. 1, TEA 21) Sustainably, the activities that are and will be funded are non-traditional in nature and focus on enhancing many modes of local transportation.

According to the Town of Scriba Citizen Participation Survey, the maintenance of the existing road system within the town is a very important issue. Over 78% of the respondents indicated a positive response to this question. Specific concern was expressed about the traffic along County Route 1 and the need for pedestrian and bicycle trails or walkways. The residents of Scriba indicated a need for traffic control devices at City Line Road and 104, and Churchill Road and 481.

Oswego County has a five-year road/bridge maintenance and improvement plan for its roadways. It should be noted that this plan is subject to changes due to unexpected road repair needs and available funding. The Town of Scriba will see reconstruction work on County Routes 1 and 1A, funded by an ISTEA grant for economic development enhancement. It is anticipated that the work on this section of road will begin in the summer of 2000. The bridge crossing Black Creek on Myers Road is scheduled to be repaired in the year 2003.

It is important that the Town of Scriba review the impacts of development on the existing road classification system, that all new local roads are designed in such a way so as not to impact the function of the town's arterial and collector roads. Local roads should interconnect with each other so that collector roadways are not impacted with unnecessary local traffic. Whenever possible, dead end streets should be avoided.

After reviewing the Town of Scriba's Functional Classification System map and existing land use patterns (understanding that the development of new roads and roadway expansion are unlikely), it may be desirable to review the designated classification of some roads. It was felt that the following roads should be reviewed: NYS Route 176, County Route 4, County Route 53 and Creamery Road.

It is important that any future land use decisions reflect the local functional roadway classification system. If the functional classifications system is left to unmonitored land use decisions, it is inevitable that the existing roadway system will deteriorate and the roads will lose the capacity to function efficiently. When this occurs, a community faces traffic congestion and safety problems. The access road or service road is one alternative that may be effective in removing local traffic from a congested roadway. An inefficient roadway system is also a deterrent to economic development because the movement of goods is often a factor for businesses and industries deciding whether or not to locate in a community.

Goals, Objective and Strategies

- Goal: Develop and maintain an efficient and safe transportation system in the most fiscally sound, environmentally sensitive and energy efficient manner possible.
- Objective: Maintain the local roadway system in a state of good repair and encourage appropriate maintenance of state and county roads to ensure the overall function of the town's highway system.

Strategies

- a. Maintain a comprehensive inventory of the conditions on local roadways.
- b. Identify and seek remediation of impediments to the efficient and safe flow of traffic along state, county and local highway systems. When necessary, notify the state or county about such conditions.
- c. Request NYS DOT to review the traffic count information to determine if the functional classification of NYS Route 176, County Route 53 and County Route 4 should be reviewed and upgraded.
- d. Whenever feasible, make sure subdivisions are developed in a manner which allows connections to other neighborhoods.
- e. Review the Town of Scriba local laws which cover land development so that dead-end streets and local streets without outlets are avoided, whenever possible.
- f. Work with Oswego County to complete and implement the 104 Corridor Management Study and continue to evaluate the need for an eastern loop road around the City of Oswego.
- g. Develop a five-year road improvement plan. Seek state and federal funding for projects in the plan. Review the plan on an annual basis.
- h. Incorporate pedestrian and bicycle trail development into local road improvements and as part of new roadways.
- i. Amend the site plan review law and the subdivision law to include sidewalks in all residential development projects.
- j. Research the possibility of creating a bicycle and pedestrian trail system throughout the town

Infrastructure and Utilities

Sewer

“There are three districts in the town. These are the Candlewood, Hall Road, and Wine Creek Sewer Districts. All three districts are in close proximity to each other and are either adjacent to or close to the City of Oswego. Sewage treatment for the districts is provided by the city’s east side sewage treatment plant.”

The Candlewood Sewer District includes Candlewood Drive and portions of City Line and Hall Roads. There are 44 customers in the district. The sewer collection system consists of an eight-inch main and is currently underutilized.

The Hall Road Sewer District is due east of the City of Oswego and is adjacent to the Candlewood Sewer District. There are nine customers in the district. An eight-inch main provides sewage collection and, like the Candlewood System, it is significantly underutilized.

The Wine Creek Sewer District is along much of City Line Road. The district has 70 residential customers. Eight-inch mains also provide collection. Like the Candlewood and Hall Road districts, the Wine Creek Sewer District is underutilized. (OCCP, V-10)

The City of Oswego East Side Sewer District that serves the Oswego County Public Safety Facility on Churchill Road provides sewer connections to four homes on County Route 57 in the Town of Scriba.

Water

There are two water districts in the Town of Scriba. The larger district is the consolidated water district. This district serves approximately 40% of the town. The lines run along Middle Road to Creamery Road, NYS Route 104 to Maiden Lane Road, Hall Road to County Route 53 and along County Route 1 and 1A just past Sithe Energies.

The typical water line in this district is 8 inches. There is a 36 inch line that serves Sithe Energies. The consolidated water district serves approximately 905 customers most of which are residential. The water is supplied by the City of Oswego.

The other water district is know as the Seneca Hill water district which provides water service to 90 customers. This encompasses the portion of County Route 57 to the Dutch Ridge Road area. There are plans to extend this water line along Dutch Ridge Road to NYS Route 481. This water supplier is the City of Oswego. The Seneca Hill district is an 8 inch water line which is fed off of a 20 inch water main that services the Oswego County Public Safety Center.

Power Generation and Transmission

Most of the electrical power in Oswego County is produced by Niagara Mohawk Power Corporation and the New York Power Authority. Together these entities produce approximately 2,640,000 kilowatts hydroelectric and nuclear power. There are three plants: Nine Mile Point One, Nine Mile Point Two and James A. FitzPatrick. Nine Mile Point One is owned and operated by Niagara Mohawk Power Corporation. Nine Mile Point Two is owned by Niagara Mohawk, New York State Electric and Gas, Long Island Lighting Company, Rochester Gas and Electric and Central Hudson Gas and Electric. Nine Mile Point Two is operated by Niagara Mohawk. The FitzPatrick plant is owned and operated by New York State Power Authority. The Nine Mile Point One plant produces 610,000 kw or 14% of Oswego County's total power production. Nine Mile Point Two produces 1,080,000 kw, which is 26% of the total. The FitzPatrick plant produces 840,000 kw or 19%.

Sithe Energies Group Incorporated has a 1,080 megawatt co-generation facility in the Town of Scriba. This facility burns natural gas to produce steam and electricity. They sell the steam to Alcan Aluminum Products and the electricity to Consolidated Edison of New York and Niagara Mohawk.

Analysis and Constraints

Through the Town of Scriba planning process, the town received public input concerning water and sewer issues. The public voiced concern about the need to extend existing public water lines to serve more residents and the need to install sewer systems in some areas of the town.

The expansion of existing water and/or sewer districts or the creation of new districts can be complicated issues to address. To economically expand facilities, it is necessary to address the type and density of land use activities that may develop in the town. This can create environmental problems because there is a definite limit beyond which growth will exceed the natural ability of the land to support such growth. To afford infrastructure expansion, allowing for more dense development is often necessary (such as more residential units per acre, so that there are more users to pay for the cost of infrastructure development). This can also be accomplished by having fewer, but more intense uses (such as industrial development, so that a large portion of the cost is paid for by an income generating facility). If a community wishes to maintain its rural character or large lot development practices, it may be too costly to develop or extend existing water or sewer infrastructure.

Other areas of the county have successfully expanded their water delivery systems by successfully qualifying for community infrastructure grants (which are directly linked to job creation or serving low/moderate income residents). Some communities have had the opportunity to work with utility providers (such as Onondaga Water Authority) and have given waterline easements through their municipalities in exchange for infrastructure for water delivery systems.

The Town of Scriba was successful in securing grant funds of \$900,000 from the Economic Development Administration for expansion of the sewer line along County Route 1A. However, this grant is tied directly to the development of an industrial facility and job creation. Therefore, the sewer line cannot be expanded until such a development is ready to be built.

The Town of Scriba will need to review the desire of the citizenry to have public water in relation to the cost of providing it. The town should also review the land use patterns in areas that want and need public water to determine if greater residential density could be achieved. The residents of the town will need to review all of economic, environmental and land use density issues and decide if public water is desirable. It should be noted that typically the cost of infrastructure tends to increase over time, so after an economic analysis is completed, the necessary funding should be secured. Work should be initiated in a timely manner so that costs do not increase.

Power Industry

The power generating industry is in a state of flux. "It has traditionally been comprised of companies that enjoyed franchise area monopolies. Deregulation is putting this system into question. In fact, during the fall of 1997 Niagara Mohawk Power Corporation separated its power producing and transmission operations into two distinct companies. Niagara Mohawk has also begun to sell off some of their facilities." (OCCP, V-20) The power industry is important to the Town of Scriba. This industry is a significant part of the economy. Keeping track of the power industry will be important in order to anticipate how this industry's changes could effect land use, environmental issues, economic development needs and infrastructure needs in the future.

Goals, Objectives and Strategies

- Goal: Protect the quantity and quality of the town's water supply.
- Objective 1: Determine in what areas of the town it is necessary and desirable to create water or sewer districts.
- Strategies:
- a. Research the possibility of extending existing waterlines or sewer lines and establishing new districts.
 - b. Develop an infrastructure feasibility plan for each area of the town that wishes to have a water district or sewer district.
- Objective 2: Identify areas of the town where existing development currently exceeds natural carrying capacity.
- Strategies:
- a. Obtain information from the Oswego County Health department about failing septic systems and wells. Keep track of this information to identify areas with the greatest need.
 - b. Develop an internal tracking system to identify areas of greatest need.

Objective 3: Implement groundwater protection programs and policies.

Strategies: a. Develop groundwater protection guidelines for existing and potential groundwater sources of drinking water.

b. Investigate the possibility of working with the Oswego County Health Department to identify a public or individual infrastructure mediation plan to address areas with failing septic systems.

Goal: Improve efficiency and reduce costs of infrastructure development within the Town of Scriba.

Housing

Generally speaking, the majority of the Town of Scriba housing stock was built in the 1970's. The median age of a home in Scriba is 1975. The Town of Scriba was the primary beneficiary of the 1970-1980 housing boom in Oswego County. "At this time, the FitzPatrick Nuclear Power Plant was under construction, and Niagara Mohawk then developed Nine Mile Point Unit 2, which took many years to complete. During this time, employment in the construction industry peaked at approximately 5,000-6,000 persons, averaging approximately 3,200 persons at any given time. In addition to construction jobs, another 1,000-2,000 persons were employed by Niagara Mohawk to operate the facility."

Approximately 69% of the housing stock in the town is owner-occupied. Twenty-one percent is renter-occupied, and 10% is classified as vacant. Although a total of 261 units are classified as vacant, 53% of 139 are seasonal or occasional use homes. Housing units classified as occasional use are 5% of the total housing stock.

The 1990 Census asked local homeowners what they thought their homes were worth. In the Town of Scriba, residents responded to the question of the estimated value of owner-occupied housing units as follows:

Estimated Value of Owner-Occupied Housing Units 1990 For the Town of Scriba and Oswego County

<u>Location</u>	<u>Lower Quartile</u>	<u>Upper Quartile</u>	<u>Median</u>
Scriba	\$54,300	\$97,600	\$75,900
Oswego County	\$48,000	\$86,300	\$65,100

According to this information, residents in the Town of Scriba estimated the value of their housing to be more than \$10,000, greater than the median cost of housing in the county. This is probably due to the fact that the majority of housing was built in the 1970's, so at the time the Census information was collected, much of the housing in Scriba was recently constructed.

The year housing was built not only showed an increase in population for the town, but also reflects the style of housing that can be found in the town. Similar to the rest of Oswego County, Scriba's most predominant type of housing unit is the single detached home. The following is a chart which shows housing type by number in the town.

Housing Units by type for the Town of Scriba - 1990 Census

Total # <u>Units</u>	1 <u>Unit</u> <u>Detached</u>	1 <u>Unit</u> <u>Attached</u>	2-4-5-9 <u>Units</u>	More <u>Units</u>	10 or More <u>Units</u>	Mobile or <u>Units</u>
2,602	1,409 (55%)	15 (1%)	102 (4%)	165 (6%)	61 (2%)	850 (33%)

Approximately one third of the town's housing is mobile or manufactured housing. Approximately 143 or 17% of these units are located in a manufactured or mobile home park. The New York State Division of Housing and Community Renewal requires that parks of three or more manufactured homes be registered with New York State. According to the 1998 NYS DHCR Manufactured Home Parks Registration list, the following are the Manufactured Home Parks in the Town of Scriba.

Manufactured Home Parks In the Town of Scriba

- *Black Walnut Mobile Home Park 14 Units
- *Crisafulli Mobile Home Park 17 Units
- *Fawn Estates 18 Units
- *HillCrest Mobile Home Park 37 Units
- *Hilltop Mobile Court Inc. 87 Units
- *Muroski's Trailer Park 04 Units
- *Paura Trailer Park 07 Units

The remainder are on single family lots located throughout the town.

There is no conclusive information available concerning substandard housing. The 1990 Census does not explicitly address substandard housing. The Census does provide information about housing units that lack plumbing facilities, units that lack kitchen facilities, and units that have more than one person per unit. Since the Town of Scriba does not have a housing code and since a windshield housing survey is not available, the only information concerning substandard housing is from the 1990 Census.

According to the Department of Housing and Urban Development, which considers housing units to be overcrowded if the average number of people per room exceeds one, in the Town of Scriba approximately 2% of the total number of housing units meet this criteria.

Approximately 2% of the housing units do not have plumbing facilities and 1.5% do not have kitchen facilities. Census information does not take into account how many of these units may fall into more than one of these classifications; thus, the percentage of housing that may be substandard according to the 1990 Census is between 2%-5.5%.

It is interesting to review building permit and housing sales information. By looking at this data, a general understanding of the Town of Scriba's recent housing activities can be achieved. The multiple listing information for residential sales in Oswego County includes eight areas.

The Town Scriba is part of Area 03. Area 03 also includes the City of Oswego, the Town of Oswego and Minetto. The following information concerning residential closings in area 03, the Town of Scriba and Oswego County offers good comparative information.

Residential Housing Sales

<u>Year</u>	<u>Town of Scriba</u>	<u>Area 03</u>	<u>% in Scriba</u>	<u>Oswego County</u>	<u>% in Scriba</u>
1996	16	140	11%	467	3%
1997	14	138	10%	479	3%
1998	30	148	20%	467	6%

According to the Oswego County Board of Realtors information, the housing sold in Scriba during the past three years has done so at a higher sales price than housing located in Area 03 and Oswego County. The following chart illustrates this information.

Median Sales Price of a Single Family Detached Home

<u>Year</u>	<u>Town of Scriba Median Sales Price</u>	<u>Area 03 Median Sales Price</u>	<u>Oswego County Median Sales Price</u>
1996	\$100,938	\$78,230	\$68,027
1997	\$ 97,421	\$73,942	\$66,765
1998	\$ 94,623	\$80,346	\$69,109

It should be noted that the sale of manufactured housing and mobile homes are not always considered to be residential closings. Therefore, all mobile home sale transactions are not listed in the real estate summary data. Also, when a home is sold privately and a realtor is not used, these transactions are not tracked or included in the real estate summary information. Also, realtor transactions completed by realtors working outside the area are not reflected in this data. Although the data is somewhat limited, it does show how the Town of Scriba is doing compared to other municipalities in the same sales area, as well as the rest of the county.

By looking at real property transactions more detailed information can be reviewed. Real property transactions are recorded for all land transactions, therefore, mobile and manufactured housing is recorded, as well as home and property transfers within families. This information is interesting and detailed, however, identifying every transaction does not necessarily create a more accurate representation of the market. As displayed in the chart below, when all residential transactions are represented, the Median Sale Price in the Town of Scriba is much lower than that shown by the Oswego County Board of Realtors.

Residential Sales in the Town of Scriba
For 1996-1998

<u>Year</u>	<u>Number of Transactions</u>	<u>Median Sales Price</u>
1996	38	\$64,903
1997	42	\$62,731
1998	45	\$82,130

Source: Oswego County Real Property Tax Services.

*This includes sales information for mobile/manufactured housing and large land tracts with single family homes.

Another element used to understand the housing market is building permit information. Building permit information is interesting because we can understand what type of new housing is being built or placed in the town. Unfortunately, there is a cap in the information available. The following chart shows residential building permit information for the years 1990 through 1998.

Residential Building Permit Information by Year and Type for the Town of Scriba

<u>Year</u>	<u>Single Family Dwellings</u>	<u>Multi Family Dwellings</u>	<u>Mobile Residential Homes</u>	<u>Additions</u>
1990	45	2	40	19
1991	61	1	58	15
1992	41	*	43	18
1993	42	*	38	22
1994	11	*	20	11
1995	24	*	37	15
1996	21	*	39	21
1997	12	*	27	12
1998	13	*	29	19

Oswego County Building Permit Information (as collected from the town).

* No longer have this category.

The building permit information indicates that the new residential development has slowed. The information also indicates an increase in the percentage of mobile/manufactured housing being placed on a lot compared to stick-built construction.

In 1990 and 1991, the placement of mobile/manufactured housing compared to stick-built construction was approximately a 1:1 ratio. In 1997 and 1998, the ratio was 2:1. If this continues, there will be a significant change in the town's housing stock.

In 1998, the Town of Scriba approved a site plan for the construction of a 40 unit retirement community. The development will be located off of County Route 4. The development is a community building and is designated to meet the needs of seniors. This development does not involve any kind of government subsidy.

The subject of housing encompasses much more than the physical development of housing units. The issue of affordability is linked directly to the housing market, housing stock and the availability of subsidized housing.

The Town of Scriba currently does not have any housing units which are designated for the elderly or any other specialized population which have been developed through a federal, state or local government program. The Town of Scriba does fall under the jurisdiction of the Oswego County Section 8 Rental Assistance Program. This is a federally funded program that the New York State Division of Housing and Community Renewal (NYS DHCR) is designated to administer. The Oswego County Housing Division, which is part of the Oswego County Department of Community Development and Planning, serves as the housing administration agency for NYS DHCR. The Oswego County Housing Division administers this program for all areas of the county, excluding the cities of Oswego and Fulton and the Village of Phoenix. Approximately 5% of the rental assistance units are located in the Town of Scriba.

Analysis and Constraints

Overall, the housing stock in the Town of Scriba is younger compared to that of the county and the overall incidence of homeownership is higher in Scriba than in the county. The median sales price of a single family home is generally higher than in other parts of the county, however, this is directly related to size of the lot, age and size of the housing and the fact that the Town of Scriba is a desirable community to live in because of the low residential taxes.

Since the housing stock in the town is younger, it may be advantageous for the town to recognize its older historic homes. The town may wish to encourage local homeowners living in these historic homes to put them on the National Register of Historic Places. The maintenance and preservation of these structures is important to the town's history, as well as the housing stock.

Recently, the town has seen an increase in mobile/manufactured housing. This is often an indication of an affordable housing need. Mobile homes and manufactured housing are often utilized as an alternative for affordable housing in rural areas. This type of housing is a good alternative to the stick-built home in that it enables residents to be homeowners, however, if the incidence of mobile/manufactured housing continues to be greater than conventional or stick-built homes, over time this will have a negative impact on the long term stabilization and value of the town's housing stock. This is because mobile and manufactured housing does not appreciate at the same rate as conventional stick-built housing.

This is a good indicator, however, that the residents of the Town of Scriba enjoy being homeowners and are interested in living in Scriba. There are several opportunities that can be recognized.

Residents of the Town of Scriba may be interested in participating in a first-time home buyer program or a mobile/manufactured housing replacement program. One of the best ways to secure a quality housing stock is to adopt a local housing code. This enables the town to make sure that all housing is safe, that is to say, free of fire and sanitary code violations. In the long run, a housing code secures the quality of the local housing stock.

Typically the town's housing stock has been developed in subdivisions or on single tracts of land along roadways. As the town continues to develop, there may be an opportunity to utilize more creative design techniques such as clustering or planned unit developments (PUD) which enable greater flexibility and can accommodate a variety of housing styles.

Goals, Objectives and Strategies

Goal: Provide a wide range of safe, sanitary and affordable housing opportunities for the existing and future residents of the Town of Scriba.

Objective 1: Support the maintenance of the town's housing stock

Strategies:

- a. Develop, adopt and implement a local housing code.
- b. Apply for grants for maintenance and rehabilitation of owner occupied housing.
- c. Advocate to be part of a county-wide mobile and manufactured home housing replacement and repair program.
- d. Provide landlords and renters with information concerning minimal housing quality standards.

Objective 2: Diversify the town's housing stock and provide affordable choices in housing for special needs populations.

Strategies:

- a. Develop clustering and planned unit development regulations to enable more creative housing designs and choices.
- b. Review local laws to ensure the ability to develop opportunities for accessory apartments, elder cottages and shared residences.

Objective 3: Increase the opportunities for homeownership in Scriba.

Strategies:

- a. Encourage participation of residents in local first-time homebuyer programs offered through the Oswego Housing Development Council.

Objective 4: Encourage the use of creative and innovative design techniques when developing new housing developments, including options for higher density, and more affordable housing.

Strategy: a. Adopt a subdivision ordinance which incorporates creative design techniques.

Objective 5: Promote non-discrimination in the selling and leasing of housing.

Strategy: a. Become a participating community in the Oswego County New Horizons Fair Housing Program.

Community Facilities

Community facilities are public or quasi-public facilities that are designed to serve local residents. Community facilities are designed to provide one or more functions to the community.

Administrative

The Town of Scriba has three public buildings. The Town Hall and the Scriba Recreation Center are both located on Creamery Road. The Scriba Community Center Building (formerly the Scriba Baptist Church) is located on New York State Route 104. The Town Hall serves as the office facilities for most of the town's administrative business. The following town officials have their offices at the Town Hall.

*Town Supervisor	*Planning Board	*Tax Collector
*Water and Sewer Department	*Historian	
*Town Clerk	*Highway Department	
*Town Justices	*Building Inspector	
*Assessor	*Code Enforcement Officer	

The Town of Scriba Recreation Center is located at the intersection of NYS Route 104 and Creamery Road, is home to recreation programs, excluding those of Senior Citizens' Organizations which meets bi-monthly at the Town Hall. The School Age Child Care Program is housed at the town Community Center Building. The Community Center is also the meeting place for local community groups such as Home Bureau.

Education

Children in the Town of Scriba are part of the Enlarged Oswego City School District, Mexico Academy and Central School District and the Fulton City School District (please refer to Exhibit 4, County-wide School District Map which shows district boundaries). Currently, there are eight (8) registered child care providers located in the town. Specific information concerning child care options is available by contacting the Oswego County Child Care Council.

Public Safety

The issue of public safety presents itself in many forms in a community. The Town of Scriba is part of the Oswego County 911 Emergency Response System.

Fire Safety and Ambulance Services

The Town of Scriba is served by one industrial fire department located at the Alcan Aluminum Corporation Plant and the Town of Scriba Volunteer Fire Company. The Town of Scriba Volunteer Fire Department is located on New York State Route 104 and Fire Station #2 is located on County Route 29 and Miner Road. The Town of Scriba's primary ambulance service is provided by the City of Oswego. The City of Oswego's service is a paid ambulance service.

Public Safety

The Oswego County Sheriff's Department serves as the primary policing agency in the town. The department also has a marine division which is responsible for activities along the shores of Lake Ontario and the Oswego River/Canal, as well as all other water bodies within Oswego County. The county also has a snowmobile patrol unit.

Other Government Buildings

Oswego County's main highway garage is located on New York State Route 104. A post office is located in Lycoming on County Route 29. The town does not have any future plans for expansion. It is the town's objective to maintain all of its existing municipal facilities.

Goals, Objectives and Strategies

Goal: Continue to provide Town of Scriba residents with adequate community facilities required to serve the town's needs.

Objective: Maintain the existing public facilities.

Strategies:

- a. Continue to maintain the Town of Scriba public buildings.
- b. When possible, assist the Town of Scriba Volunteer Fire Department with fund raising efforts.
- c. Annually review the ambulance service contact with the City of Oswego to ensure Town of Scriba residents needs are being met.

Parks, Recreation and Open Space

Parks, recreation and open space are important to a community because they add to the quality of life and offer unique opportunities for socializing, recreating and learning. The Town of Scriba has four local parks - Sunset Bay, Scriba Town and Independence Parks.

Scriba Town Park is on O'Connor Road. It is approximately 47 acres. This park is mostly wooded land. The Scriba Town Park has a pond for swimming, playground, tennis courts, ball field, recreation/snack bar/shelter building and restroom facilities. The beach at the pond is well used. According to the 1992, Town of Scriba Recreation Plan, approximately 250 swimmers frequent the pond daily during the swimming season.

Sunset Bay is on East Lake Road just north of the FitzPatrick Power Plant. The town acquired the park in 1992. It is approximately 48 acres in size. The park includes approximately 850 feet of lake frontage. This park contains picnic tables, volleyball court, a nature trail, restroom and boat launch facilities. The park also has the remnants of an old apple orchard.

The town also owns the "old fireman's field" located on Creamery Road across from the town hall. This property is about nine acres in size and is currently considered open space.

Memorial park is located on the northeast corner of the intersection of NYS Route 104 and Creamery Road. This park was developed in honor of those who had died serving our country.

County Parks

Independence Park was established in November 1995. The county acquired Independence Park from the Sithe Independence Partnership. The park is approximately 30 acres. It is found on Riker's Beach Road. "The park includes approximately 700 feet of lake front with a 3,500 foot nature trail winding through woodlands and wetlands. The trail ends at a raised observation mound on the edge of Lake Ontario. The park provides opportunities for hiking, cross-country skiing and is perfectly suited to observe and photograph birds and wildlife on a major song bird migration route." (OCCP, VIII-4)

Semi-Private Parks

Alcan Aluminum has a nature trail at their industrial site located off County Route 1. Approximately 21 acres has been designated as a nature reserve. Due to improvements to the Alcan facility, it will be necessary to temporarily close the nature reserve. Alcan anticipates that access to the nature reserve may be restricted for two years.

Reforestation Land

The Town of Scriba also has three areas dedicated as reforestation land. One is approximately 19.55 acres and is located on Nine Mile Point Road. The other two are located off of County Route 51A. The parcel with road frontage is approximately 17 acres. The other parcel located further inland is approximately 21 acres in size. These areas are shown on Map #9.

Bike Trails

The only designated bike trail in the Town of Scriba is the Seaway Trail that runs along New York State Route 104 in the Town of Scriba.

Analysis Constraints and Opportunities

The Town of Scriba Comprehensive Plan Citizen Survey suggested that most of the residents did not see a great need for additional parks or recreational facilities. The residents of Scriba indicated through their responses that they are pleased with the existing parks and recreational facilities.

In 1992, a development plan for the Scriba Recreation Center, Scriba Town Park and Sunset Bay Park was developed by Kotz and Associates Land and Recreation Planning and Design for the Town of Scriba. This plan contains specific detailed recommendations and improvements for each of these facilities. This plan should be used as the implementation tool for the future development of the town's parks.

The Town of Scriba is part of the Seaway Trail. The Seaway Trail follows the Great Lakes from Pennsylvania to the St. Lawrence Seaway. The Seaway Trail is a scenic byway. The portion of the trail that is in Oswego County and the Town of Scriba should be reviewed to ensure it is consistent with the intent of the scenic designation. There are opportunities for improvement to the bicycle and pedestrian safety aspects portion of the trail in Scriba, as well as to the aesthetics of that portion.

In 1998, the Town of Scriba received funding from a Coastal Resources Management Grant to conduct a corridor management study completed for the Seaway Trail. This study will address the scenic and safety issues along the Seaway Trail in the Town of Scriba.

There is a great deal of Lake Ontario shoreline located in the Town of Scriba. The majority of the lake frontages are under private ownership. The Town of Scriba has been fortunate because the industries that have developed along the lake have maintained buffers along the shoreline, however, because so much of the lakeshore is in private ownership, the town may wish to advocate the development of pedestrian trails for public use so that the citizens of the Town of Scriba are not cut off from Lake Ontario.

Goals, Objectives and Strategies

Goal: Provide a variety of recreational opportunities for Town of Scriba residents.

Objective 1: Maintain and improve the existing public recreation and park facilities in the town.

Strategies: a. Continue to implement the 1992 development plans for Town of Scriba Recreation Center, Scriba Town Park and Sunset Bay Park. (Kotz and Associates Land and Recreation Planning and Design)

b. Continue to include a fee for community park development within the local subdivision. Evaluate raising the amount required to be dedicated from 1% to 2% (Section 5.45 Public Open Spaces and Sites of the Town of Scriba Subdivision Law).

Objective 2: . Preserve the integrity of the Lake Ontario shoreline.

Strategies: a. Continue to encourage new and existing industries to provide buffers, greenways, and pedestrian access along Lake Ontario.

Objective 3: Research the feasibility of designating or developing bicycle trails in the town.

Strategy: a. Implement recommendations from the Seaway Trail Corridor Management Study.

Economic Development

The Town of Scriba is similar to Oswego County when it comes to economic development. Employment opportunities which exist in Oswego County benefit the residents of Scriba. Studies have shown that the average worker is willing to travel approximately 30 miles or ½ hour of time to their place of employment.

Employment

The following chart shows the average number of persons employed annually in Oswego County and the percentage of the population that was unemployed for the years 1990-1998.

Oswego County Yearly Average Employment and Unemployment Information

<u>Year</u>	<u>Average Number of Residents Employed Annually</u>	<u>Average Unemployment Rate</u>
1990	53,000	6.7
1991	52,300	10.1
1992	51,700	10.4
1993	52,500	9.2
1994	52,300	8.8
1995	52,000	8.6
1996	52,700	7.0
1997	53,700	6.9
1998	53,500	5.7

Source: New York State Department of Labor

The Town of Scriba Comprehensive Plan Citizen Survey indicates that most of the survey respondents work in Oswego County. The following chart offers more detailed information. The information is based on the responses to the citizen survey.

Where Survey Respondents Work

<u>Location</u>	<u>Number of Respondents</u>	<u>Percentage of Respondents</u>
In Town	231	30.43%
Outside of Town But in the County	312	41.11%
Outside of the County	94	12.38%
Other (includes retired)	122	16.07%

Source: 1998 Town of Scriba Comprehensive Plan Citizen Survey Responses.

“In 1990 the largest industry group in terms of employment of residents of Oswego County was manufacturing, with 10,951 employed or, 21.1 percent of the employed persons residing in the county. The second most important sector was retail trade with 9,342 workers representing 18 percent of employed persons.” (OCCP, IX-1)

Unfortunately, there is not any detailed employment or labor statistics for local municipalities. The NYS Department of Labor and the U.S. Department Bureau of Census do not survey localities.

However, based on local information, census data about income and business location, the Town of Scriba has an important role in the county's jobs base. Three of Oswego County's top 20 private sector employers are located in the Town of Scriba.

- *Niagara Mohawk Power Corporation - 1,500 employees
- *Alcan rolled Products - 800 employees
- *New York Power Authority - 780 employees

The 1990 Census does have information in the form of generalized categorical summaries by locality that offer some information as to what local workers are doing. The following is a chart highlighting information about Scriba residents.

Percentage of the Employed Persons (over 16)
in Oswego County by Occupation - 1990

Area	Exec Admin Mgmt	Prof. Spec	Tech Related Support	Tech Sale	Admin Clerical	Service	Farm Forest Fishing	Production Craft	Operator Fabricator Laborer
Scriba	5%	5%	8%	5%	5%	7%	0%	6%	10%
Oswego County	9%	12%	4%	9%	15%	14%	2%	15%	20%

Source: 1990 Census

Percentage of Employed Persons in the Town of Scriba by Occupation - 1990

Exec Admin Mgmt	Prof. Spec	Tech Related Support	Tech Sale	Admin Clerical	Service	Farm Forest Fishing	Production Craft	Operator Fabricator Laborer
7%	11%	5%	8%	14%	19%	0%	17%	18%

The Town of Scriba has a significant percentage of the local workforce involved in operator/fabricator/laborer. This is consistent with the existing specialized industrial employment base. (Nuclear power generation and aluminum processing) It should also be noted that many residents in the town are working in the service sector.

The information collected suggests that approximately 30% of Scriba residents also work in the Town of Scriba. This is a significant number and often residents of smaller communities need to travel greater distances to work.

Opportunities and Constraints

The Town of Scriba is seen as one of the industrial bases of Oswego County. The town has three major employers, together these companies employ 3,080 people. These employers also support the local economy through the payment of property taxes. For the last ten years, the Town of Scriba has had the lowest local taxes in the county.

The Town of Scriba has the ability to continue attracting new business, such as in 1996, Sithe Energies which is a co-generation natural gas, steam and electricity producer. Sithe Energies employs approximately 70 people. In September 1999, Sithe Energies announced their plans to develop the "Heritage Station," an 800 megawatt (MW) natural gas fueled power plant.

The project links Sithe as the project developer and General Electric (GE) as the manufacturer of the gas turbine technology. The project is anticipated to cost \$400 million and will employ approximately 1,000 people during construction and an additional 20-40 permanent plant workers.

The Town of Scriba has also seen an increase in small businesses and home occupations. Many Scriba residents are involved in a variety of businesses and services which are operated from their primary residence. These businesses are scattered throughout the town.

The Town of Scriba has enjoyed a strong tax base, primarily due to the nuclear power plant facilities. The Town of Scriba is concerned about the changes in state legislation that deals with deregulation and the pending sale of the Niagara Mohawk power producing facilities. The Town of Scriba and Oswego County have taken measures to diversify the town's industrial and employment base.

The County has extended an Economic Development Zone (EDZ) into the town. Grant funds have been secured to extend water infrastructure along County Route 1A, when a business or industry is ready to locate in this area.

It will be necessary for the Town of Scriba to monitor the existing industries and businesses and to continue to diversify the local employment base. The town should look to other employment sectors such as tourism. Although the town is not a tourist destination, many tourists must pass through Scriba to get to their destination. The tourism sector is one economic activity that could be tapped into to diversify the local employment base.

Goals, Objectives, Strategies

- Goal: Develop a local economy which provides good jobs and business opportunities and which creates a strong, stable local tax base to support government services and public education.
- Objective 1: Support the development of industrial and major commercial employment sites which have all necessary public services and which are compatible with existing land use patterns in the Town of Scriba.
- Strategies:
- a. Continue the development of infrastructure and facilities needed to support industrial development along County Route 1A in the Economic Development Zone.
 - b. Develop and maintain an up to date inventory of sites that would be appropriate for locating industrial and commercial development. These sites should be accessible to arterial or major collector road; have electrical utilities and/or natural gas service available at site boundary; and have public water and sewer available.
- Objective 2: Identify appropriate areas where all types of desirable and needed commercial activities and community services can occur. This can be done through zoning or creating a special site development guide.

Objective 3: Identify and promote rural hamlets and traffic controlled intersections on minor arterial and collector roads at appropriate locations for consideration as planned "neighborhood commercial nodes" to serve the needs of rural residents and tourists. Incorporate this information into any local land use guidelines or regulations that are or will be adopted.

Objective 4: Develop and promote the development of facilities and attractions necessary to insure the continued growth of tourism locally.

Strategies:

- a. Support the development of projects identified in the NYS Canal Plan and the Seaway Trail Oswego-Eastern Shore Communities Tourism Development Plan.
- b. In cooperation with the Oswego County Department of Planning and Community Development, complete the Seaway Corridor Plan and then implement the recommendations of the plan.

Objective 5: Protect important and significant farmland resources to insure that agriculture continues to be a contributor to the local economy.

Strategies:

- a. Participate in the farmland protection program which focuses on viable farm operations and committed farmers and which provides assistance with long term financial and land development strategies.
- b. Continue efforts to strike a balance between wetland and environmental protection and local economic needs which will allow the continuation of a viable local muck farm industry.

Objective 6: Target economic development opportunities based on linkages to current industries and resources.

Strategies:

- a. Cooperate with Operation Oswego County in the recruitment of industry which utilizes our water resources without-degrading the environment.
- b. Encourage economic development opportunities associated with changes in the power industry.

Land Use and Community Design

The Land Use and Community Design section of the plan is designed to pull together themes that have been presented throughout the other section of the plan. How land is used and how community is designed has an impact on the quality of life for local residents. The purpose of the inventory for the land use section is to show current land use patterns in order to identify and predict and if possible influence the future use of land in the town. Real property assessment records are a good source of information. These categories are described below. Data variables include the property type, classification and ownership codes compiled and overseen by the Oswego County Department of Real Property Tax Services in accordance with the NYS Division of Equalization and Assessment Assessor's Manual.

Real Property Tax Services Property Description

Category	Description
Agricultural	Property used for production of crops or livestock.
Residential accommodations such	Property used for human habitation. Living as hotels, motels and apartments are included in commercial category.
Vacant Land	Property that is not in use, is in temporary use, or lacks permanent improvement.
Commercial	Property used for the sale of goods and/or services.
Recreation	Property used by groups for recreation amusement and entertainment.
Community Service	Property used for the well being and assembly of the community.
Industrial	Property used for the production and fabrication of durable and nondurable manmade goods.
Public Services	Property used to provide services to the general public.
Wild Forested, Conservation Lands and Public Parks	Reforested lands, preserves, private hunting and clubs.

Classification Chart for 1996

<u>Property Classification</u>	<u># of Parcels</u>	<u>Total Acres</u>	<u>Percent</u>
Residential	1,921	10,746.62	41%
Vacant Land	714	5,787.00	22%
Commercial	84	969.36	4%
Recreation/Entertainment	6	59.58	.2%
Community Service	41	634.99	2%
Industrial	13	861.10	3%
Public Service	67	3,069.18	12%
Wild, Forested, etc.	10	302.72	1%
Agriculture	<u>93</u>	<u>3,870.35</u>	<u>15%</u>
Total	2,949	26,301.00	100%

Property Classification Chart - 1998

<u>Property Classification</u>	<u>Number of Parcels</u>	<u>Total Acres</u>	<u>Percent</u>
Residential	1,978	10,725.76	41%
Vacant Land	703	5,745.79	21%
Commercial	90	984.23	4%
Recreation/Entertainment	7	113.33	.4%
Community Service	41	638.53	2%
Industrial	14	865.38	3%
Public Service	71	3,026.55	11%
Wild, Forested	11	364.32	1%
Agriculture	<u>93</u>	<u>3,809.32</u>	<u>15%</u>
Total	3,008	26,318	100%

The information represented in the real property classification charts for 1996 and 1998 show that the greatest percentage of land in town of Scriba is classified as being used for residential purposes. Typically residential development in the town has taken place on existing roadways. There has been an increase in the subdivision of property along County Route 4. In 1998 the Town of Scriba adopted a subdivision law which requires 60,000 square feet per lot, unless infrastructure is provided. This will help to curb the development of smaller subdivision. However, it appears that the subdivision of property for the purposes of single family residential development is a trend that will continue. People are interested in having larger lots and also being located closer to services. As this trend continues, Scriba may lose its rural character and become more of a suburbanized community.

Vacant Land represents 22% of the total acreage in the town that has been classified. Agriculturally classified land represents 15 % of the total classified acreage, with 93 individual parcels. According to the real property information, the average agricultural lot is approximately 40 acres. The Public Service land use classification represents 12% of the total property in the town. This classification is the only land use classification that has shown any difference between 1996 and 1998. The Public Service classification has decreased 1%, however the actual number of parcels has increased. This change may reflect the land donations from public service providers. The only classification that has experienced a significant increase is Recreation/ Entertainment classification which experienced a .2% increase or a change in acreage of 53.75. An example that could have had a significant impact on local land use classification is the reclassification of Sithe Energies land for use as a county park.

Commercial uses and small businesses make up approximately 4% of the total land in the town. These uses are scattered throughout the town. In the past ten years there has been an increase in strip commercial development on NYS Route 104.

The Town of Scriba also has land classified for industrial purposes. Scriba is known as one of the industrial centers of Oswego County. This land is located on the western portion of the town by Lake Ontario. Approximately 865 acres or 3% has been classified as being used for industrial uses.

According to the property classification chart, land identified as wild and forested accounts for only 1% of the total acreage in the town.

Local Trends

The town of Scriba is unique in that large-scale industrial development has continued to occur in the 1990's. The proposed expansion of the Sithe Energies Plan indicates that the town will continue to be a home to the industries that produce energy. Conversely, it is not known what impacts the recent sale of the Niagara Mohawk nuclear plants will have on local land use or the economy.

In respect to residential development, a national and local trend has been the development of single family subdivision tract housing. This trend towards the suburbanization of the country-side is expected to continue, unless local communities take proactive measures to ensure rural character.

Local commercial development has occurred as strip development. This trend will most likely continue unless specific actions are taken to discourage this type of development. In 1996, the Town of Scriba adopted a site plan review law, which allows the town to review proposed development and oversee the siting of a development. However without regulations which control the actual use of land, there is no way to control strip commercial development.

Opportunities and Constraints

The town of Scriba, like much of Oswego County has soils that are a constraint to the development of land. "Soils are the determining factor for the suitability of private septic systems and their effects on local water quality." (OCCP, X-9) Other natural constraints in the town of Scriba are the coastal erosion areas and significant wetland complexes. The town is also fortunate to have mature forest, which is home to many coastal birds and other wildlife.

Water is also a key component to the opportunities of the town. Water is important to industry as well as wildlife. Greenways are a means by which to link commercial and population centers with parks, trails, waterways and open space corridors in a comprehensive in integrated manner. (OCCP, X-10) A green way approach offers the opportunity to strengthen the natural and historical heritage of the past and provide a bright economic future and quality of life to local residents

Transportation and Infrastructure

When looking at future land use policy, it is necessary to acknowledge the opportunities and constraints of the current man-made infrastructure. According to state and local transportation officials, it is not likely that any additional major roadways will be constructed in the next ten years. The NYS Department of Transportation has stated that they are currently interested in maintaining the existing roadways in the state and that they are not looking to build any new roads. Therefore it is necessary to evaluate land use activities and how additional commercialization of high volume traffic areas would impact the existing road function.

The Town of Scriba has the opportunity to evaluate new commercial centers, which have infrastructure and can be designated for mixed uses. Or to look ahead and designate potential growth areas by planning for new commercial centers and re-establishing a connection to residential development. This is done by connecting pedestrians to the planned commercial areas. This type of development can be done in a cost-effective manner so that water and sewer infrastructure is feasible and affordable.

Continued suburbanization is a threat to the preservation of rural character. The Town of Scriba's citizen survey indicated that Scriba residents were interested in maintaining the current character of the town. However, as new residents continue to move into the town and property continues to be subdivided, this rural character will slowly erode away. Suburbanization is a slow degenerative by product of a successful community and it is important to recognize its potential to destroy the very things current residents value most.

The abundance of open space in the town affords the ability to deal with increasing suburbanization in a responsible manner. The town has the opportunity to utilize the latest techniques in open space planning, storm water management and development design.

One of the easiest ways that value can be added to a future development is the incorporation of performance standards for subdivisions and local roads. The street can become a means of creating a sense of neighborhood. Rather than streets without pedestrians or streets that are dangerous to a mix of pedestrians and autos. Often a street designed with pedestrian walkways and site amenities like lighting and landscaping will enhance the safety and visual character of the development. Street tree programs and streetscape improvement programs are key elements to enhancing neighborhood character.

The Town of Scriba has agricultural designated lands. There is a desire to keep these lands in agricultural use. One way to assist in this goal is to encourage local farmers to participate in the Agricultural District Program. It is also helpful to designate existing agricultural areas, so that all residents of the town are aware of this local resource. This plan can be used as a tool for public awareness.

Goals, Objectives and Strategies

- Goal:** The Town should ensure that the development of land is done in a sustainable manner so that the current and future needs of the community can be met.
- Objective 1:** Develop an open space system, which includes; working landscapes, significant resource areas, greenways, public lands and trail corridors.
- Strategies:**
- a. Work with industry to develop greenway and trail corridors.
 - b. Implement the recommendations for the Seaway Trail Corridor study.
- Objective 2:** Encourage development of a variety of housing opportunities in locations that efficiently utilize infrastructure, provide access to services and jobs and do not degrade natural resources.
- Strategies:**
- a. Amend the site plan review law to incorporate clustering and planned unit development standards to encourage more creative and sustainable housing developments.
 - b. Target plans for cost effective infrastructure extensions to areas near existing infrastructure that are experiencing the greatest growth. (For example: County Route 1, County Route 4)
- Objective 3:** Encourage a variety of development in an effort to diversify the local economy.
- Strategies:**
- a. Target areas for future commercial and industrial use based on existing land use, natural conditions, infrastructure and services.
 - b. Incorporate design standards for commercial/industrial uses into the Town of Scriba Site Plan Review Law.

c. Develop and promote model site design standards for planned commercial districts.

Objective 4: Encourage the management of land use activities to protect surface and groundwater quality and quantity, and avoid increasing risks associated with flooding.

Strategies: a. Continue to check on the status of the last panel of the flood map information from FEMA .

b. Incorporate stormwater management and erosion and sedimentation control guidelines into local site plan review regulations.

Objective 5: a. Promote efficient and safe access to the existing transportation system through land use management and design approaches which include consideration of all transportation modes.

Strategies: a. Target major commercial/industrial land uses to sites with the greatest access to transportation corridors.

b. Promote land uses and frontage requirements that are consistent with the functional classification of roads.

c. Incorporate the shared driveway and service road concepts for new commercial development.

Goal: Maintain the rural and small town character of Scriba

Objective 1: Use the Town of Scriba Land Use Designation Map and information to guide future development (Map #13)..

Strategies: a. Take a proactive approach to secure the rural character of the town by creating, adopting and implementing a land use law.

b. Recommend the use of cluster development or building envelope planning techniques, especially in parts of the town that are experiencing increasing development pressure. (Additional information has been provided in the appendix).

c. Recommend maximum square footage limits for commercial developments located outside of planned commercial districts.

d. Review sign requirements to ensure that businesses located outside of the identified commercial areas signs will not have a negative effect on the preservation of rural character.

Implementation

The successful implementation of the Town of Scriba Comprehensive Plan is dependent upon implementation of the plan's strategies. By implementing these strategies the objectives and goals of this comprehensive plan will be realized. Although the goals may seem lofty, it is our hope that overtime these community goals will be realized.

Many of the strategies of this plan represent ongoing activities and efforts of the Town of Scriba. The hope is that this plan will help to better coordinate, focus and identify resources to continue these activities. Other strategies represent new approaches that may change current practices, redirect current activities or change the emphasis of existing local policies and priorities.

The existence of a local comprehensive plan will enhance the Town of Scriba's ability to secure grant funds by making the town more competitive in this arena. A local comprehensive plan also serves as an asset when attracting future development to the town. Many developers are interested in understanding a local community's vision for their community.

Implementation Tools

One tool to successful implementation of physical development is the development and implementation of a capital improvement plan. Typically, these plans have the endorsement of the community, and resources are committed and expended to complete the project.

The plan also suggests several formal and informal arrangements with other agencies and private sector partnerships to successfully implement some comprehensive plan strategies. Another implementation tool is the ability of the town to review existing regulations so that they reflect the objectives of the comprehensive plan.

Monitoring and Evaluation

Each section of the plan will be reviewed at least every five years. This will be done on a rotating basis to limit the impact on the local planning board and their many responsibilities. On average one or two plan sections will be reviewed and updated each year. In addition, progress in implementing plan strategies should be monitored and a report should be given to the Town Board.

Effectiveness of the strategies in reaching plan goals and objectives should also be evaluated. That way, if a better approach to an issue is identified it can be recognized and implemented. The plan should be a living, evolving document that is responsive to changing conditions but that also focuses on long term goals.

The existence of a local comprehensive plan will enhance the Town of Scriba's ability to secure grant funds by making the town more competitive in this arena. A local comprehensive plan also serves as an asset when attracting future development to the town. The following definitions provide insight and understanding for map 13, "Proposed Land Use Designation." This map serves as a tool to assist the town in creating a land use vision for the future.

Proposed Town of Scriba Land Use Definitions

Valued Natural Resources - This land use designation is not a stand-alone classification. This designation was developed to make the community and those interested in being part of the community aware of the Town of Scriba's most valued natural assets. This designation lets property owners and potential developers know that the town has recognized these areas as important and development should be done in such a manner as to have limited or no effect on the areas designated as valued natural resources. Buffering, erosion control and "continued natural state" land development regulations should be implemented to ensure the community's vision. A few areas that will be highlighted are Teal Marsh, New York State designated erosion hazard areas and protective and barrier islands and the shoreline of Lake Ontario. This designation also includes public parks.

Rural Residential & Agriculture - This land use classification is designed to maintain rural character. Typically the average lot size is 5 acres or more. The land should be used for agricultural uses. Road cuts should be limited and the use of local roads dominate for property access. It should be noted that current land use laws in the town do not require minimum lot sizes greater than 60,000 square feet.

Residential - The intention of this land use classification is to designate an area for single family - 60,000 square feet of development. The town has a high concentration of this type of land use. It is necessary to link individual neighborhoods. One of the best ways to accomplish this is by incorporating connecting roadways and walkways into each development. When these areas are not linked to the community, over time the community will become isolated from the town. This classification would allow home occupations and small businesses that do not exceed 3,500-5,000 square feet.

Suburban Residential - This land use classification allows for a mixture of residential types. This area would allow multiple family, two family and single family developments. This type of mixed-use housing is usually located where there is water and sewer infrastructure. This type of development would be suitable adjacent to more urbanized areas. City Line Road and County Route 1 south of the industrial section are suitable areas for this designation.

104 Corridor Management District - This area would allow for a mixture of land uses taking into consideration the function of the road. Road access and corridor management issues would be addressed. This district would incorporate the recommendations of the Seaway Trail Corridor management study, including suggestions for types of land uses for these areas as well as road corridor management techniques.

Industrial - This land use classification embraces the areas of the town that have infrastructure, improved roadways, rail service and special designations such as economic development zone. The community has invested a substantial amount of resources in these areas and development should be focused here. Specific areas include portions of County Route 1 and County Route 1A.

Pedestrian Linkages - Pedestrian linkages provide the connection between the people and the community. Currently the town does not have any pedestrian linkages. The town is an automobile oriented municipality. Walkways and bike paths are needed to connect the community and allow for greater mobility. This will take time, however, it is important to initiate the process. The town has a variety of local recreation facilities that would be enhanced by having pedestrian walkways. The following areas have been designated to initiate the development of the pedestrian system; the specific roads to be considered are O'Connor Road Maiden Lane, Hayfly Road, and County Route 4. These roads were chosen so that pedestrians will eventually be able to safely access the Town Park without having a walk or ride bicycles on the roads. Additional subdivision and site development standards are needed to initiate and create pedestrian links. The town government should also incorporate and create an action plan for establishing and expanding pedestrian linkages in areas that are already developed. This can be achieved through a combination of grant funds, public/private partnerships or bonding for community improvements.

Valued Historic Resource Sites - Priority local historic resources should be identified as historic resource sites. The idea is to identify those historic structures that the town would like to see preserved. One area that should be considered is the grouping of historic structures on 104.

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TOWN OF SCRIBA COMPREHENSIVE PLAN

Part II

Appendix

- *Town of Scriba Comprehensive Plan Citizen Survey Analysis
- *Summary of Town of Scriba Citizen Survey Responses
- *Summary of Citizen written comments
- *Town of Scriba Selected Citizen Survey questions (Cross referenced)
- *Graphic Overheads of survey information from Public Presentation
- *Map from the survey
- *Comprehensive Plan Legislation – New York State Town Law
- *Property Class Total Acreage Report (1996)
- *Letter from Oswego County Soil and Water Conservation District
- *Development Plans for Scriba Recreation Center, Scriba Town Park and Sunset Bay Park in the Town of Scriba, NY 1992

Town of Scriba Comprehensive Plan Citizen Survey Analysis

Town of Scriba Comprehensive Plan Citizen Survey Analysis

888 Eligible Respondents (Match Category & Respondent ID)

879 Respondents Answered Question # 1

LIVE

1-1 171 19.26% A
1-2 182 20.50% B
1-3 290 32.66% C
1-4 208 23.42% D
1-5 28 3.15% No Answer
9 1.01% Missing Cases

759 Respondents Answered Question # 2

Work

2-1 231 26.01% In Town
2-2 312 35.14% Outside of Town but in the County
2-3 94 10.59% Outside of the County
2-4 122 13.74% Other
129 14.53% Missing Cases

871 Respondents Answered Question # 3

Rent/Own

3-1 57 6.42% Rent
3-2 806 90.77% Own
3-3 8 0.90% Other
17 1.91% Missing Cases

852 Respondents Answered Question # 4

In Household

4-1 852 95.95%
36 4.05% Missing Cases

802 Respondents Answered Question # 5

Under 18

5-1 802 90.32%
86 9.68% Missing Cases

802 Respondents Answered Question # 6

62 and older

6-1 802 90.32%
86 9.68% Missing Cases

830 Respondents Answered Question # 7

People answering ?

7-1 517 58.22%
7-2 313 35.25%
58 6.53% Missing Cases

866 Respondents Answered Question # 9

Importance of Farms

9-1 480 54.05% Very important issue
9-2 304 34.23% Somewhat important issue
9-3 82 9.23% Not an issue
22 2.48% Missing Cases

872 Respondents Answered Question # 10

Protect quality of groundwater

10-1 747 84.12% Very important issue
10-2 104 11.71% Somewhat important issue
10-3 21 2.36% Not an issue
16 1.80% Missing Cases

860 Respondents Answered Question # 11

quantity of groundwater

11-1 643 72.41% Very important issue
11-2 171 19.26% Somewhat important issue
11-3 46 5.18% Not an issue
28 3.15% Missing Cases

821 Respondents Answered Question # 12

Increase tax base

12-1 322 36.26% Very important issue
12-2 310 34.91% Somewhat important issue
12-3 189 21.28% Not an issue
67 7.55% Missing Cases

857 Respondents Answered Question # 13

fast population growth

13-1 135 15.20% Very important issue
13-2 318 35.81% Somewhat important issue
13-3 404 45.50% Not an issue
31 3.49% Missing Cases

848 Respondents Answered Question # 14

slow pop growth

14-1 47 5.29% Very important issue
14-2 178 20.05% Somewhat important issue
14-3 623 70.16% Not an issue

bike trails

21-1 236 26.58% Very important issue
21-2 299 33.67% Somewhat important issue
21-3 334 37.61% Not an issue
19 2.14% Missing Cases

861 Respondents Answered Question # 22

Placement & increase Billboards

22-1 231 26.01% Very important issue
22-2 213 23.99% Somewhat important issue
22-3 417 46.96% Not an issue
27 3.04% Missing Cases

871 Respondents Answered Question # 23

public water

23-1 492 55.41% Very important issue
23-2 226 25.45% Somewhat important issue
23-3 153 17.23% Not an issue
17 1.91% Missing Cases

874 Respondents Answered Question # 24

Sewer expansion

24-1 447 50.34% Very important issue
24-2 266 29.95% Somewhat important issue
24-3 161 18.13% Not an issue
14 1.58% Missing Cases

873 Respondents Answered Question # 25

location of industry

25-1 510 57.43% Very important issue
25-2 277 31.19% Somewhat important issue
25-3 86 9.68% Not an issue
15 1.69% Missing Cases

863 Respondents Answered Question # 26

location of commercial

26-1 466 52.48% Very important issue
26-2 293 33.00% Somewhat important issue
26-3 104 11.71% Not an issue
25 2.82% Missing Cases

871 Respondents Answered Question # 27

Protection of shorelines

27-1 571 64.30% Very important issue
27-2 215 24.21% Somewhat important issue

40 4.50% Missing Cases

863 Respondents Answered Question # 15

Limit density of res. units

15-1 294 33.11% Very important issue

15-2 376 42.34% Somewhat important issue

15-3 193 21.73% Not an issue

25 2.82% Missing Cases

847 Respondents Answered Question # 16

higher density residential dev.

16-1 122 13.74% Very Important issue

16-2 368 41.44% Somewhat important issue

16-3 357 40.20% Not an issue

41 4.62% Missing Cases

844 Respondents Answered Question # 17

land use conflicts

17-1 346 38.96% Very important issue

17-2 346 38.96% Somewhat important issue

17-3 152 17.12% Not an issue

44 4.95% Missing Cases

861 Respondents Answered Question # 18

public trans

18-1 115 12.95% Very important issue

18-2 265 29.84% Somewhat important issue

18-3 481 54.17% Not an issue

27 3.04% Missing Cases

863 Respondents Answered Question # 19

affordable housing

19-1 125 14.08% Very important

19-2 236 26.58% Somewhat important

19-3 502 56.53% Not an issue

25 2.82% Missing Cases

867 Respondents Answered Question # 20

SR housing

20-1 207 23.31% Very important issue

20-2 340 38.29% Somewhat important issue

20-3 320 36.04% Not an issue

21 2.36% Missing Cases

869 Respondents Answered Question # 21

831 Respondents Answered Question # 35

More commercial employment

35-1 753 84.80% Yes

35-2 77 8.67% No

35-3 1 0.11%

57 6.42% Missing Cases

848 Respondents Answered Question # 37

Limit com and ind land uses

37-1 626 70.50%

37-2 160 18.02%

37-3 62 6.98%

40 4.50% Missing Cases

858 Respondents Answered Question # 38

Regulate location of MH

38-1 638 71.85% Yes

38-2 151 17.00% No

38-3 69 7.77% No opinion

30 3.38% Missing Cases

836 Respondents Answered Question # 39

Designate areas for denser dev.

39-1 537 60.47% Yes

39-2 183 20.61% No

39-3 116 13.06% No Opinion

52 5.86% Missing Cases

842 Respondents Answered Question # 40

Are you in favor of zoning

40-1 409 46.06% Yes

40-2 332 37.39% No

40-3 101 11.37% No opinion

46 5.18% Missing Cases

760 Respondents Answered Question # 41

land use survey

41-1 144 16.22% Yes

41-2 616 69.37% No

128 14.41% Missing Cases

27-3 85 9.57% Not an issue
17 1.91% Missing Cases

873 Respondents Answered Question # 28

Maintain existing road

28-1 685 77.14% Very important issue
28-2 158 17.79% Somewhat important issue
28-3 30 3.38% Not an issue
15 1.69% Missing Cases

871 Respondents Answered Question # 29

Preservation of historic sites

29-1 355 39.98% Very Important issue
29-2 388 43.69% Somewhat important issue
29-3 128 14.41% Not an issue
17 1.91% Missing Cases

865 Respondents Answered Question # 30

Protection of natural resources

30-1 558 62.84% Very important issue
30-2 241 27.14% Somewhat important issue
30-3 66 7.43% Not an issue
23 2.59% Missing Cases

867 Respondents Answered Question # 31

Improve community appearance

31-1 447 50.34% Very Important issue
31-2 305 34.35% Somewhat important issue
31-3 115 12.95% Not an issue
21 2.36% Missing Cases

864 Respondents Answered Question # 32

Need for more parks

32-1 187 21.06% Very important issue
32-2 345 38.85% Somewhat important issue
32-3 332 37.39% Not an issue
24 2.70% Missing Cases

841 Respondents Answered Question # 34

More industrial employment

34-1 756 85.14% Yes
34-2 79 8.90% No
34-3 6 0.68%
47 5.29% Missing Cases

Summary of Town of Scriba Citizen Survey Responses

Summary of Town of Scriba Citizen Survey Responses

<u>Number</u>		<u>Frequencies</u>		<u>Response Options</u>
1	Which area of Town do you live in?	171	19.45%	A
		182	20.71%	B
		290	32.99%	C
		208	23.66%	D
		28	3.19%	No Answer
2	Where do you work?	231	30.43%	In Town
		312	41.11%	Outside of Town but in the County
		94	12.38%	Outside of the County
		122	16.07%	Other
3	Do you rent or own your home?	57	6.54%	Rent
		806	92.54%	Own
		8	0.92%	Other
4	How many people live in your household?	852	100.00%	
5	How many people living in your household are under the age of 18?	802	100.00%	
6	How many people living in your household are over the age of 62?	802	100.00%	
7	How many people are answering this questionnaire?	517	62.29%	
		313	37.71%	
<p>INSTRUCTIONS: For the following questions, please circle one description for each part of the question. If two people are answering the questionnaire be sure there are two circles for each question, even if they indicate the same answer.</p>				
9	The protection of working farms and agricultural land.	480	55.43%	Very important issue
		304	35.10%	Somewhat important issue
		82	9.47%	Not an issue
10	Protecting the quality of groundwater.	747	85.67%	Very important issue
		104	11.93%	Somewhat important issue
		21	2.41%	Not an issue
11	Maintaining the quantity of groundwater available.	643	74.77%	Very important issue
		171	19.88%	Somewhat important issue
		46	5.35%	Not an issue
12	The need to increase the town's tax base.	322	39.22%	Very important issue
		310	37.76%	Somewhat important issue
		189	23.02%	Not an issue

Survey Said for Windows and the WEB

<u>Number</u>		<u>Frequencies</u>		<u>Response Options</u>
13	The Town of Scriba's population is increasing too fast.	135	15.75%	Very important issue
		318	37.11%	Somewhat important issue
		404	47.14%	Not an issue
14	The town of Scriba's population is increasing too slow.	47	5.54%	Very important issue
		178	20.99%	Somewhat important issue
		623	73.47%	Not an issue
15	Limiting the density of residential development units (per acre).	294	34.07%	Very important issue
		376	43.57%	Somewhat important issue
		193	22.36%	Not an issue
16	Encouraging more concentrated, higher density residential development in some areas of the Town.	122	14.40%	Very Important issue
		368	43.45%	Somewhat important issue
		357	42.15%	Not an issue
17	Preventing possible land use conflicts.	346	41.00%	Very important issue
		346	41.00%	Somewhat important issue
		152	18.01%	Not an issue
18	The need for public transportation.	115	13.36%	Very important issue
		265	30.78%	Somehat important issue
		481	55.87%	Not an issue
19	The need for more affordable housing in the town	125	14.48%	Very important
		236	27.35%	Somewhat important
		502	58.17%	Not an issue
20	The need for more housing options for senior citizens in the town.	207	23.88%	Very important issue
		340	39.22%	Somewhat important issue
		320	36.91%	Not an issue
21	Developing bike and walking trails	236	27.16%	Very important issue
		299	34.41%	Somewhat important issue
		334	38.43%	Not an issue
22	The placement and increase of billboards.	231	26.83%	Very important issue
		213	24.74%	Somewhat important issue
		417	48.43%	Not an issue
23	Expansion of public water service	492	56.49%	Very important issue
		226	25.95%	Somewhat important issue
		153	17.57%	Not an issue

<u>Number</u>		<u>Frequencies</u>		<u>Response Options</u>
24	Expansion of public sewer service.	447	51.14%	Very important issue
		266	30.43%	Somewhat important issue
		161	18.42%	Not an issue
25	The location of industrial land uses.	510	58.42%	Very important issue
		277	31.73%	Somewhat important issue
		86	9.85%	Not an issue
26	The location of commerical land uses.	466	54.00%	Very important issue
		293	33.95%	Somewhat important issue
		104	12.05%	Not an issue
27	Protecton of all lakes and river shorelines from erosion and degradation.	571	65.56%	Very important issue
		215	24.68%	Somewhat important issue
		85	9.76%	Not an issue
28	The maintenance of the existing road system.	685	78.47%	Very important issue
		158	18.10%	Somewhat important issue
		30	3.44%	Not an issue
29	The preservation of historic sites.	355	40.76%	Very Important issue
		388	44.55%	Somewhat important issue
		128	14.70%	Not an issue
30	Protection of natural resources and environmentally sensitive areas.	558	64.51%	Very important issue
		241	27.86%	Somewhat important issue
		66	7.63%	Not an issue
31	Improving community appearance (how the town looks).	447	51.56%	Very Important issue
		305	35.18%	Somewhat important issue
		115	13.26%	Not an issue
32	The need for more parks, recreation and open spaces.	187	21.64%	Very important issue
		345	39.93%	Somewhat important issue
		332	38.43%	Not an issue
34	Are you in favor of more industrial employment in the town?	756	89.89%	Yes
		79	9.39%	No
		6	0.71%	
35	Are you in favor of more commercial employment in the town?	753	90.61%	Yes
		77	9.27%	No
		1	0.12%	

Would you favor Town regulations which:

Survey Said for Windows and the WEB

<u>Number</u>		<u>Frequencies</u>	<u>Response Options</u>
37	Limit some commercial and industrial land uses to designated areas of the town.	626 73.82% 160 18.87% 62 7.31%	
38	Regulate the location of mobile home parks?	638 74.36% 151 17.60% 69 8.04%	Yes No No opinion
39	Designate some areas for more dense residential development while maintaining a more rural character in other areas?	537 64.23% 183 21.89% 116 13.88%	Yes No No Opinion
40	Are you in favor of the town adopting zoning?	409 48.57% 332 39.43% 101 12.00%	Yes No No opinion
41	Would you be willing to work with the Town of Scriba Planning Board Comprehensive Plan Committee to do a survey of existing land uses?	144 18.95% 616 81.05%	Yes No

Summary of Citizen written comments

**Comments from the Town of Scriba Planning Board
Comprehensive Plan Citizen Survey**

Survey Area A

- * We need some regulations but not the unreasonable ones that have been suggested before. Go Slow!! Remember this is country living and we don't want to lose control of our property.
- * Do not want town of Scriba volunteers snooping around my property.
- * Concerns about rising taxes - especially for people with fixed incomes.
- * The reason why I live in the country is for the peace and quiet of space. I much rather see an old farm house than a 30 house development. I do not think a few people should be able to tell me what I should put on as siding or what color I should use, or how my yard should look. You want that? Than keep it in the developments.
- * Too many regulations of private land is not good. People should be able to do with their property what they want.
- * Planning Board should have to answer to a body to make sure they are controlled. Must have a system of checks and balances.
- * Phase out mobile home parks in favor of permanent dwellings. Trailers decrease the town's worth and land values, while permanent houses increase the towns worth and tax base.
- * I believe that it is very important for both the current and prospective town residents that planning with regards to item #11 (Town regulations) be completed. These items are essential to the future stability of our town.
- * Concern for future plans for public sewer service and the possibility of waling and/or biking trails as my family grows.
- * Traffic on County Route 1 is very dangerous and not conducive to walking.
- * No city water
- * Not enough snowmobile trails. They should be groomed, no four wheelers permitted on the trails during winter months.
- * When zoning is adopted the state can then tell the town what its procedure will be and we will be helpless to change it. This zoning business is not new to Scriba.

- * Feel that the present local economy is good, however if we need to secure additional businesses then we should do what is needed to do so.
- * Very proud to live in the Town of Scriba.
- * No zoning!! " "
- * Dog Warden should check his phone calls.
- * Cut Town's operating expenses in all departments
- * We need industry for New York, Scriba and the County of Oswego are no exception but we all have to be aware of environmental damage be it residential or commercial.
- * Too much truck traffic on County Route 1. They also ignore traffic control devices.
- * Good luck the education of people is the key to success.
- * When and if regulations are begin proposed; existing small lot owners should be considered.
- * Thought we had Zoning
- * Should form a committee for the 5 year plan with sub committees to address issues, bring to the public. The committee should include government, pubic sector, business owners and senior citizens.
- * Need tax and utility incentives extended to small businesses also.
- * I feel at the current rate of expansion our once mostly rural town is now rapidly becoming a suburb of the City of Oswego, which I do not like to see. Growth seems to be currently unchecked and with many new families moving into the area what were once very good hunting and fishing areas have now become off limits, not to mention the drop in wildlife populations due to new housing and subdivisions.
- * Keep the town of Scriba a rural area instead of becoming an extension of Oswego. The more people we have in the town of Scriba the more problems we will have. The town board should not try to dictate how we should live.

Comments from Survey Area B

- * Please keep in mind the forgotten eastern part of the town which largely lacks the water, gas, and sewer lines that the more favored western side of town has

enjoyed for years. It is obvious that most of the western part of town will not see these issues as being of the same importance as the neglected side. Your map should include delineations east and west rather than north to south, if you wish to provide more equity for this area.

- * If we are so concerned about using resources wisely, maybe we should look closer at how the taxpayers money is spent.
- * Scriba needs to keep the quiet country setting while at the same time creating new companies to increase work force in the community.
- * You can regulate all you want. If the industrial base does not increase, there will be no township to regulate. If industry wants to move in, work with them. Don't regulate them so much that they look some place else. Niagara Mohawk has done nothing but take land and destroy it. That land will never be used again for any normal use.
- * This survey was too ambiguous. Certain questions could be interpreted two ways, and the answer choices did not always fit the questions. Please be more specific in the future. (Another respondent had same concern)
- * Priority should be on public water for all residents and also town wide water system. Residents should have more control over what happens in Scriba.
- * Planning and Zoning are very touch subjects with many residents in the town. It takes away freedom of rights in a rural community.
- * A town with a rural character has to have a defined outlook on preserving it's essential features. A town that works together grows proportionately.
- * We need a swimming pool for every day of the year. For seniors, families and children.
- * It's tool late for zoning for me. There is a golf course next to me the parking lot is right next to my property line. I have a billboard across the road from me. I now must live with it. When someone has a complaint they should not have to keep calling the town hall. Someone should return their calls.
- * We need water, we have water shortages in the summer. Our wells run dry.
- * The town needs to make residents keep up the appearance of their properties. City water should be expanded down Middle Road east of Creamery Road.
- * Cut Down on the amount of trailers in the area.

- * An outside basketball court and tennis courts at the Scriba Recreation Center would be nice.
- * Need to complete water lines throughout the town so everyone is on a level playing field. It is a financial burden for those raising families in the town who have to buy water weekly during drought periods of summer.
- * Your map was worthless.
- * MYOB.
- * No zoning.
- * Enforce existing junk ordinance Now!!!
- * Survey Questions and answers were vague.
- * We would like to see regulation of trailer parks that are already in existence. No grand fathering them in. Some are certainly eyesores, and need to be looked at closely.
- * Guard rails should be put up on Middle Road in a couple of areas There are steep drop-offs which are dangerous, especially in the winter. We would also like to see it widened and lines on the sides and the middle. Many people walk on this road and these things would make it safer and more enjoyable for walking. The road gets a high amount of traffic in part because of the Hill Top Trailer Park.
- * Scriba has a lot of potential for nice homes. Many people would like to build new homes, but are afraid a trailer may be put on the lot next door, which affects property values. Certain areas should be designated or zoned for trailer parks or trailer lots. Scriba has way too many trailers!
- * Enforce the existing junk law without people having to complain first. Take a trip down the Middle Road. You'll see everything that's wrong with living in Scriba.
- * We've already tried this process and it went nowhere.
- * Would like a community park on the lake, conducive to live entertainment. More regulations are needed for trailer parks, I live in one and feel too many codes are being violated. There is a need for public transportation. How about a gardening club so we could beautify Scriba.
- * The last time I tried to get involved in town initiatives (sunset bay), public comment was not encouraged or even allowed at public meetings. I hope this effort will be more open to public input and participation.

- * This survey is a very good beginning.
- * Identify most dangerous intersections and take the appropriate steps to correct them.
- * Deal with quality of life issues first.

Survey Area C

- * We need to clean up some of the eyesores in he area. If we expect to attract more business.
- * Plan on leaving the Town of Scriba after 25 years due to the over population of mobile homes and no zoning or controls in place to maintain one's property. Scriba was beautiful at one time, now its become a dumping ground and no one cleans up after themselves. Something needs to be done.
- * I enjoy this rural community. I would like to see water, gas and sewer lines to be extended to the entire town. More housing for lower income families. Affordable homes. Maybe improve on the Town Park. Highlight the lake advantages for summer and winter activities. Upgrade regulations for mobile home parks.
- * Major concern is water. We have 3 wells on our property and only one is functional. Every summer we need to purchase water. Water quantity and quality.
- * Would like to see some areas designated for off-bank fishing.
- * We need a post office.
- * Keep property taxes low.
- * No matter what the people want, the politicians are going to be controlled by big business. The spend and tax attitude of government will bring down this country one day. I for one will not stay in NY when I retire. The cost of living here and working here is too high. You can't raise a family on what you make because of taxes imposed by politicians.
- * I think we have very good recreation for the children of Scriba. I would like to see more for adults. I think we have the nicest parks of anyone. I truly do believe we should try to extend the water system. Also I would like to say the highway department does and excellent job.
- * Public water is important for existing and future Scriba residents, with the current tax base there is no reason why we can't have this.

- * I think it would be in our best interest to have schools and to keep the revenue right here in town that could add up to substantial money and also could reduce our school taxes for town residents, in the Mexico district as well as others.
- * Where are the Scriba schools we are suppose to support?
- * No drastic changes, change things for the better.
- * Question concerning the rolled aluminum sided pole barn on Maiden Lane Rd.
- * We need to spend less money on recreation and look at the true needs of the town. About 1/3 of the town has wells that run dry and these people should have reliable water supply. Natural gas through the town would also help in the development of areas.
- * Some long range plans should be put into place because sooner or later at least one of NIMO's nuclear plants will be totally out of commission and we will lose our tax base and the property will be vacated. In addition, we feel there should be some code enforcement in the subdivision regarding appearances. More development would occur if codes were enforced.
- * Where is the real difference between a Mobile home park (well setup) and a residential development, other than the tax payback, where the overwhelming majority of our tax base is paid by industry.
- * In our opinion this is a meaningless survey. It appears to be a "feel good" questionnaire. The majority of people who live n Scriba will be dictated too by the few who feel they are "better equipped" to determine how people should live.
- * Have people on the Planning Board that are not relatives of politicians of the Town of Scriba.
- * I would like to see biking and walking trails throughout the town. Our main road, 104 is not safe to bike or walk on. Thé town spends a lot on the parks and recreation for very few of the residents.
- * Comment concerning welfare reform Survey #485 not included because it did not have anything to do with land use or town visioning.
- * I feel less time and energy should be spend trying to tell people what they can and can't do with their land and homes that they have purchased. More time should be involved in creating jobs and work for lower income people and families, thus they can maintain and keep their home an property in good condition. Keeping our town a nice place to live.
- * How about having our own schools.

- * Public gas and water service expansion is needed in many areas and could benefit a great number of residents.
- * Forget the politics and get more sewer systems in the town. Plan to extend water and sewers so many miles each year until the Town is covered.
- * We would like to have natural gas and sewer on 29 South. Places are getting too close for our wells.
- * Expanding water and sewer lines should be a priority as well as attracting new business. Aggressively "encouraging" people to maintain their property is very important. Others will not respect us if we refuse to respect ourselves and our town.
- * I enjoy living in Scriba because it is rather rural. I wouldn't want to be any closer to the city than I am. If feel we need industry but also to maintain the rural aspect of town. I think we could use a school in Scriba. I don't understand why the idea was shot down previously. I would be willing to pay higher taxes to help support a school in Scriba.
- * Thanks for asking. I would like the results of survey published and discussed at a town meeting.
- * Limit the installation of mobile homes to designated parks. Enforce the existing laws for junk cars and other items that create a dump. These items are not connected. Let's get with existing rules and regulations.
- * How would new zoning laws affect an existing condition in the town, that was deemed undesirable.
- * We answered yes on zoning with reservations. If we have a zoning board it should be made up of a good cross section of different types of residents of the town of Scriba.
- * A stop light is needed on the corner of City Line Road and State route 104. Currently with all of the traffic on Rt. 104 it is hard to exit off of City Line Road.
- * We are not in favor of building "roads" or "factories" in the middle of wooded areas. For the portion of habitats of other creatures that live on this planet.
- * I feel water and sewer are important issues. I do not like the way developments are allowed to go up with little or no regard to existing property. The future need of a solid tax base will become very important as the future of Niagara Mohawk becomes less sure, however it must be done in away to preserve the existing natural features of the town.

- * Aerial photos should be used (together with on-site inspection) for land use survey.
- * We need local residents to help develop the plan.
- * I would like the town to own and maintain the entire length of City Line Road. The city's ½ is terrible. I think the entrance to Carson Drive is dangerous it is hard to see traffic coming over the knoll on City Line Road just north of the entrance.
- * Keep red tape and fees to a minimum.
- * Zoning is a hot topic around here, people come out of the woodwork to stop it. If you attach a grandfather clause to it, and explain how it works, and the different ways you can adjust it, you just might get it passed.

Survey Area D

- * I'd like to see some areas of the Town cleaned up.
- * A traffic light is needed at Church Hill Road and 481.
- * We need water in area D more than anything else. After water then a lot of these questions can be answered different. As of now water is the most important. I think all of Scriba should have public water. Let us have the privilege of turning on our faucet and drink water, without having to worry we the next drop is coming from.
- * Fence and screen junk yards, fine them if they don't. (" ")
- * We under promote our Historic Sites and Parks. We do not promote our underground railroad sites at all. Tourism could bring in millions of dollars to our town.
- * Why do we need a planning board at all. We are loosing our basic rights to do wit our own land as we see fit. Don't we already have way too many regulations. This is America folks, let's leave land use to the people who pay the taxes on said land.
- * There is a speeding problem on the Middle road. Especially in the winter.
- * We do not need zoning.
- * I like that you are asking our opinion on these matters. I hope you will do this again.

- * I feel that the expansion of a public water supply is one of the most important issues. Along with the expansion of other public utilities.
- * Mobile homes should be in parks or not visible from the road. Junk cars and other trash should be dealt with more effectively.
- * Maintain a fair tax base (without increasing).
- * Scriba Town Park (water) needs attention, sunset bay also needs cleaning (Swimming area).
- * Some people in Scriba just have too much junk piled up in their yards. They need to enforce an ordinance as to how much junk people can litter their yards with, that's what makes Scriba look like hell.
- * Scriba has always been a great place to live and raise children. Our focus should be on improving the relationship we have with our neighbors and helping each other. Zoning only serves to make our lives miserable and place stress on the residents who live here. Many of us are second and third generation citizens of Scriba. We love our community and we don't need zoning.
- * I do not believe zoning is needed or wanted by the majority of Scriba residents. I also believe the planning board has operated in a manner producing a negative image for it and for any future attempt at controlling development in the town.
- * Our neighborhood consists of commercial establishments, housing developments, farms, open land, a softball complex and individual homes and some trailer homes. Its a neighborhood of variety and balance. It's an enjoyable and pleasant neighborhood. We would like any growth to complement not deprecate the area.
- * I commend you people for sending out this questionnaire you are raising outstanding issues.
- * Seek information from other towns who may have already developed a plan.
- * A non-elected group should not be making decisions which should be done by elected officials.
- * You should be advisory only.
- * We must retain our tax base, especially if Niagara Mohawk leaves or is forced to leave. Sewers are needed on Old 57 to keep the river clean.
- * Too much growth brings more people, that then depend on the continual growth. Quality of Air, water and open space should be important. That is why most people choose to live in the area now.

- * Not in favor of developing another mobile home parks in the town. This town needs more permanent homes on the tax rolls. Our home is in a regulated development so it is protected, but in other parts of the town a mobile home or shack could go up next to a \$150,000 home. This is not an attractive option for possible homebuilders or buyers.
- * Being in favor of zoning, I still don't think it would be any good unless it's enforced.
- * Enforce the junk law.
- * Zoning is the real issue behind this survey. Zoning is a double edged sword. One edge is needed to control abandoned cars, trailers and trailer parks located on land that can not support their sewage requirements, etc. The other edge of zoning forces the town to decide between neighbors because one has a dog and the other believes that no animals should be allowed in residential areas. Zoning is really a loose, loose long- term result from people's greed and laziness sow we institute zoning only to find out that now we get to decide or preside over neighbors small time problems adding constantly to the list of rules until building your sons soap box derby car requires some permit to stay in your own driveway.

No Survey Area Specified

- * People move to a place like Scriba to get free of regulations and high taxes. Work on the real needs as water and sewer.
- * I really love our town for its beauty and resources. I favor having some guidelines for our residents to follow, but am concerned that we can get carried away and take away the rights of our residents. I feel we have to be very sensitive to how we handle the situation.
- * Zoning may be needed for only specific areas of our township or where the safety and well being of our citizens may be in question, such as with commercial or industrial endeavors.
- * Don't forget the farms and the elderly people.
- * I would like to see a spring pick up day like they have in Oswego, furniture, appliances, rubbish etc.
- * I would like to see the Oswego County Fair return to the Oswego Area - Scriba.
- * A homeowner incentive program would be helpful.
- * Protect existing way of life - rural character.

- * Before a property goes commercial the residents should be notified of the change.
- * Planning and zoning are critical to creating a town we are proud to live in.

Town of Scriba Selected Citizen Survey questions (Cross referenced)

*TOWN OF SCRIBA SELECTED CITIZEN SURVEY
QUESTIONS*

CROSS REFERENCED

<u>Number</u>		<u>Frequencies</u>	<u>Response Options</u>
1	Which area of Town do you live in?	171 19.45%	A
		182 20.71%	B
		290 32.99%	C
		208 23.66%	D
		28 3.19%	No Answer

888 Eligible Respondents (Match Category & Respondent ID)
879 Respondents Answered Question # 1

837 Matches of Q# 1 crossed by Q# 17		A		B		C		D		No Answ
1 LIVE		171	19.45%	182	20.71%	290	32.99%	208	23.66%	28
17 land use conflicts										
17-1 Very important issue	66	40.24%	65	38.69%	111	39.93%	94	47.00%	9	
17-2 Somewhat important issue	69	42.07%	72	42.86%	118	42.45%	67	33.50%	16	
17-3 Not an issue	29	17.68%	31	18.45%	49	17.63%	39	19.50%	2	
Missing Cases	7	4.09%	14	7.69%	12	4.14%	8	3.85%	1	

888 Eligible Respondents (Match Category & Respondent ID)
879 Respondents Answered Question # 1

860 Matches of Q# 1 crossed by Q# 31		A		B		C		D		No Answ
1 LIVE		171	19.45%	182	20.71%	290	32.99%	208	23.66%	28
31 Improve community appearance										
31-1 Very Important issue	67	40.85%	96	53.63%	162	56.84%	103	50.49%	15	
31-2 Somewhat important issue	64	39.02%	61	34.08%	84	32.98%	73	35.78%	11	
31-3 Not an issue	33	20.12%	22	12.29%	29	10.18%	28	13.73%	2	
Missing Cases	7	4.09%	3	1.65%	5	1.72%	4	1.92%	0	

888 Eligible Respondents (Match Category & Respondent ID)
879 Respondents Answered Question # 1

866 Matches of Q# 1 crossed by Q# 25		A		B		C		D		No Answ
1 LIVE		171	19.45%	182	20.71%	290	32.99%	208	23.66%	28
25 location of industry										
25-1 Very important issue	101	61.21%	101	56.42%	167	57.99%	122	59.22%	16	
25-2 Somewhat important issue	42	25.45%	66	36.87%	95	32.99%	61	29.61%	10	
25-3 Not an issue	22	13.33%	12	6.70%	26	9.03%	23	11.17%	2	
Missing Cases	6	3.51%	3	1.65%	2	0.69%	2	0.96%	0	

888 Eligible Respondents (Match Category & Respondent ID)
879 Respondents Answered Question # 1

824 Matches of Q# 1 crossed by Q# 35		A		B		C		D		No Answer
1 LIVE		171	19.45%	182	20.71%	290	32.99%	208	23.66%	28 3.
35 More commercial employment										
35-1 Yes	143	90.51%	160	92.49%	249	92.91%	169	85.79%	26	92.3
35-2 No	15	9.49%	13	7.51%	19	7.09%	27	13.71%	2	7.7
35-3	0	0.00%	0	0.00%	0	0.00%	1	0.51%	0	0.0
Missing Cases	13	7.60%	9	4.95%	22	7.59%	11	5.29%	0	0.0

Survey Said for Windows and the WEB

888 Eligible Respondents (Match Category & Respondent ID)
879 Respondents Answered Question # 1

853 Matches of Q# 1 crossed by Q# 11

	A	B	C	D	No Answer
1 LIVE	171 19.45%	182 20.71%	290 32.99%	208 23.66%	28
11 quantity of groundwater					
11-1 Very important issue	123 75.00%	125 70.62%	207 73.14%	160 79.21%	22
11-2 Somewhat important issue	35 21.34%	39 22.03%	66 23.32%	26 12.87%	4
11-3 Not an issue	6 3.66%	13 7.34%	10 3.53%	16 7.92%	1
Missing Cases	7 4.09%	5 2.75%	7 2.41%	6 2.88%	1

864 Matches of Q# 1 crossed by Q# 23

	A	B	C	D	No Answer
1 LIVE	171 19.45%	182 20.71%	290 32.99%	208 23.66%	28
23 public water					
23-1 Very important issue	95 57.93%	107 60.11%	164 56.94%	105 50.97%	18
23-2 Somewhat important issue	38 23.17%	45 25.28%	78 27.08%	52 25.24%	9
23-3 Not an issue	31 18.90%	26 14.61%	46 15.97%	49 23.79%	1
Missing Cases	7 4.09%	4 2.20%	2 0.69%	2 0.96%	0

888 Eligible Respondents (Match Category & Respondent ID)
 842 Respondents Answered Question # 40

838 Matches of Q# 40 crossed by Q# 38

40 Are you in favor of zoning	Yes			No		No opinion	
		409	48.57%		332	39.43%	101 12.00%
38 Regulate location of MH							
38-1	Yes	383	94.33%	173	52.27%	66	65.35%
38-2	No	19	4.68%	121	36.56%	7	6.93%
38-3	No opinion	4	0.99%	37	11.18%	28	27.72%
Missing Cases		3	0.73%	1	0.30%	0	0.00%

827 Matches of Q# 40 crossed by Q# 37

40 Are you in favor of zoning	Yes			No		No opinion	
		409	48.57%		332	39.43%	101 12.00%
37 Limit com and ind land uses							
37-1		368	92.00%	171	52.29%	71	71.00%
37-2		24	6.00%	125	38.23%	7	7.00%
37-3		8	2.00%	31	9.48%	22	22.00%
Missing Cases		9	2.20%	5	1.51%	1	0.99%

888 Eligible Respondents (Match Category & Respondent ID)
 879 Respondents Answered Question # 1

837 Matches of Q# 1 crossed by Q# 40

	A	B	C	D	No Answer
1 LIVE	171 19.45%	182 20.71%	290 32.99%	208 23.66%	28 3.19%
40 Are you in favor of zoning					
40-1 Yes	64 40.25%	90 50.85%	146 52.33%	95 48.47%	12 46.15%
40-2 No	76 47.80%	56 31.64%	95 34.05%	89 45.41%	13 50.00%
40-3 No opinion	19 11.95%	31 17.51%	38 13.62%	12 6.12%	1 3.85%
Missing Cases	12 7.02%	5 2.75%	11 3.79%	12 5.77%	2 7.14%

888 Eligible Respondents (Match Category & Respondent ID)
 879 Respondents Answered Question # 1

865 Matches of Q# 1 crossed by Q# 10

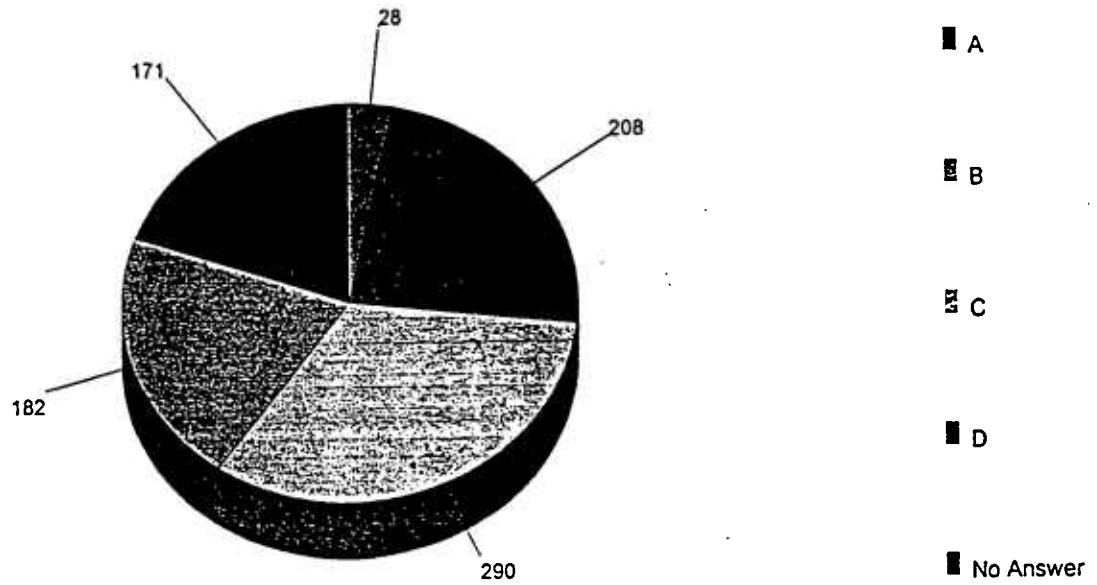
	A	B	C	D	No Answer
1 LIVE	171 19.45%	182 20.71%	290 32.99%	208 23.66%	28 3.1
10 Protect quality of groundwater					
10-1 Very important issue	142 85.03%	153 85.47%	241 83.97%	182 88.35%	22 84.6
10-2 Somewhat important issue	20 11.98%	21 11.73%	42 14.63%	18 8.74%	3 11.5
10-3 Not an issue	5 2.99%	5 2.79%	4 1.39%	6 2.91%	1 3.8
Missing Cases	4 2.34%	3 1.65%	3 1.03%	2 0.96%	2 7.1

864 Matches of Q# 1 crossed by Q# 23

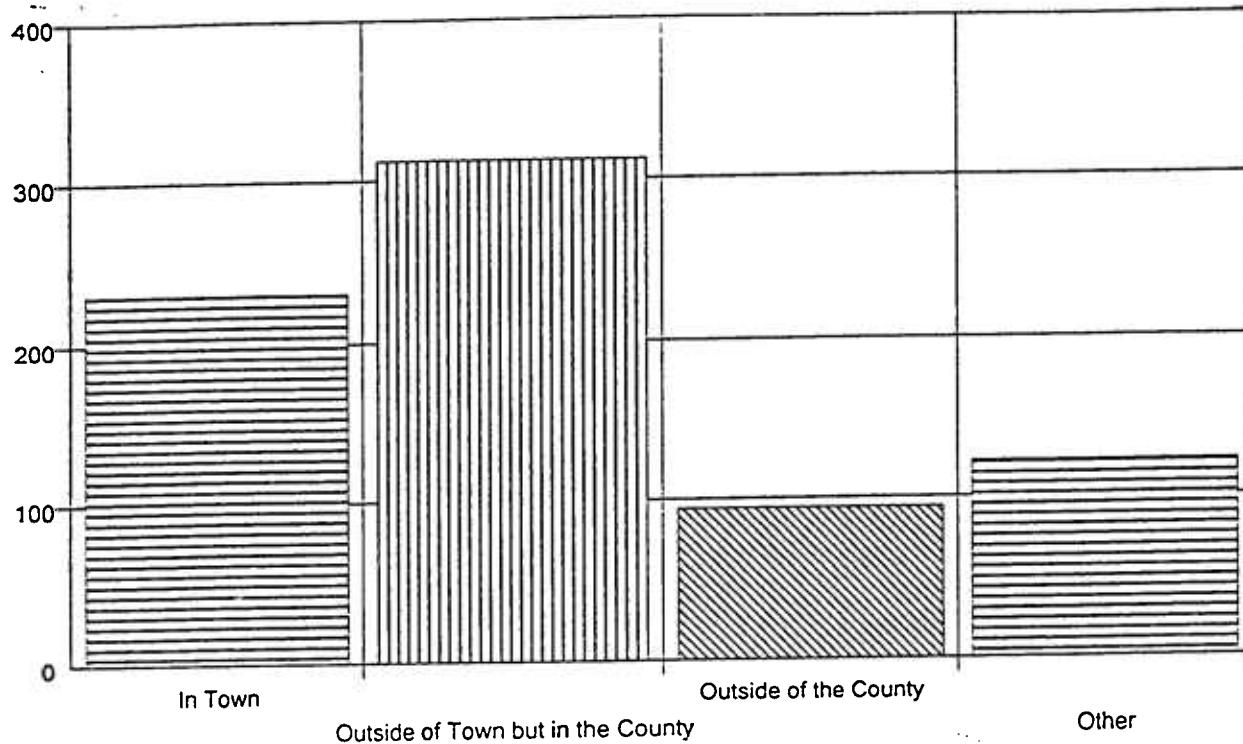
	A	B	C	D	No Answer
1 LIVE	171 19.45%	182 20.71%	290 32.99%	208 23.66%	28 3.1
23 public water					
23-1 Very important issue	95 57.93%	107 60.11%	164 56.94%	105 50.97%	18 64.2
23-2 Somewhat important issue	38 23.17%	45 25.28%	78 27.08%	52 25.24%	9 32.1
23-3 Not an issue	31 18.90%	26 14.61%	46 15.97%	49 23.79%	1 3.5
Missing Cases	7 4.09%	4 2.20%	2 0.69%	2 0.96%	0 0.0

Graphic Overheads of survey information from the Public Presentation

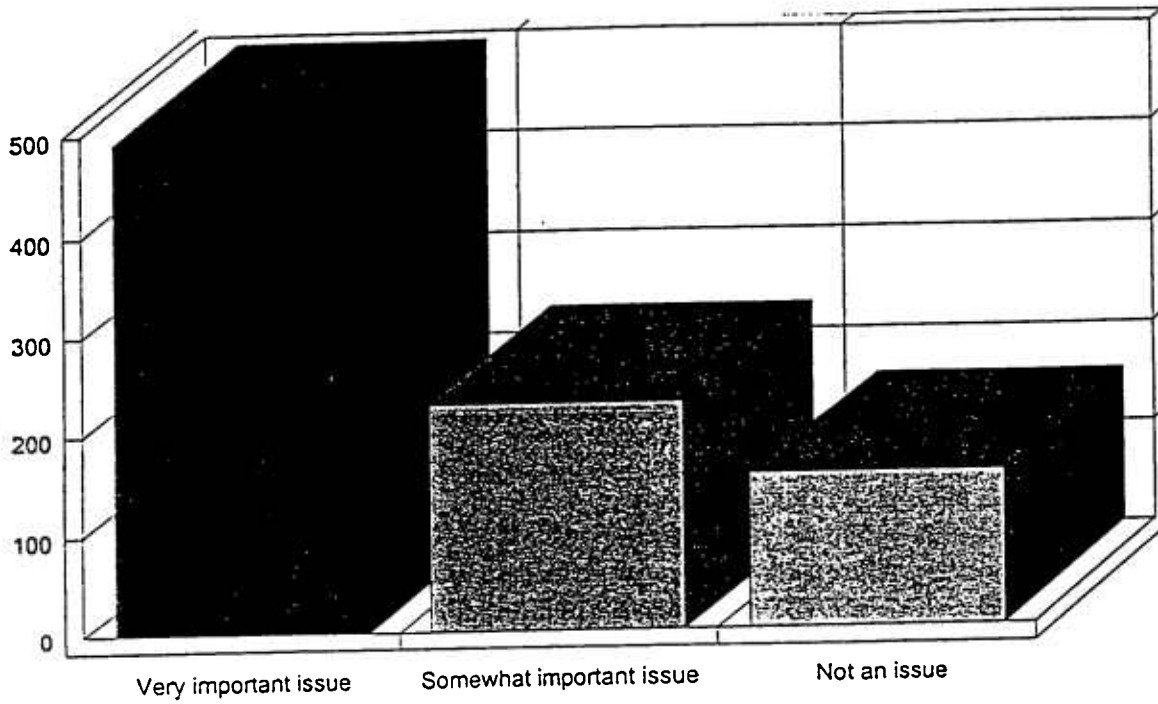
Where People Lived that Answered the Town Of Scriba Comprehensive Plan Survey



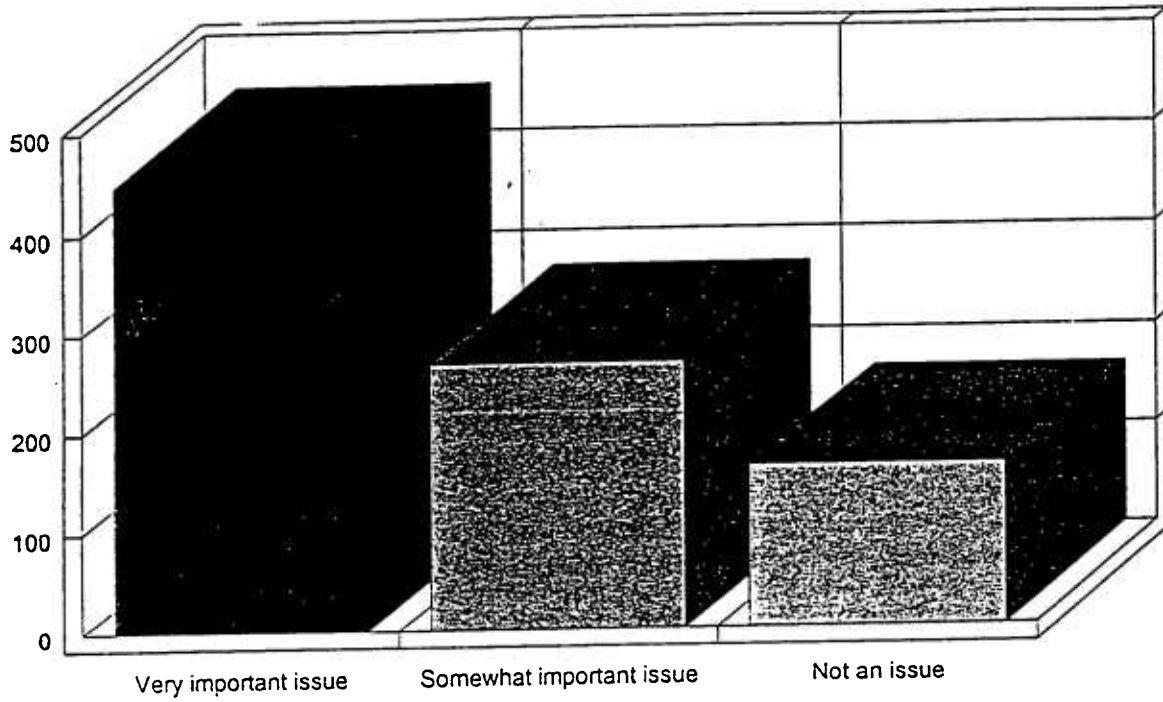
Where Town of Scriba Residents Work



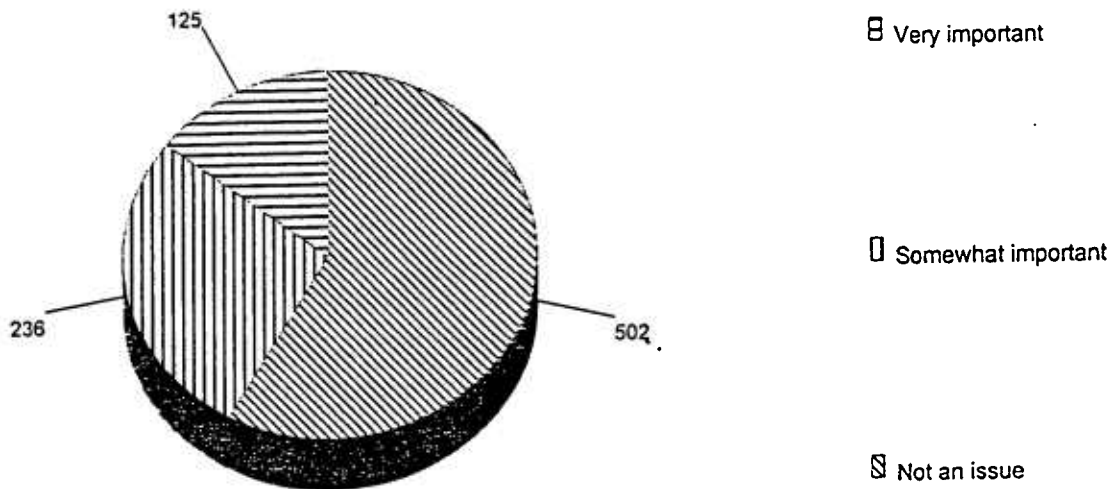
The Need for Public Water



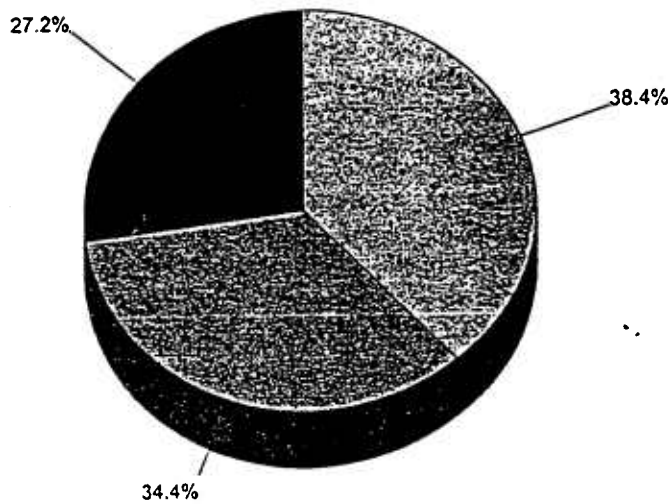
Need for Sewer Expansion



The Need for Affordable Housing



The Need for Bike Trails

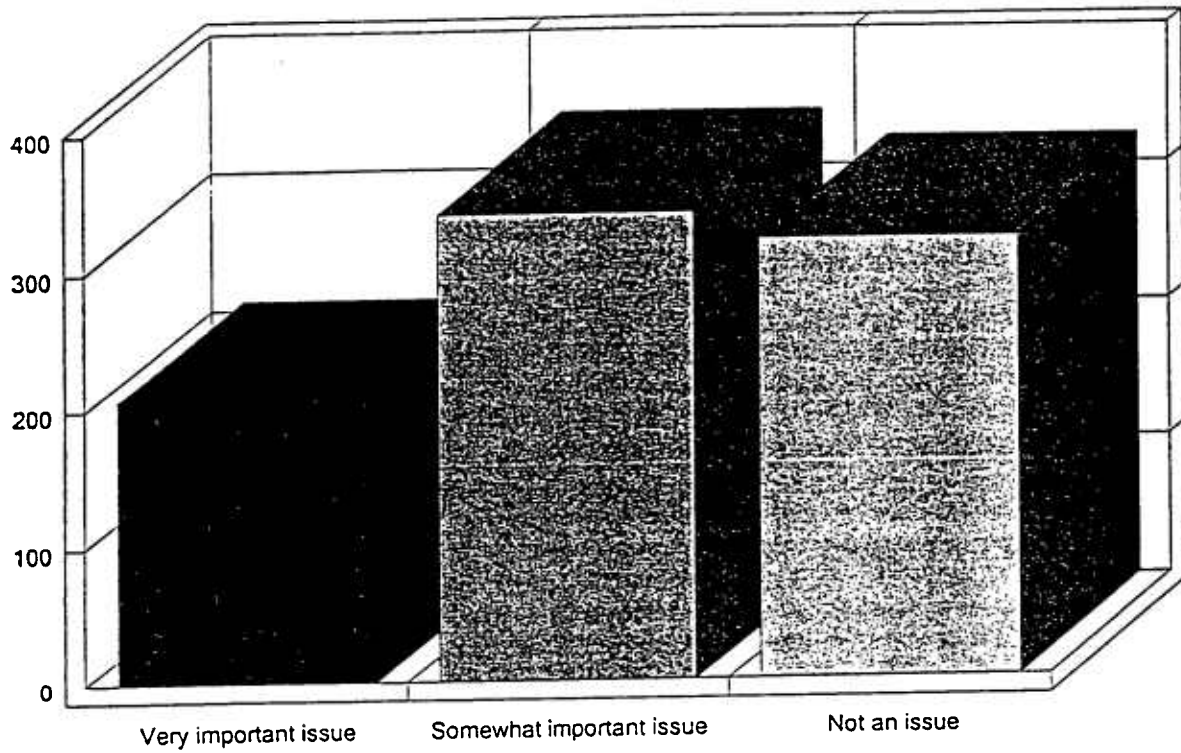


■ Very important issue

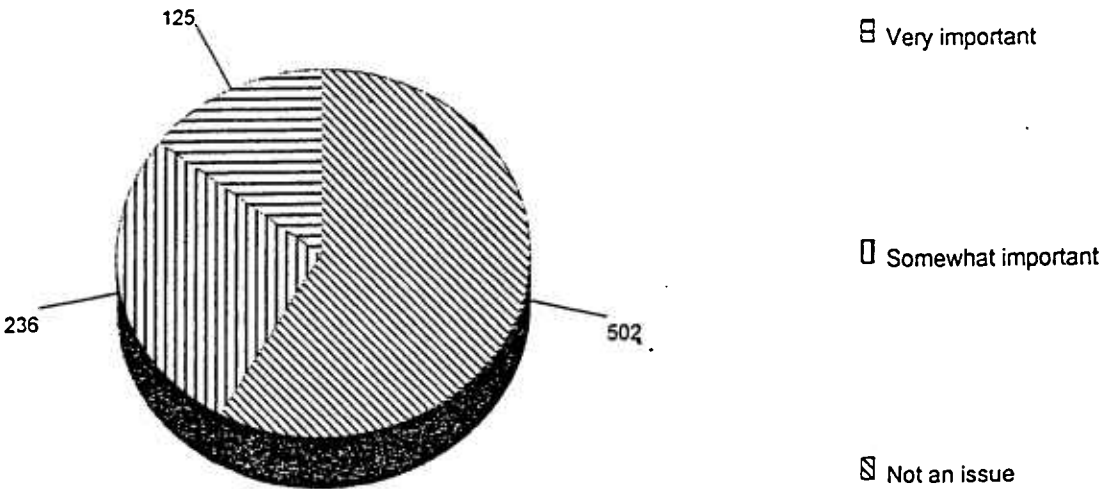
▨ Somewhat important issue

▩ Not an issue

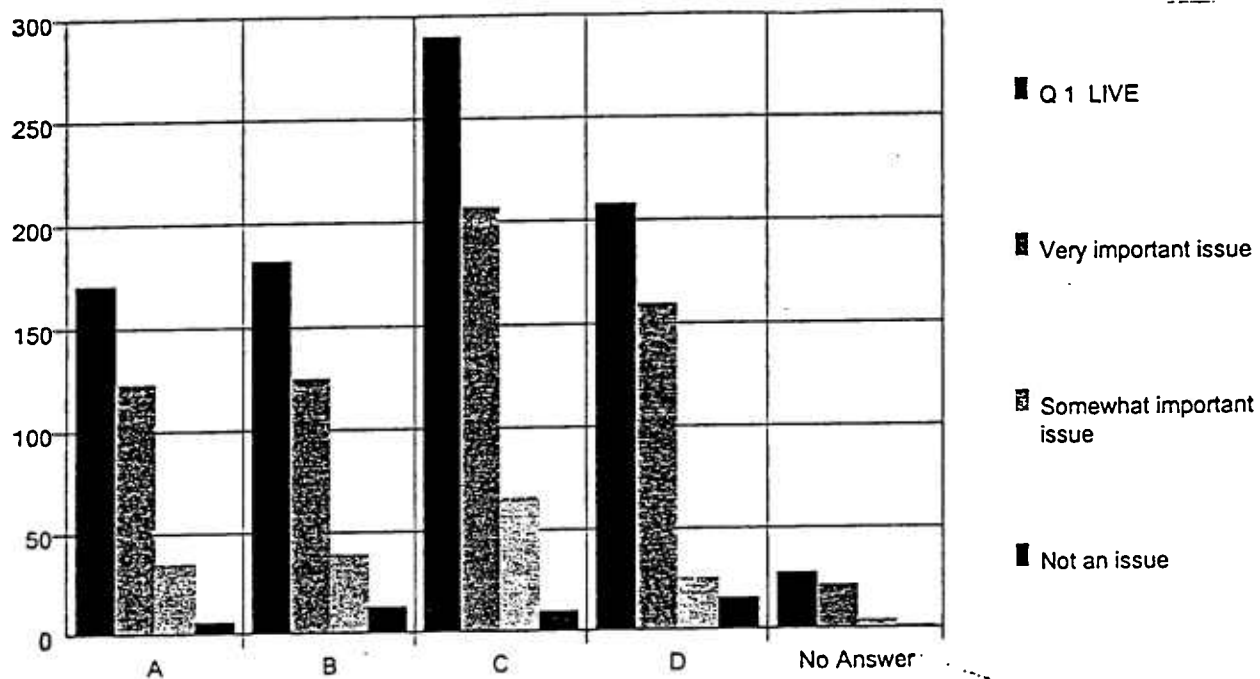
The Need for Senior Housing



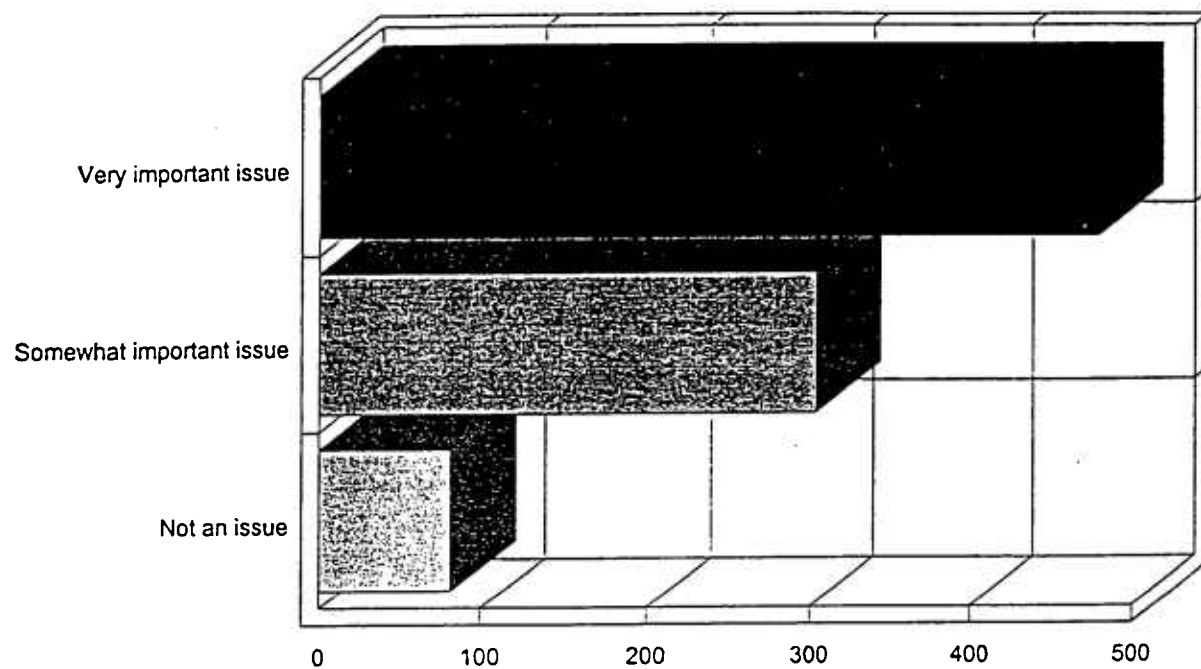
The Need for Affordable Housing



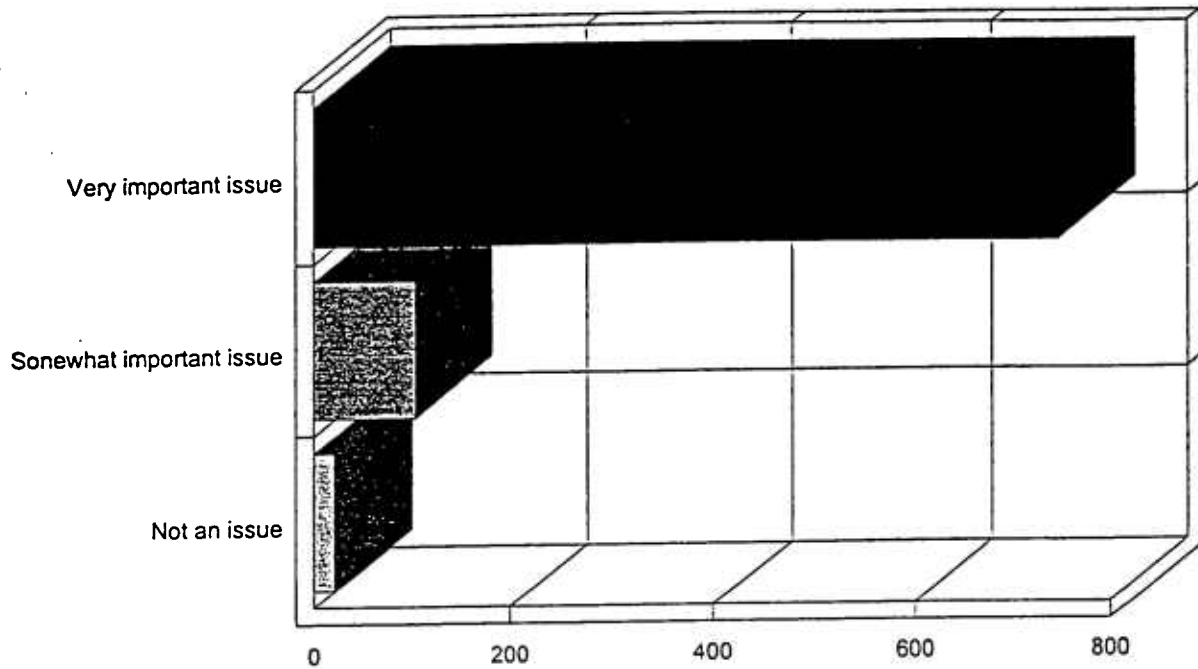
CONCERNED ABOUT THE QUANTITY OF WATER AVAILABLE IN THE TOWN







The Importance of Farms

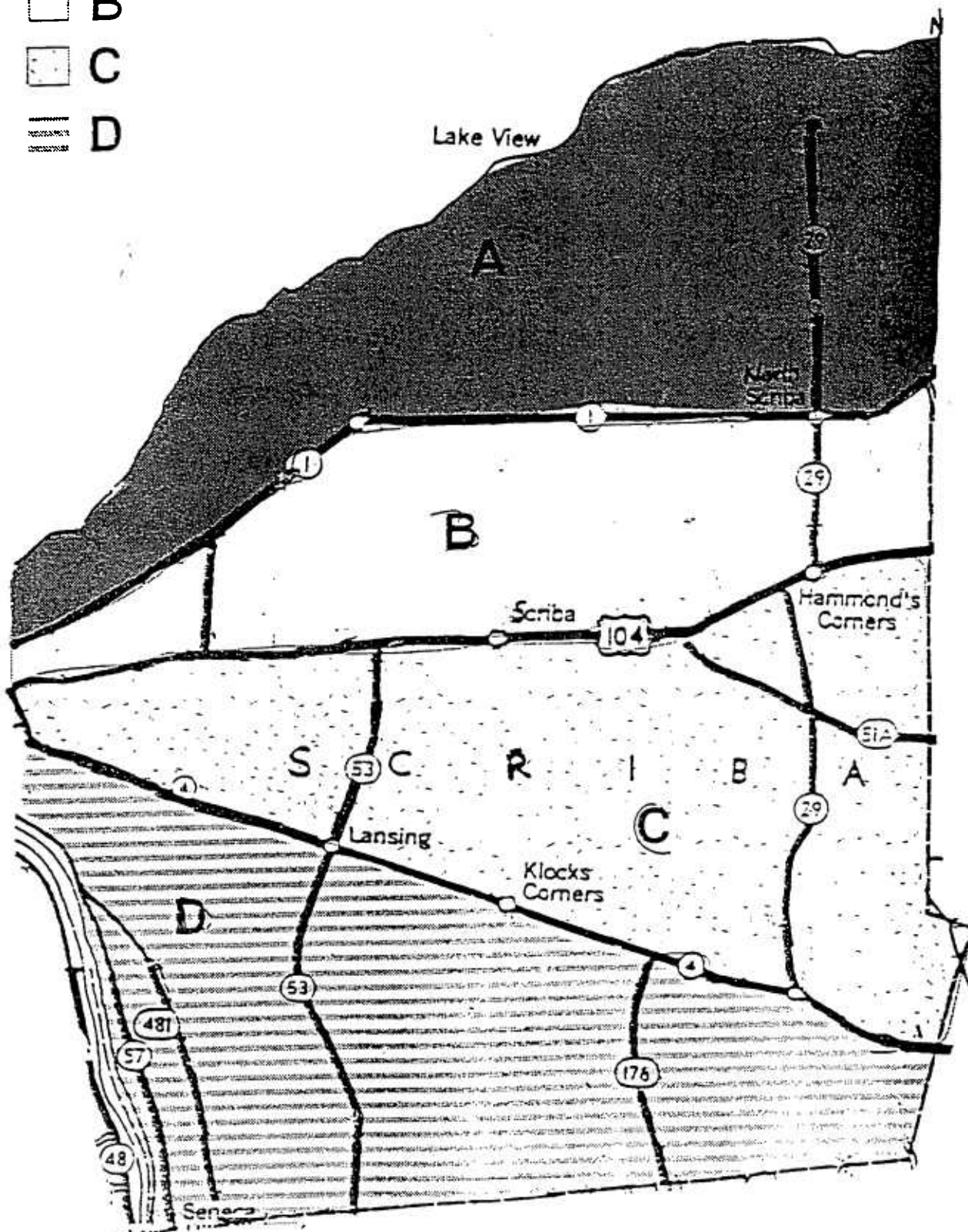


Protection of Groundwater



Map from the survey

-  A
-  B
-  C
-  D



Comprehensive Plan Legislation - New York State Town Law

to this section. Nothing herein shall be deemed to affect the status or validity of existing master plans, comprehensive plans, or land use plans. *(Eff. 7/1/95, Ch. 418, L. 1995)*

2. Definitions. As used in this section, the term:

(a) "town comprehensive plan" means the materials, written and/or graphic, including but not limited to maps, charts, studies, resolutions, reports and other descriptive material that identify the goals, objectives, principles, guidelines, policies, standards, devices and instruments for the immediate and long-range protection, enhancement, growth and development of the town located outside the limits of any incorporated village or city.

(b) "land use regulation" means an ordinance or local law enacted by the town for the regulation of any aspect of land use and community resource protection and includes any zoning, subdivision, special use permit or site plan regulation or any other regulation which prescribes the appropriate use of property or the scale, location and intensity of development.

(c) "special board" means a board consisting of one or more members of the planning board and such other members as are appointed by the town board to prepare a proposed comprehensive plan and/or an amendment thereto.

3. Content of a town comprehensive plan. The town comprehensive plan may include the following topics at the level of detail adapted to the special requirements of the town:

(a) General statements of goals, objectives, principles, policies, and standards upon which proposals for the immediate and long-range enhancement, growth and development of the town are based.

(b) Consideration of regional needs and the official plans of other government units and agencies within the region.

(c) The existing and proposed location and intensity of land uses.

(d) Consideration of agricultural uses, historic and cultural resources, coastal and natural resources and sensitive environmental areas.

(e) Consideration of population, demographic and socio-economic trends and future projections.

(f) The location and types of transportation facilities.

(g) Existing and proposed general location of public and private utilities and infrastructure.

(h) Existing housing resources and future housing needs, including affordable housing.

(i) The present and future general location of educational and cultural facilities, historic sites, health facilities and facilities for emergency services.

(j) Existing and proposed recreation facilities and parkland.

(k) The present and potential future general location of commercial and industrial facilities.

(l) Specific policies and strategies for improving the local economy in coordination with other plan topics.

(m) Proposed measures, programs, devices, and instruments to

implement the goals and objectives of the various topics within the comprehensive plan.

(n) All or part of the plan of another public agency.

(o) Any and all other items which are consistent with the orderly growth and development of the town. *(Eff. 7/1/95, Ch. 418, L. 1995)*

4. Preparation. The town board, or by resolution of such town board, the planning board or a special board, may prepare a proposed town comprehensive plan and amendments thereto. In the event the planning board or special board is directed to prepare a proposed comprehensive plan or amendment thereto, such board shall, by resolution, recommend such proposed plan or amendment to the town board.

5. Referrals. (a) Any proposed comprehensive plan or amendment thereto that is prepared by the town board or a special board may be referred to the town planning board for review and recommendation before action by the town board.

(b) The town board shall, prior to adoption, refer the proposed comprehensive plan or any amendment thereto to the county, metropolitan or regional planning agency for review and recommendation as required by section two hundred thirty-nine-m of the general municipal law. In the event the proposed plan or amendment thereto is prepared by the town planning board or a special board, such board may request comment on such proposed plan or amendment from the county, metropolitan or regional planning agency.

6. Public hearings; notice. (a) In the event the town board prepares a proposed town comprehensive plan or amendment thereto, the town board shall hold one or more public hearings and such other meetings as it deems necessary to assure full opportunity for citizen participation in the preparation of such proposed plan or amendment, and in addition, the town board shall hold one or more public hearings prior to adoption of such proposed plan or amendment.

(b) In the event the town board has directed the planning board or a special board to prepare a proposed comprehensive plan or amendment thereto, the board preparing the plan shall hold one or more public hearings and such other meetings as it deems necessary to assure full opportunity for citizen participation in the preparation of such proposed plan or amendment. The town board shall, within ninety days of receiving the planning board or special board's recommendations on such proposed plan or amendment, and prior to adoption of such proposed plan or amendment, hold a public hearing on such proposed plan or amendment.

(c) Notice of a public hearing shall be published in a newspaper of general circulation in the town at least ten calendar days in advance of the hearing. The proposed comprehensive plan or amendment thereto shall be made available for public review during said period at the office of the town clerk and may be made available at any other place, including a public library.

7. Adoption. The town board may adopt by resolution a town comprehensive plan or any amendment thereto.

Property Class Total Acreage Report (1996)

TOWN/CITY	PROPERTY CLASS	COUNT	ACRES	
CITY OF FULTON	RESIDENTIAL	3,403	865.26	
	VACANT LAND	521	273.56	
	COMMERCIAL	405	221.16	
	RECREATION/ENTERTAIN	15	21.07	
	COMMUNITY SERVICE	59	269.28	
	INDUSTRIAL	34	99.94	
	PUBLIC SERVICE	53	131.90	
	WILD, FORESTED, ETC.	8	82.99	
	AGRICULTURAL	3	68.17	
	RESIDENTIAL	5,395	1,355.94	
CITY OF OSWEGO	VACANT LAND	909	773.94	
	COMMERCIAL	728	384.89	
	RECREATION/ENTERTAIN	34	211.43	
	COMMUNITY SERVICE	107	489.13	
	INDUSTRIAL	32	166.15	
	PUBLIC SERVICE	103	538.41	
	WILD, FORESTED, ETC.	8	23.01	
	AGRICULTURAL	3	166.85	
	RESIDENTIAL	99	359.31	
	VACANT LAND	45	309.30	
TOWN OF ALBION VILL OF ALTMAR	COMMERCIAL	13	123.89	
	COMMUNITY SERVICE	10	49.07	
	PUBLIC SERVICE	7	186.62	
	WILD, FORESTED, ETC.	3	14.04	
	AGRICULTURAL	25	2,645.19	
	RESIDENTIAL	553	8,014.15	
	VACANT LAND	306	6,759.60	
	COMMERCIAL	11	111.33	
	RECREATION/ENTERTAIN	2	61.30	
	COMMUNITY SERVICE	12	36.20	
TOWN OF ALBION	INDUSTRIAL	2	60.70	
	PUBLIC SERVICE	16	1,380.73	
	WILD, FORESTED, ETC.	117	9,983.96	
	AGRICULTURAL	49	3,506.20	
	RESIDENTIAL	533	7,633.65	
	VACANT LAND	325	6,018.69	
	COMMERCIAL	14	470.12	
	RECREATION/ENTERTAIN	3	772.63	
	COMMUNITY SERVICE	11	34.79	
	PUBLIC SERVICE	13	10.51	
TOWN OF AMBOY	WILD, FORESTED, ETC.	54	5,219.20	
	AGRICULTURAL	25	2,000.46	
	RESIDENTIAL	307	6,590.37	
	VACANT LAND	138	2,712.93	
	COMMERCIAL	2	37.64	
	COMMUNITY SERVICE	8	11.42	
	PUBLIC SERVICE	6	6.32	
	WILD, FORESTED, ETC.	135	13,346.44	
	RESIDENTIAL	267	325.48	
	VACANT LAND	66	233.42	
TOWN OF BOYLSTON	COMMERCIAL	13	13.69	
	RECREATION/ENTERTAIN	2	.90	
	COMMUNITY SERVICE	10	73.53	
	INDUSTRIAL	1	.46	
	TOWN OF CONSTANTIA VILL OF CLEVELAND	RESIDENTIAL	66	13.69
		VACANT LAND	13	13.69
		COMMERCIAL	2	.90
		RECREATION/ENTERTAIN	10	73.53
		COMMUNITY SERVICE	10	73.53
		INDUSTRIAL	1	.46

TOWN/CITY	PROPERTY CLASS	COUNT	ACRES
	VACANT LAND	72	303.28
	COMMERCIAL	80	89.99
	RECREATION/ENTERTAIN	5	4.86
	COMMUNITY SERVICE	33	122.68
	INDUSTRIAL	3	11.71
	PUBLIC SERVICE	14	9.36
	WILD, FORESTED, ETC.	1	.26
TOWN OF MEXICO	AGRICULTURAL	112	7,713.46
	RESIDENTIAL	1,224	11,602.95
	VACANT LAND	455	5,596.03
	COMMERCIAL	41	579.41
	RECREATION/ENTERTAIN	7	320.09
	COMMUNITY SERVICE	19	179.16
	INDUSTRIAL	7	270.96
	PUBLIC SERVICE	30	158.48
	WILD, FORESTED, ETC.	44	1,194.56
TOWN OF MINETTO	AGRICULTURAL	5	151.29
	RESIDENTIAL	610	1,824.73
	VACANT LAND	150	1,117.38
	COMMERCIAL	19	31.57
	RECREATION/ENTERTAIN	1	69.47
	COMMUNITY SERVICE	12	159.06
	PUBLIC SERVICE	22	167.55
	WILD, FORESTED, ETC.	4	25.73
TOWN OF NEW HAVEN	AGRICULTURAL	48	3,518.64
	RESIDENTIAL	1,130	9,486.56
	VACANT LAND	372	5,438.44
	COMMERCIAL	25	298.46
	RECREATION/ENTERTAIN	3	21.34
	COMMUNITY SERVICE	17	59.32
	INDUSTRIAL	1	108.50
	PUBLIC SERVICE	12	121.12
	WILD, FORESTED, ETC.	9	430.28
TOWN OF ORWELL	AGRICULTURAL	29	3,067.25
	RESIDENTIAL	637	9,962.76
	VACANT LAND	248	2,016.83
	COMMERCIAL	8	409.98
	COMMUNITY SERVICE	14	30.70
	INDUSTRIAL	1	1.74
	PUBLIC SERVICE	24	3,129.78
	WILD, FORESTED, ETC.	97	7,829.91
TOWN OF OSWEGO	AGRICULTURAL	48	2,872.66
	RESIDENTIAL	1,499	8,135.26
	VACANT LAND	366	3,567.06
	COMMERCIAL	48	270.49
	RECREATION/ENTERTAIN	3	137.65
	COMMUNITY SERVICE	62	1,030.07
	INDUSTRIAL	2	37.30
	PUBLIC SERVICE	35	1,138.01
	WILD, FORESTED, ETC.	2	80.00
TOWN OF PALERMO	AGRICULTURAL	69	5,095.05
	RESIDENTIAL	1,107	12,291.84
	VACANT LAND	348	6,129.32
	COMMERCIAL	26	325.03

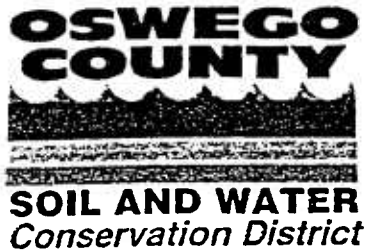
TOWN/CITY	PROPERTY CLASS	COUNT	ACRES
TOWN OF PARISH VILL OF PARISH	RECREATION/ENTERTAIN	3	139.55
	COMMUNITY SERVICE	13	46.76
	INDUSTRIAL	10	237.21
	PUBLIC SERVICE	46	403.57
	WILD, FORESTED, ETC.	40	1,133.83
	RESIDENTIAL	162	395.94
	VACANT LAND	40	276.32
	COMMERCIAL	39	52.28
	RECREATION/ENTERTAIN	3	1.05
	COMMUNITY SERVICE	16	44.15
TOWN OF PARISH	PUBLIC SERVICE	10	10.58
	WILD, FORESTED, ETC.	2	.47
	AGRICULTURAL	7	442.10
	RESIDENTIAL	707	11,794.49
	VACANT LAND	287	8,907.72
	COMMERCIAL	10	190.49
	RECREATION/ENTERTAIN	5	451.42
	COMMUNITY SERVICE	13	151.87
	PUBLIC SERVICE	19	123.30
	WILD, FORESTED, ETC.	30	3,001.17
TOWN OF REDFIELD	AGRICULTURAL	4	392.55
	RESIDENTIAL	508	7,458.13
	VACANT LAND	233	3,127.40
	COMMERCIAL	13	69.58
	RECREATION/ENTERTAIN	2	212.21
	COMMUNITY SERVICE	14	124.75
	INDUSTRIAL	3	112.18
	PUBLIC SERVICE	10	4,237.14
	WILD, FORESTED, ETC.	237	43,399.05
	AGRICULTURAL	8	198.89
TOWN OF RICHLAND VILL OF PULASKI	RESIDENTIAL	620	470.01
	VACANT LAND	149	777.27
	COMMERCIAL	154	218.50
	RECREATION/ENTERTAIN	10	57.04
	COMMUNITY SERVICE	30	134.64
	INDUSTRIAL	6	7.48
	PUBLIC SERVICE	22	120.63
	WILD, FORESTED, ETC.	5	16.39
	AGRICULTURAL	131	8,957.86
	RESIDENTIAL	1,354	11,920.37
TOWN OF RICHLAND	VACANT LAND	592	7,322.13
	COMMERCIAL	70	589.69
	RECREATION/ENTERTAIN	15	1,052.98
	COMMUNITY SERVICE	25	203.04
	INDUSTRIAL	6	715.76
	PUBLIC SERVICE	45	435.88
	WILD, FORESTED, ETC.	26	2,062.78
	AGRICULTURAL	3	183.97
	RESIDENTIAL	176	147.58
	VACANT LAND	26	56.57
TOWN OF SANDY CREEK VILL OF LACONA	COMMERCIAL	34	85.12
	RECREATION/ENTERTAIN	2	3.26
	COMMUNITY SERVICE	9	61.12
	INDUSTRIAL	2	36.74

TOWN/CITY	PROPERTY CLASS	COUNT	ACRES
	PUBLIC SERVICE	10	40.66
	WILD, FORESTED, ETC.	1	
TOWN OF SANDY CREEK VILL OF SANDY CREEK	AGRICULTURAL	4	164.24
	RESIDENTIAL	224	375.95
	VACANT LAND	22	74.95
	COMMERCIAL	40	49.94
	RECREATION/ENTERTAIN	2	50.32
	COMMUNITY SERVICE	13	52.07
	PUBLIC SERVICE	12	.57
	WILD, FORESTED, ETC.	1	20.00
TOWN OF SANDY CREEK	AGRICULTURAL	127	11,203.05
	RESIDENTIAL	1,536	6,769.08
	VACANT LAND	552	4,971.44
	COMMERCIAL	48	714.89
	RECREATION/ENTERTAIN	10	134.28
	COMMUNITY SERVICE	6	81.52
	INDUSTRIAL	11	794.21
	PUBLIC SERVICE	22	95.15
	WILD, FORESTED, ETC.	33	1,951.83
TOWN OF SCHROEPPPEL VILL OF PHOENIX	AGRICULTURAL	3	43.27
	RESIDENTIAL	608	298.17
	VACANT LAND	67	143.49
	COMMERCIAL	57	38.18
	RECREATION/ENTERTAIN	5	16.14
	COMMUNITY SERVICE	18	93.41
	INDUSTRIAL	2	1.75
	PUBLIC SERVICE	15	49.22
	WILD, FORESTED, ETC.	5	6.47
TOWN OF SCHROEPPPEL	AGRICULTURAL	130	8,417.03
	RESIDENTIAL	1,795	8,245.58
	VACANT LAND	502	5,697.53
	COMMERCIAL	52	369.92
	RECREATION/ENTERTAIN	5	348.95
	COMMUNITY SERVICE	18	100.79
	INDUSTRIAL	23	408.73
	PUBLIC SERVICE	42	663.13
	WILD, FORESTED, ETC.	20	1,077.23
TOWN OF SCRIBA	AGRICULTURAL	82	3,537.33
	RESIDENTIAL	1,921	10,746.62
	VACANT LAND	714	5,787.00
	COMMERCIAL	84	969.36
	RECREATION/ENTERTAIN	6	59.58
	COMMUNITY SERVICE	41	634.99
	INDUSTRIAL	13	861.10
	PUBLIC SERVICE	67	3,069.18
	WILD, FORESTED, ETC.	10	302.72
TOWN OF VOLNEY	AGRICULTURAL	93	3,870.35
	RESIDENTIAL	1,834	13,382.71
	VACANT LAND	608	7,960.24
	COMMERCIAL	63	377.76
	RECREATION/ENTERTAIN	9	245.81
	COMMUNITY SERVICE	24	128.98
	INDUSTRIAL	26	1,192.95
	PUBLIC SERVICE	95	2,588.70

TOWN/CITY	PROPERTY CLASS	COUNT	ACRES
TOWN OF WEST MONROE	WILD, FORESTED, ETC.	15	485.41
	AGRICULTURAL	22	1,699.38
	RESIDENTIAL	1,200	9,169.80
	VACANT LAND	399	3,752.56
	COMMERCIAL	38	647.50
	RECREATION/ENTERTAIN	11	438.73
	COMMUNITY SERVICE	10	36.52
	INDUSTRIAL	2	120.00
	PUBLIC SERVICE	17	4.81
	WILD, FORESTED, ETC.	56	5,221.34
TOWN OF WILLIAMSTOWN	AGRICULTURAL	41	2,213.67
	RESIDENTIAL	533	6,240.46
	VACANT LAND	227	5,330.89
	COMMERCIAL	21	198.27
	RECREATION/ENTERTAIN	5	17.73
	COMMUNITY SERVICE	14	430.37
	INDUSTRIAL	7	441.10
	PUBLIC SERVICE	14	65.00
	WILD, FORESTED, ETC.	100	9,624.27

Letter from Oswego County Soil and Water Conservation District

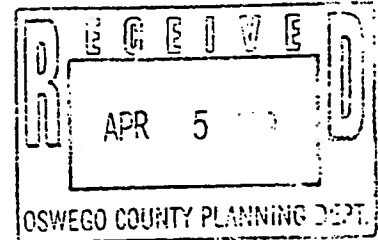
Oswego County Soil and Water
Conservation District
185 E. Seneca Street
Oswego, NY 13126



Phone: (315) 343-0040
Fax: (315) 342-3161
Office Hours:
Monday — Friday
8:00 a.m. — 4:30 p.m.

April 1, 1999

Karen Noyes, Senior Planner
Department of Planning and Community Development
46 East Bridge Street
Oswego, New York 13126



Dear Karen,

Your letter dated March 29, 1999 asks for this office's input regarding your work with the Towns of Constantia, Oswego, Scriba, and Granby on local comprehensive plans. Please note the following comments for your review and consideration.

1. Creation and adoption of natural resource protection zones within 100' of any surface water body. Reasoning: protect existing water quality and reduce erosion/flood impacts. Any proposed activity/construction within the 100' buffer should be reviewed by the Soil and Water Conservation District for technical assistance/recommendations, as directed by the Town. This provides a local contact for landowners needing to work through a permit process and/or lending institutions regarding flood zones.
2. Identified watersheds within these towns. Delineate and graphically produce watershed maps. This information would be greatly needed in viewing proposed land use activities and their cumulative effects within these watersheds. These maps would further water quality educational programming to the general community.
3. Incorporate within each town's Erosion & Sediment Control Ordinance (if such town has one and if not, it should be recommended very highly) a listing of critical thresholds, that if exceeded, would require the development of an E & SC Plan. This plan would need to be submitted to the Oswego County SWCD for review of its technical merits on behalf of the town and its taxpayers. These thresholds need to be identified but agreed to by this office and the respective Town(s). This arrangement would promote a standardized accounting for these activities.
4. Promote the creation and/or protection of open space (green zones). Encourage sound, well managed agricultural enterprises - providing valuable open space, wildlife habitat diversity and a positive return of town invested tax dollars.

Thank you for this opportunity to comment on behalf of these towns and your comprehensive planning efforts. Should you have any questions pertaining to this information please do not hesitate to contact this office.

Sincerely,


John DeHollander
District Manager

**Development Plans for Scriba Recreation Center, Scriba Town Park
and Sunset Bay Park in the Town of Scriba, NY 1992**

Development Plans for
SCRIBA RECREATION CENTER
SCRIBA TOWN PARK
and
SUNSET BAY PARK
in the
TOWN OF SCRIBA, NEW YORK
1992

Scriba Town Board

Steven A. Baxter, Supervisor
Norma Canale, Councilwoman
James Oldenburg, Councilman
Earnest P. Girard, Councilman
Brian Kocher, Councilman

Scriba Recreation Commission

Kathy Nemier, Chairman
Diane Bartholomew
Joe Brown
Lou Ann Daniels
Stan Hallinan
Sue Reitz
Mike Sirchia

Recreation Director
Judy Talbot

Kotz and Associates
Land and Recreation Planning and Design
130 East Genesee Street
Syracuse, New York 13202
315-475-4157

Dan Leary/Architect
128 North Warren Street
Syracuse, New York 13202
315-472-4524

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INTRODUCTION

Purpose

This plan has been prepared to serve as a guide for the Town of Scriba in the future development of and improvements to the Town Recreation Center, Scriba Town Park, and Sunset Bay Park. It is the result of coordination among the Recreation Commission, recreation staff, and the consultant in identifying needs, priorities, and the physical and environmental characteristics that affect development of the properties.

The plan provides support documentation for any applications for financial assistance and allows the Town to plan capital improvements to its facilities. It will guide Town forces, volunteer organizations, and others in implementing various improvements as opportunities present themselves.

Cost estimates are based on general construction work contracted through the normal public bidding process. Many of the the work items listed at Scriba Town Park, Sunset Bay Park, and on the site of the Recreation Center can be built with town forces or with volunteer crews. The estimates listed as Town Cost reflect a potential savings if they are performed with town work crews.

Program

The three park sites in the Town of Scriba that are considered in this report are in various stages of development. Each parcel is in need of a plan to guide future physical improvements.

This report includes an analysis of each site and presents recommended priorities of capital improvements with cost estimates, site development plans, potential sources of funding, and other means of implementation, as well as further recommendations for the park system in the Town.

The following map shows the location of the three parks in the Town.

ANALYSIS

General

Each park site was visited and reviewed by the consultant with the cooperation and guidance of the recreation director. Maps and site plans for the properties were obtained from the Town Clerk's office, the Town Assessor's office, and the Oswego County Planning Department. There are no construction documents available for the recreation building.

Existing conditions at each site were evaluated and compared to the program requirements prepared by the Recreation Commission. A detailed analysis of each site is included in the site description of the Evaluation and Recommendations section of this report.

EVALUATION and RECOMMENDATIONS

SCRIBA RECREATION CENTER Site Description

The recreation center site is centrally located in the Town of Scriba. The property consists of approximately two acres and contains the recreation center building, a small maintenance garage, and parking for 40 to 50 cars. The recreation building is located very close to New York State Route 104 on the south. The driveway and parking access is off of Creamery Road on the east side of the property. The parking lots and driveways are all paved with asphalt. The west side of the property is all lawn area, bordered by a private residence. Along the north side, a private driveway enters the adjacent property owned by the Scriba Fire Department. There is a steep slope, partially covered with weeds and brush, immediately behind the recreation building, from the upper lawn area to the lower parking lot.

Recreation Center Site Program

In discussing this property with the recreation staff, it was determined that the priorities include a revised front entrance from Route 104 and a playground area for the pre-school and school age child care programs. It was also determined that the steep slope should be modified to make it safer and to improve its appearance. Parking lot striping to designate areas for handicapped parking are also required.

Recreation Center Site Recommendations

Access to the front entrance will consist of a drop off area for vehicles, curbing, sidewalk, and a ramp with handrails to the front door. Pavement striping will help control vehicular circulation. A six foot high chain link fence behind the sidewalk will separate the lawn play area from this vehicular drop off and the very busy Route 104. These items will make this entrance accessible for the handicapped as well as safer for all users. Landscape plantings and flower beds within the curbed areas and three shade trees behind the chain link fence will help make this front entrance more attractive.

The existing parking lots will be striped to control vehicle circulation and parking and to provide designated parking spots for the physically handicapped which is a requirement for making the recreation building accessible.

The playground equipment will be installed in the lawn area in the northwest corner of the property. Although some regrading will be necessary, the equipment can be located to take advantage of the gentle slope. This area will be available to the public as well as to the children in the school age child care program and the older pre-school children who use the recreation center.

The upper lawn area between the recreation building and the private residence to the west, will be retained for the younger and less mobile pre-school children. This area is readily accessible from the side door of the gymnasium and will contain a sandbox as well as picnic tables for supervising adults. The south side of this area will be separated from Route 104 with the six foot high fence installed with the front sidewalk and there will also be a four foot high chain link fence installed at the top of the steep slope on the north side of this area.

These improvements will provide safe outdoor activity areas for children of all age groups.

The steep slope behind the recreation building will be partially filled, regraded, and covered with topsoil and grass seed to create a mowable slope. This will not only make it safer, but will help to improve the appearance of the site.

**Schedule of
Recreation
Center
Site
Improvements**

The following is a prioritized list of proposed site improvements indicating costs for work done by contract and also for work done by Town forces, if applicable. These improvements are also shown on the Scriba Recreation Center Site Development Plan on page 6.

**SCRIBA RECREATION CENTER
Proposed Site Improvements**

<u>Item and Priority</u>	<u>Contracted Cost</u>	<u>Town Cost</u>
1. Front entrance area, vehicle pull off, striping, curbing, sidewalk, topsoil, and seed	\$11,000	\$7,000*
Shrubs at front entry	400	200*
Five shade trees	1,500	750*
2. Fence along Route 104, 6' high, 110 lf.	1,400	1,400
3. Parking lot striping, 50 cars	200	200*
4. Fence along top of slope, 4' high, 90 lf.	800	800
5. Playground area, including sandbox and tables	42,000	21,000*
6. Steep slope treatment, fill, grade, topsoil, and seed	<u>3,000</u>	<u>1,500*</u>
Total sitework	\$60,300	\$32,850

* Work that could be done with town forces for a savings of \$27,450.

**Recreation
Center**

The Town of Scriba Recreation Center building is located on the south end of the property, adjacent to Route 104 and close to Creamery Road on the east side of the property, as shown on the Site Improvements Plan. A separate study of this building was completed by the consultants after review of the program and a visit to the facility with the recreation staff. This study, analysis, and preliminary budget estimate for the recommended renovations is included as a part of this report.

Part One: Owner Requirements

The needs of the Town of Scriba Recreation Department for the continued use of the existing recreation building have been summarized as follows:

1. Make facilities handicapped accessible
2. Re-wire building
3. Re-place fire doors between levels

Additional needs of lower priority include:

4. Move and/or expand weight room
5. Expand maintenance and repair area
6. Provide new gym

Part Two: Existing Conditions

The existing building was originally constructed as a Fire Station and occupied by the Fire Department until about 1983. The Recreation Department has occupied the building with minor renovations since 1987. The building contains about 7,800 square feet on two stories, with approximately 3200 square feet on the upper floor which is a laminated wood frame structure. The lower floor is at three separate levels, each with direct access to grade. Grade access to the upper floor exists on the west side of the building, but the main entrance at the south side of the building is about three feet above grade.

The existing building consists of several types of construction including types 2,3,4, and 5 under the NYS Uniform Code. The present occupancy classification is Assembly, C 5.2 (more than 300 persons but less than 1000 persons). The existing building would be considered existing non-conforming until the construction type was upgraded to either type 3 or type 4a for this occupancy. Current provisions of the NYS Uniform Code stipulate that a building classification is determined by the lowest classification of any of its parts, and Group C5 Occupancy is not allowed in two story buildings of less than type 4a construction. Subject to a decision from the Code Enforcement Officer, an existing non-conforming building may be continued in use for assembly occupancies under Part 794 which requires the installation of a fire and smoke detection system. A new fire and smoke detection system has been installed in this building.

Accessibility to this building is regulated by the New York State Public Buildings Law of 1974, and by the Federal Americans with Disabilities Act effective January 26, 1992. Under these requirements, the building must have access to all levels occupied by the public, doorways and corridors must meet ANSI minimum requirements, and toilet facilities must be provided for the physically handicapped. There are no requirements that stipulate accessibility to each building level from a common entrance, as long as

each accessible entrance includes an accessible route from a public sidewalk or street, each accessible route includes designated handicapped parking spaces, and handicapped toilet facilities are provided at each accessible level.

The existing building is served by public water, gas and electric utilities, and an on-site sanitary disposal system. An existing sub-surface water cistern originally installed for the Fire Department still exists on the site. There is limited information available on the size or location of the existing sanitary system but it has been functioning adequately.

Part Three: Analysis of Needs

Accessibility requirements include three major areas of concern:

- Accessible route and entrance to each building level
- Door and hallway clearances and useability requirements
- Toilet Room accessibility and useability by the physically handicapped.

Accessible routes and entrances to each building level are the first priority requirement of the ADA, and are available with minor renovation cost as a result of the existing topography. Lower building levels are easily accessible from existing parking areas, and with minor renovations, a complying accessible entrance can be provided at each of the three levels of the lower floor. Similar accessibility can be provided at the west (side) entrance to the upper floor, or with the installation of a ramp of approximately 36 feet in length, access can be provided to the south (front) entrance. The proximity of the existing highways, and topography do not appear to permit the construction of an accessible route from the main existing parking areas to either of the second floor accessible entrances. The provision of designated handicapped parking spaces on either the south or west of the building with accessible routes to either or both upper floor entrances, together with designated parking in the north or east side parking areas with accesible routes to entrances at each of the lower floor levels would meet code requirements for accessibility to the building. The proximity of the existing building to the highway, and the configuration of this building with primary access from the east (side entrance) suggests a preference for the development of a single main entrance to the building with vertical transportation between floors to meet accessibility requirements. The installation of an elevator for problems of this type is usually considered economically unfeasible, but for consideration and comparison purposes, the alternative has been addressed by this study.

Door and hallway clearances within the existing building are the second priority requirement of the ADA, and do not appear to present significant compliance problems. Interior renovations should consider ANSI requirements for door clearances, basically providing a minimum 32" clearance with 18" latch side clearance on the pull side of each door, and a 60" clear access to each door. Interior stairways and changes of level should be provided with tactile warning devices, and with handrails for use by non-wheelchair disabled persons.

Toilet Room accessibility is the third priority of the ADA, and can be achieved within the areas presently occupied by toilet rooms on each floor. However, the construction of handicapped toilet rooms for both men and women within the designated space on the upper floor is not possible unless both facilities are constructed for individual use. Since individual use toilet rooms may not be desirable in this facility (would include privacy latches on toilet room doors), it may be preferable to provide a single non-designated handicapped toilet room on the upper floor, and designated mens and womens handicapped toilet rooms only on the lower floor. The issue of providing handicapped toilet facilities at each of the lower floor levels could be addressed, or simply avoided under code provisions requiring "readily achievable" improvements. Re-wiring of the existing building does not appear to be a significant problem. The existing electric service panels and distribution appear from a cursory review to have been properly installed and in code compliance when originally constructed. Circuit breaker panels, sub-panels, and conduit enclosed distribution are provided, junction boxes are accessible, and ample pull boxes were provided for re-wiring. The most significant problems with the electrical system appear to be the result of various modifications and changes that have taken place since original construction, including removal of devices, abandonment of circuitry, and limited non-shielded wiring. As an alternative to re-wiring, it is this recommendation to provide a detailed inspection and compliance certification. There are two alternative methods by which this could be achieved:

A detailed inspection could be provided by a licensed professional engineer, resulting in a code compliance requirements list that could be prepared for bid proposals from electrical contractors. The engineers requirements would include removal of abandoned wiring and devices, identification and relabeling of panel circuits, and correction of existing conditions that are not in compliance.

A licensed electrician could be retained on a time and materials basis to provide a similar inspection, and to make all required corrections. The electrician could also be required to certify that his work was completed in accordance with all applicable codes. If preferable, an outline of the work to be provided by the electrician could be prepared by the engineer for use by the owner in soliciting proposals for the work from various contractors.

Replace fire doors between levels. There is a single fire door at the foot of the stairway between levels that is in poor condition, and is an improper door for the location. This door is technically not a fire door, and under the present occupancy, there are no fire doors required in this building. The enclosure of stairways with fire rated enclosures is required, even though adequate exits are provided from each floor of the building, and this stair is actually an intercommunicating stair, not an exit stair. The existing door could be replaced with a metal door and frame, or even with a solid core wood door with a "C" label. It would be recommended that a vision panel be provided in this door. Compliance with the requirements for stairway enclosure also dictate that, either a similar new door be provided at the top of the stair, or that the vestibule at the upper floor be enclosed with one hour rated construction.

Expansion and/or relocation of the weight room within the existing building can be easily accomplished, but program requirements must be reviewed to consider the allocation of space presently occupied by other activities.

Expansion of the maintenance and repair area requires a similar program review, and may also consider relocation of this facility to other areas outside this building.

The construction of a new gymnasium requires further program definition, site location prioritization, and budget allocation.

Part Four: Preliminary Budget Estimates

Handicapped Accessibility

Modify four existing exterior doors, frames, hardware and thresholds:	\$2,000.00
Provide ramped entrance to front door and modify entrance doors:	\$4,990.00
Construct new main entrance with lobby and 2000 lb capacity hydraulic elevator from lower floor to upper floor:	\$69,000.00
Modify interior doors for accessibility:	\$1,000.00
Provide tactile warnings and signage:	\$500.00
Provide handicapped toilet rooms, men and women on lower floor, undesignated on upper floor:	\$13,280.00
Sub-total, accessibility, with elevator option:	\$85,780.00
Sub-total, accessibility, with ramp option:	\$21,770.00

Electrical wiring

Provide engineering review and bid requirements for corrections:	\$2500.00
Electrical contractor inspection and corrections:	\$1500.00

Replace fire doors

Replace one existing, install one new C label door at stair enclosure:	\$1,525.00
--	------------

Dan Leary / Architect 6/10/92

**Recreation
Center
Recommendations**

Considering the climate of the Town of Scriba, with its typical cold winters and heavy snowfall, it is not practical to consider this building fully accessible if physically handicapped persons are required to exit the building, traverse a sidewalk, and re-enter the building to get from one level to another.

The option to include a new main entrance with an elevator is therefore recommended. The cost of this option with other handicapped accessibility modifications is estimated at \$85,780. When combined with the electrical wiring corrections and fire door replacement items, the total cost to bring the existing building into minimum code compliance is \$91,305.

**Alternate
Recreation
Center
Recommendations**

Upon review of the preliminary recommendations for code compliance improvements to this building, the Recreation Commission has suggested a preliminary review of the minimum requirements of both acreage and funds required to build a replacement structure on a new site. It is recognized that with the close proximity of the building to Route 104 and Creamery Road, this is not a good location for a recreation building. Also, with the existing multiple levels and small rooms within the building future programs will always be limited. A new building could eliminate all of the inherent physical problems in the existing building.

The existing site is limited in size and it is located too close to two busy highways. A new site could allow for safer access to the building and a larger site would provide the opportunity for expanded play areas for related outdoor activities.

The Recreation Commission has suggested that the new building be built to accommodate the current recreation programs that are being operated in the existing structure. Based on the statement of current program participation and minimum standards for required support facilities, the existing building area of 8,000 square feet is not adequate. To include a full size gymnasium with related showers, lockers, and toilets, as well as two recreation rooms, a weight room, offices, and necessary mechanical, storage, and hallways, a minimum of 11,550 square feet is recommended for a new building.

The list on page 12 indicates the square footage requirements for each area and gives an estimated cost of between \$875,000 and \$1,000,000 for a new structure.

The minimum land requirements to accommodate this proposed Recreation Center are also indicated on this list. It is recommended that a minimum site of three and one half acres be obtained to accommodate this facility and that it be located centrally within the Town of Scriba.

It is recommended that the Town should pursue this option before spending almost \$100,000 on the existing building just to bring it to minimal code compliance. A new building and site would not only better serve the existing users, but would allow for more efficient use and expansion of programs in the future.

**Scriba Recreation Center
Proposed New Building**

<u>Room Area Requirements</u>	<u>Square Feet</u>
Gymnasium, 70 feet by 100 feet for basketball, aerobics, toning, dances, parties, etc.	7,000
Toilets, lockers, showers	1,250
Recreation room, 20 feet by 30 feet with kitchenette, for preschool play group, Saturday elementary program, elementary game time, etc.	600
Recreation room, 20 feet by 25 feet for daily school age child care, etc.	500
Weight room, 20 feet by 30 feet	600
Offices for director and secretary/reception	250
Mechanical and storage	300
Hallways and entry, 10%	<u>1,050</u>
total square footage	11,550

Estimated cost of \$75 to \$85 per square foot
Total estimated cost of \$875,000 to \$1,000,000

<u>Land Area Requirements</u>	<u>Square Feet</u>
Recreation Center	12,000
Parking for 50 cars	25,000
Entry road and walks	10,000
Drain field	5,000
Play area	20,000
Open grass area	20,000
Buffer area, fifty feet, all sides	<u>60,000</u>
	152,000 = 3.5 acres

**SCRIBA TOWN
PARK
Description**

This established park has been serving the residents of the Town of Scriba for several years. Its approximately 47 acres is mostly wooded, but many facilities have been added to the park apparently without the benefit of a master plan.

The beach at the pond is a very popular amenity and is the only public beach in the Town. It draws approximately 250 swimmers a day during the swimming season. The bathhouse, built in 1984, is adequate to serve the current demand. The picnic areas and two picnic shelters are also well used. The park reportedly draw as many as 1,200 users in one day.

The existing parking areas are too small and the vehicular circulation is inadequate to support the current use of the park. The existing playground equipment areas are also too small to accommodate the number of potential users and they are poorly located for adequate parental supervision.

The wooded area is used only on an informal basis by park users and by the summer day camp program. The day camp program involves approximately 75 children a day and is operated from the east picnic shelter. It has no storage or program facilities.

The existing office/first aid/and concession building is too small to accommodate the approximately 25 full and part time staff at the park as well as the needs of the public.

The tennis courts are too small and the net posts are leaning due to apparent lack of proper footings. The ballfield near the east picnic area is wet most of the time apparently due to poor drainage and it has no infield surfacing.

The existing maintenance and storage structures are large enough to handle the current need. The older garage and the small storage building are both in poor structural condition and are very unsightly.

**Scriba Town Park
Program**

The priorities for improvements as suggested by the Recreation Commission are new playgrounds, a new shelter for day camp and for possible year round use, repair the tennis courts, repair existing structures, develop the unused property, and survey and mark the park boundary lines.

Recommendations

The recommended improvements for Scriba Town Park with their related costs are listed on page 15. These items are listed in order of recommended priority of installation based on the Town's priorities and on sequencing for park user safety and efficiency of construction. All of these proposed items are shown on the Site Development Plan on page 16.

Parking lot construction at each picnic area with vehicle control gates will keep vehicles from driving throughout the park and endangering park users as well as ruining the grass. These lots should be surfaced with oil and stone and striped for maximum use and vehicle control. It is intended that these lots will only be used by persons having permits for the respective picnic shelters.

Following construction of these two parking lots, the playgrounds can be installed at each picnic area since vehicles driving at random will no longer present a hazard in these areas.

A new rest room building should be built near the west picnic shelter to serve the picnic areas on the west side of the park. Due to the close proximity of this picnic area to the swimming pond, the rest rooms should be built with a holding tank in lieu of a septic system and drain field.

After the new playgrounds are in place, the old play equipment can be removed and the main parking lot can be built. This lot will complete the program for organizing and controlling vehicles within the park. It is recommended that the main park entrance gate on O'Connor Road be normally left open during the day and the gates to the picnic shelters be normally left closed so that casual park users can park in the parking lot and not along the road. This will allow people to use the tennis and basketball courts, playgrounds, informal picnic areas, and proposed hiking and cross country ski trails while parking safely off of the road. This parking area can easily be viewed from the road for proper surveillance.

Nature and cross country ski trails can be installed at any time, following a property line survey and marking of the park boundaries in the wooded areas.

The recommended building for the day camp program will also include a first aid room, snack bar, office, staff room, staff toilets, and storage for materials and equipment. It is recommended that the existing concrete block building be removed and a new building be built in its place. This building will be partially heated or provided with a temporary heat source to accommodate programming in all seasons.

Tennis court repair includes expanding the courts to the appropriate size, replacement of the net posts with new posts with adequately sized footings, repaving the entire surface, colored sealer, and striping.

Ballfield repair will include fill and regrading to provide proper surface drainage and installation of infield material with underdrains. These improvements will allow expanded use of the field, especially during wet weather.

The recently built maintenance garage is in good condition and is well located. The older garage and the small storage building are both in poor structural condition and they should both be removed. It is recommended that a new garage be built next to the building to remain.

Shade trees and ornamental shrubs should be planted along the O'Connor Road stone wall and within the new parking lot to provide shade and to maintain the wooded character of this natural park.

**SUNSET BAY
PARK
Description**

This is a newly developed parcel of 48 acres in the north part of the Town of Scriba, with access from East Lake Road and frontage on Lake Ontario. The park is mostly woods and brushland and includes a small apple orchard which is a unique surviving remnant of the once thriving local industry of apple drying.

The existing picnic shelter, picnic area, rest room building, and maintenance building are all in good condition and appear to be adequate to serve their respective demands. The boat launch and breakwater, completed in 1992, are both positive assets to the park. There is an existing actively used nature trail along the west boundary of the park, including a wood footbridge near the lake shore. The existing sand volleyball court near the park entrance is also well used.

The existing parking area will accommodate 60 vehicles with boat trailers, which appears to be adequate, but there are no other designated parking areas within the park. The picnic area has no recreational amenities for activities related to group or family picnicking.

The location of the property line along the east boundary of the park is being disputed by the neighbor.

**Sunset Bay Park
Program**

The Recreation Commission has proposed the following items in order of priority for improvements to this park:

1. Survey the east property line
2. Build additional parking
3. Install a playground and a play field
4. Install a permanent structure at the park entrance
5. Landscaping
6. Build a softball field on the east side of the park

Recommendations

The proposed site improvements and estimated costs are listed on page 19 in order of priority as suggested by the Recreation Commission and as recommended by the consultant. These improvements are also shown on the Site Development Plan on page 20.

The east property line should be surveyed and marked so that the nature trail and cross country ski trail can be built in this area.

Additional parking should be installed to accommodate the picnic shelter area, the wooded picnic area near the boat launch, and the existing volleyball picnic area. These parking lots should be paved with oil and stone so they can be striped to properly control the vehicles.

Various family oriented recreational facilities should be built near the picnic shelter including an informal ballfield, a children's playground area, a sand volleyball court, two bocce courts, and two horseshoe courts.

At the park entrance, the road pavement should be widened to accommodate the existing entrance building which should be relocated to the center of the road for vehicular permit control in the park. A wood gate should be installed on each side of the building to control vehicles. It is recommended that the chain link fence along East Lake Road be removed and replaced with wood rail fence. This will make the park more inviting to use by Town residents and will still prevent unauthorized vehicles from entering the park.

Landscaping is also recommended along this wood rail fence as well as around the existing house in the park to improve the appearance of the park entrance.

The softball field that was suggested for the east side of the park should be built on the west side of the park as shown on the site plan. After considering the two options, the west location provides better control of the facility, less disturbance to the neighbors, less disturbance to the wooded area, and no disruption of a drainage ditch, which will make it less costly to build. This location will also accommodate future ballfield lighting without disturbing the neighbors.

SUNSET BAY PARK
Proposed Site Improvements

<u>Item and Priority</u>	<u>Contracted Cost</u>	<u>Town Cost</u>
1. Survey and mark east property line	\$1,000	\$1,000
2. Parking lot for picnic shelter area, 50 cars	46,200	23,100*
3. Parking at north picnic area, 16 cars	19,000	9,500*
4. Parking at volleyball/picnic area, 12 cars	12,800	6,400
5. Facilities to accompany picnic shelter area		
informal ballfield	44,000	22,000*
playground equipment	42,700	22,500*
sand volleyball court	9,400	4,700*
boccie courts (2)	2,800	1,400*
horseshoe courts (2)	1,200	600*
6. Park entrance improvements		
widen road pavement to accommodate		
entrance building	4,000	2,000*
relocate entrance building to center of road	n/c	n/c
install wooden gates to control vehicles (2)	2,000	2,000
remove chain link fence and replace with wood		
rail fence, 1,100 lf	11,000	11,000
7. Nature trail and cross country ski trail,		
along east property line, 4,400 lf.	26,400	13,200*
footbridge over stream	4,000	2,000*
8. Softball field at west side of park		
with backstop and bleachers	29,000	14,500*
parking for 24 cars	25,200	12,600*
9. Landscaping along wood rail fence, at park		
entrance and in front of the house on		
East Lake Road	5,000	2,500*
10. Lights for softball field	<u>75,000</u>	<u>75,000</u>
Total	\$360,700	\$226,000

* Work that could be done with town forces for a savings of \$134,700.

IMPLEMENTATION

General

With the adoption of this plan by the Town Board, phased development can occur on each property in an organized manner according to the prioritized list of improvements. This program of orderly development will prevent the possibility of having to relocate items that might otherwise be built in the wrong location. It will also eliminate the need to go through a decision making process when each new facility is proposed.

This plan provides a document for involving Town residents in the development of park improvement projects, which will increase public support for parks as well as for recreation programs.

Most importantly, this plan will allow the Town to take advantage of various opportunities for funding, grant applications, or donations of labor, materials or financing when they arise.

Funding Sources

There are many avenues of funding available for improvements to park facilities in New York State. Obviously, the Town of Scriba could budget for and finance all of the improvements listed. This is not recommended, however, since there are other options available. Many grants require a local match and will not pay for certain support items. The Town should budget its funds for this local match and for support facilities that cannot be funded by other means.

Private funding sources should not be overlooked, as some organizations or large corporations may have funds available through their public relations programs to help local communities. Armed with this document, the Recreation Commission can undertake a campaign of requesting donations to finance the items listed.

The Federal Land and Water Conservation Fund program is limited to financing outdoor facilities. This is a matching grant program that is currently limited in funding. This program is handled through the Central Region of the New York State Office of Parks, Recreation and Historic Preservation, Clark Reservation, Jamesville, New York.

5

FURTHER RECOMMENDATIONS

Comprehensive Parks and Recreation Master Plan

The Town of Scriba should consider implementing a comprehensive parks and recreation plan that would include all available recreational opportunities relative to the needs of all age groups in the Town. This type of plan would project future recreational facility needs based on projected development of the Town. It would also keep the Town prepared to take advantage of any opportunities for parkland acquisition or for funding for park land or facilities. Such comprehensive planning will allow the Town to continue providing recreational opportunities to its residents in a cost effective manner by always being prepared for future opportunities as they present themselves.

Parks and Recreation Trust Fund

Section 277 of the New York State Town Law provides that a town may require developers to reserve land suitable for parks, playgrounds, or other recreational purposes or, in lieu thereof, to pay money to the Town to be held in a trust fund for the purchase of land for recreational or park purposes, construction of recreational facilities, or maintenance of existing recreational facilities.

The Town should consider implementing local legislation to enable the Town to acquire land and/or moneys for parks and recreational purposes as allowed under State law.

Land Acquisition for Future Parks

The Town should be aware of and evaluate the possibilities for acquiring land for future park development, especially in areas of the Town where population growth is expected. Surplus land from various State agencies, or land acquired through a parkland acquisition law might likely be available in areas of such growth potential.

A comprehensive parks and recreation plan would assist the Town in identifying the potential for this type of opportunity and would help the Town Board in determining whether to accept certain parcels of land or a per lot fee in lieu of land if such legislation were in place.

Plan Update

The plans for each of the parks studied in this report should be updated in approximately ten years. Such an update should consider any improvements made to the facilities as well as any changes in the Town's recreational needs and priorities.



RUBIN AND RUDMAN LLP

COUNSELLORS AT LAW

50 ROWES WHARF • BOSTON, MASSACHUSETTS 02110-3319

TELEPHONE: (617) 330-7000 • FACSIMILE: (617) 439-9556 • EMAIL: FIRM@RUBINRUDMAN.COM

John A. DeTore
Direct Dial: (617) 330-7144
E-mail: jdetore@rubinrudman.com

August 11, 2000

Hon. Janet Hand Deixler, Secretary
New York State Public Service Commission
Empire State Plaza, 14th Floor
Albany, New York 12223-1350

RE: EFSB 99-F-0558 – Application of Heritage Power LLC for a Certificate of Environmental Compatibility and Public Need to Construct and Operate an 800 Megawatt Natural Gas-fired Combined Cycle Combustion Turbine Electric Generating Plant in the Town of Scriba, Oswego County, N.Y.

Dear Secretary Deixler:

In response to requests for clarification from Andrew C. Davis of the New York State Department of Public Service this letter (1) provides revised Figures 10-1 and 10-2 of Heritage Power LLC's ("Heritage Power") Application for Certification of Major Generating Facility under Article X of the New York State Public Service Law ("Application"); and (2) requests that the New York State Board on Electric Generation Siting and the Environment (the "Board") grant Heritage Power a waiver from the 100-foot fence/building setback requirement contained in Scriba Site Plan Review Regulations ("Scriba Regulations") Section 5.55(A)(1).

1. Revised Application Figures 10-1 and 10-2

In response to Mr. Davis' request for clarification, Heritage Power submits revised Figures 10-1 and 10-2 of the Application. The original Figures 10-1 and 10-2 contained in the Application did not correctly depict the boundaries of the Project site (indicated by a dashed line). The revised figures show the correct site boundary as a dashed line (in many locations overlain by the solid line depicting energy related land uses). The solid lines delineate the approximate boundaries of land use types. As evident in the revised Figures 10-1 and 10-2, much of the Project site constitutes a current energy related use. The shaded area within which the site is located represents the boundaries of the Oswego Economic Development Zone (as shown in the key for Figure 10-1). The enclosed revised figures may be inserted directly into Volume I of the Application, replacing the original Figures 10-1 and 10-2.

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2. Scriba Regulation 5.55(A)(1)

Mr. Davis also requested confirmation that the proposed Project plans comply with Section 5.55(A)(1) of the Scriba Regulations. Section 5.55(A)(1) provides:

Section 5.55 PUBLIC UTILITY FACILITIES

A. Public utility facility structures shall comply with the following:

1. The facility shall be surrounded by a fence set back a minimum of fifteen (15) feet from street lines and thirty-five (35) feet from adjoining property lines, and one hundred (100) feet from any building situated on the property.

Specifically, Mr. Davis has questioned whether the fence surrounding the new wastewater holding pond would be located 35-feet from adjoining property lines. In EXH-DPS-43, Heritage Power had indicated that (1) the edge of the pond would be approximately 45-feet from its nearest point to the existing property line of the Independence Trial System; and (2) the location of the fence surrounding the wastewater pond would depend on access requirements around the pond, but was "anticipated to be approximately 15 feet from the pond between the pond and the property line." Thus, under this scenario, the fence would be approximately 30-feet from the property line.

In order to comply with 35-foot fence setback requirement, Heritage Power has decided to move the fence 5 feet closer to the pond so that it will be 35-feet from the property line. A revised EXH-DPS-43 is enclosed noting this change.

However, Heritage Power has determined that Project plans cannot comply with the portion of Section 5.55(A)(1) requiring that a public utility facility be surrounded by a fence setback a minimum of 100 feet from any building situated on the property because to do so would (1) require construction through a wetland area; or (2) jeopardize the security function of the fence surrounding the powerhouse building.¹

The fence surrounding the powerhouse building will be approximately 50-75 feet from the eastern side of powerhouse building. Moving the fence so that it is located over 100 feet from the powerhouse building would require either (1) placing the fence within Wetland 14 or (2) placing it on the eastern border of Wetland Area 14, several hundred feet from the powerhouse. The first option is not feasible because it will result in further encroachment within Wetland 14. The second option is not feasible because by locating the fence so far away from the powerhouse building the fence will not be able to serve its primary function – to secure the powerhouse building, promoting safety.

For the above reasons, Scriba Regulations Section 5.55(A)(1) is unreasonably restrictive

¹ To the extent that the pumphouse located near the new wastewater holding pond constitutes a "building", Heritage Power will place the fence so that it is over 100-feet from the pumphouse.

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as applied to Heritage Station. Thus, Heritage Power respectfully requests that the Board grant Heritage Power a waiver pursuant to PSL § 168(2)(d) from application of this local regulation to Heritage Station.

Very truly yours,

RUBIN & RUDMAN, LLP
Attorneys for Heritage Power LLC

By: 
John A. DeTore

/jmh

Enclosures

cc: Andrew C. Davis
Attached Service List

_____)
 IN THE MATTER)
 - of the -)
 CASE 99-F-0558 - Application of Heritage)
 Power LLC for a Certificate of Environmental)
 Compatibility and Public Need to construct and)
 operate an 800 megawatt natural gas-fired)
 combined cycle combustion turbine electric)
 generating plant in the Town of Scriba,)
 Oswego County, N.Y.)
 _____)

AFFIDAVIT OF SERVICE

State of New York)
)
 County of Albany) SS.:

Elizabeth Farry, being duly sworn, deposes and says: that on the 11th day of August, 2000, a true and complete copy (or copies as noted) of the response to the requests for clarification from Andrew C. Davis described in the preceding transmittal letter was served upon each party or person on the attached list by overnight mail (Monday Delivery).

Hon. Janet Hand Deixler, Secretary
 New York State Board on
 Electric Generation Siting and the Environment
 New York State Public Service Commission
 Executive Office, 14th Floor
 Three Empire State Plaza
 Albany, NY 12223-1350
(Original & Ten Copies)

Andrew C. Davis
 Analyst
 Office of Electricity and Environment
 New York State Department of Public Service
 Three Empire State Plaza
 Albany, NY 12223-1350

Hon. J. Michael Harrison
Administrative Law Judge
New York State Board on
Electric Generation Siting and the Environment
New York State Public Service Commission
Three Empire State Plaza
Albany, NY 12223-1350

Hon. Daniel P. O'Connell
Administrative Law Judge
New York State Board on
Electric Generation Siting and the Environment
New York State Department of Environmental Conservation
50 Wolf Road
Albany, NY 12233-1550

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New York State Department of Public Service
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Region 7 Permits
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Environmental Analyst
Environmental Permits
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Assistant Director
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Project Manager
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L. Michael Treadwell
Executive Director
Operation Oswego County
44 West Bridge Street
Oswego, NY 13126

Bruce N. Clark, Esq., County Attorney
Jack Tierney, County Administrator
Oswego County Administrator's Office
Oswego County Office Building
46 East Bridge Street
Oswego, NY 13126

William Shannon
Oswego County Building Trades
23 Mitchell Street
Oswego, NY 13126

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Attorney for the Oswego County IDA
and the Town of Scriba
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Robert A. Hussar, Esq.
Whiteman, Osterman & Hanna
One Commerce Plaza
Albany, NY 12260

Michael W. Murphy, Esq.
Niagara Mohawk Power Corporation
Law Department, A-3
300 Erie Boulevard West
Syracuse, NY 13202-4250

By: Elizabeth Farry
Elizabeth Farry

Subscribed and sworn on this 11th day
of August, 2000.

Gene M. Josi

Notary Public
My Commission Expires: 1/21/05

CASE 99-F-0558
HERITAGE POWER LLC
ARTICLE X APPLICATION

DISCOVERY SERVED BY
STAFF OF THE DEPARTMENT OF PUBLIC SERVICE
TO HERITAGE POWER LLC

REQUEST NO. ACD-4

Name and Affiliation of Person(s) Preparing Response:

*James P. McGowan and Philip Mooney
Sithe Energies LLC*

August 11, 2000

- DPS-43-R
- (a) State the height of the proposed fence and other aboveground facilities at the new wastewater holding pond.
 - (b) State the separation of the proposed wastewater holding pond and fence from the property line and recreational trail at the nearest point.
 - (c) Would the applicant be willing to develop visual mitigation plans for the proposed waste water holding pond and related above-ground facilities to minimize visibility from the nearby recreation trails? Please discuss options and potential mitigation measures, such as location, profile, design and colors, screening and vegetation management techniques.

Revised
Response:

- (a) The proposed wastewater area will generally consist of a holding pond with a small berm surrounding it, a small pump house, underground piping, and a fence connecting the area with the rest of the facility. The height of the structures proposed will be consistent with those near the existing wastewater pond. Heritage Power anticipates the heights of the new structures will be approximately:

Fence	8 feet
Pond berm	2 feet
Pump house	15 feet to roof peak (approx. 17 ft x 17 ft plan)
- (b) The edge of the new wastewater pond will be approximately 45 feet from its nearest point to the existing property line of the Independence Trail System and approximately 52 feet to the closest trail. The fence location

will depend on access requirements around the pond, but is anticipated to be approximately 10 feet from the pond between the pond and the property line. The new pump house will be on the opposite side of the pond from the property line.

(c) Yes, the Applicant is willing to develop visual mitigation plans for the described area. Options and potential mitigation measures are briefly reviewed below:

- A significant change in location for the wastewater holding pond would not be feasible, given the limited space available for this project component. However, the final design could certainly take into consideration the preservation of certain trees that could add to the available visual buffer by shifting the location of the perimeter slightly (i.e., up to a couple yards) while continuing to minimize wetland impacts and meet wetland buffer zone requirements. This optimization would occur during the final design stage for this project component.
- The profile of the pond itself is by nature very low. The profile and design of the pump house is dictated by the equipment within the building and therefore, does not allow for significant change. Fortunately, the pump house has a relatively low profile and may be most effectively addressed by architectural treatments and landscaping.
- The color will be selected in the final design process as well, and can be a neutral or dark natural color to blend into the wooded setting.
- Vegetative screening can be improved by preserving existing trees where possible, and by augmenting the natural buffer with strategically planned landscaping utilizing indigenous species.
- Vegetation management techniques will also be considered to make best use of the existing vegetation including pruning, avoidance of large trees where possible, and monitoring to ensure the landscaped plants establish within at least two growing seasons. As the area of the pond is cleared, it will naturally allow more direct sunlight to reach and nourish the lower level vegetation at the perimeter of the cleared area, and thus provide good visual screening.

- Strategically placed landscaping will be considered for the existing pump house and above ground structures near the existing wastewater pond. Vegetative plantings should be effective because the profile of the structures will be relatively low.
- Consideration also may be given to adding a bird box or other small fixture on the opposite side of the nearest trail in order to draw the attention of the viewer away from the new pond structures.





PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility Permit
Permit ID: 7-3556-00097/00001
Effective Date: November 1, 2000
Expiration Date: November 1, 2005

Other DEC
Permits Industrial SPDES
Permit ID: 7-3556-00097/00003

Permit Issued To: HERITAGE POWER LLC
59 INDEPENDENCE WAY
OSWEGO, NY 13126

Facility: HERITAGE STATION
INDEPENDENCE WAY
OSWEGO, NY 13126

Description:

1. Nature of the business conducted at the Facility including applicable SIC codes.

Construction and operation of a combined cycle electric generating facility with a generating capacity of approximately 800 megawatts (MW).

SIC Code(s) - 4911

2. Type of equipment and operations carried on at the plant.

The facility contains: two General Electric Steam and Gas (STAG) 107H system combustion turbine generators (CTG), two heat recovery steam generators (HRSG), two steam turbine generator (STG) and associated balance-of-plant systems and facilities. The primary fuel will be natural gas.

3. Air and SPDES permit applicability.

The proposed facility will be located on County Route 1A, east of the City of Oswego, in the Town of Scriba, Oswego.

The project requires a Certificate of Environmental Compatibility and Public Need to Construct and Operate, and is subject to review pursuant to Article X of the New York State Public Service Law (Siting of Major Electric Generating Facilities).

Air emission sources include: combustion turbines (emission unit U-00HS1, U-00HS2), auxiliary boiler (emission unit 00AUX), and emergency diesel engine/generator (emission unit U-00GEN).

Water discharges include: approximately 663,000 gallons per day (gpd) of process wastewater, demineralized regeneration wastewater, heat recovery steam generator (HRSG) cleaning wastes, oil / water separator wastewater, and cooling tower blowdown via one discharge point from a wastewater holding pond and collection system to Lake Ontario.



4. Occurrence of capping from air regulations.
None

5. Consent orders or compliance plans.
None

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator: WILLIAM R. ADRIANCE
50 WOLF ROAD
ALBANY, NY 12233-1750

Authorized Signature:

William R. Adriance

Date: 11 / 1 / 00



Notification of Other Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, agents, and assigns for all claims, suits, actions, damages, and costs of every name and description, arising out of or resulting from the permittee's undertaking of activities or operation and maintenance of the facility or facilities authorized by the permit in compliance or non-compliance with the terms and conditions of the permit.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.



PAGE LOCATION OF GENERAL CONDITIONS

PAGE

DEC GENERAL CONDITIONS

General Provisions

- 2 Facility Inspection by the Department
 - 2 Relationship of this Permit to Other Department Orders and Determinations
 - 2 Applications for Permit Renewals and Modifications
 - 2 Permit Modifications, Suspensions, and Revocations by the Department
- Facility Level**
- 3 Submission of Applications for Permit Modification or Renewal



DEC GENERAL CONDITIONS

****** General Provisions ******

Condition 1: Facility Inspection by the Department
Applicable State Requirement: ECL 19-0305.

Item 1.1:

The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

Item 1.2:

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

Item 1.3:

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301.2(m)

Item 2.1:

Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

Condition 3: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13(a)

Item 3.1:

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

Item 3.2:

The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

New York State Department of Environmental Conservation
Facility DEC ID: 7355600097



Condition 4: Permit Modifications, Suspensions, and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

Item 4.1:

The Department reserves the right to modify, suspend, or revoke this permit. The grounds for modification, suspension or revocation include:

- a) the scope of the permitted activity is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations is found;
- b) the permit was obtained by misrepresentation or failure to disclose relevant facts;
- c) new material information is discovered; or
- d) environmental conditions, relevant technology, or applicable law or regulation have materially changed since the permit was issued.

****** Facility Level ******

Condition 5: Submission of Applications for Permit Modification or Renewal shall be sent to the Central Office Chief Permit Administrator and copied to the Region 7 Headquarters.

Applicable State Requirement: 6NYCRR 621.5(a)

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:

NYSDEC Chief Permit Administrator
Division of Environmental Permits
50 Wolf Road, Room 538
Albany, NY 12233-1750
(518) 457-224

(and copied to)

NYSDEC Permit Administrator
Region 7 Headquarters
Division of Environmental Permits
615 Erie Boulevard West
Syracuse, New York 13204-2400
(315) 426-7400



Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: HERITAGE POWER LLC
59 INDEPENDENCE WAY
OSWEGO, NY 13126

Contact: PHILIP MOONEY
59 INDEPENDENCE WAY
OSWEGO, NY 13126
(315) 343-6002

Facility: HERITAGE STATION
INDEPENDENCE WAY
OSWEGO, NY 13126

Contact: PHILIP MOONEY
59 INDEPENDENCE WAY
OSWEGO, NY 13126
(315) 343-6002

Authorized Activity By Standard Industrial Classification Code:
4911

Permit Effective Date: November 1, 2000

Permit Expiration Date: November 1, 2005



PAGE LOCATION OF CONDITIONS

PAGE

FEDERALLY ENFORCEABLE PERMIT CONDITIONS

	I.	Combustion Turbines (Emission Units U-00HS1, U-00HS2)
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PERMIT CONDITIONS
New York State Department of Environmental Conservation
Permit ID: 7-3556-00097/00001 Facility DEC ID: 7-3556-00097

HERITAGE POWER LLC
59 INDEPENDENCE WAY
OSWEGO, NY 13126

FEDERALLY ENFORCEABLE PERMIT CONDITIONS

I. Combustion Turbines (Emission Units U-00HS1, U-00HS2):

Two GE STAG 107H Model combined cycle gas turbines firing natural gas only without supplementary duct firing. These gas turbines are subject to the Federal New Source Performance Standards for gas turbines (40 CFR Part 60 Subpart GG).

A. Emission Limits

Nitrogen Oxides - When firing natural gas, emission control shall consist of dry low NOx combustion technology in combination with a selective catalytic reduction (SCR) system.

Sulfur Dioxide and Sulfur Acid - Emissions shall be controlled by the use of low sulfur fuel, i.e., natural gas with less than 0.8 grains/100 SCF and by efficient combustion techniques.

Carbon Monoxide and Volatile Organic Compounds - CO and VOC emissions shall be controlled by the use of clean burning fuel, i.e., natural gas, efficient combustion techniques and by the use of an oxidation catalyst.

Particulate Matter - PM and PM10 emissions shall be controlled by the use of clean burning fuel, i.e., natural gas, and by efficient combustion techniques.

Ammonia - Emissions shall be controlled by efficient use of the SCR.

Limit (per gas turbine train):

Applicable Requirement:



NOx:	22.0 lbs/hr & 2.0 ppmvd at 15% O2	BACT/LAER
CO:	19.0 lbs/hr & 3.0 ppmvd at 15% O2	BACT
PM/PM10:	24.5 lbs/hr & 0.01 lbs/mmbtu	BACT
Sulfuric Acid:	1.0 lbs/hr & 0.0003 lbs/mmbtu	BACT
SO ₂ :	6.6 lbs/hr & 0.0022 lbs/mmBtu	BACT
VOC:	4.4 lbs/hr & 1.2 ppmvd @ 15% O2	NSR Non-App
Ammonia:	40.0 lbs/hr & 10 ppmvd at 15% O2	6 NYCRR Part 200.7
Formaldehyde:	1.12 lbs/hr & 0.0004 lbs/mmBtu	MACT non-App

B. Operational Restrictions

1. Both turbines shall be allowed to operate simultaneously. Each gas turbine/steam turbine train shall operate at or above the following minimum combined gas turbine/steam turbine generator gross MW (hourly block average):

<u>Ambient Temp (°F)</u>	<u>Minimum Operating Load (Gross MW)</u>
Less than 0	226
47	208
59	194
90	177
Greater than 100	172

For ambient temperatures between 0 and 100, the minimum operating load shall be determined by linear interpolation between the above limits.

2. The sulfur content of natural gas burned in the gas turbines shall not exceed 0.8 grains/100 SCF.

C. Testing and Compliance Certification Requirements

1. Compliance stack testing shall be conducted as follows:
 - a. Compliance stack testing required by NSPS Subpart GG shall be conducted in accordance with 40 CFR 60.8.
 - b. Stack testing to determine compliance with the NOx, CO, PM/PM10, Sulfuric Acid Mist, VOC and Formaldehyde emission limits in condition I.A. shall be completed for each gas turbine within 180 days of first fire of the gas turbine. Stack testing shall be



done in accordance with a stack test protocol approved by the Department. The permittee shall submit a stack test protocol to the Department for review at least 60 days prior to conducting testing. The permittee shall notify the Department of the scheduled test dates at least 30 days prior to such dates. The final stack test report shall be submitted to the Department within 60 days of completion of testing.

- c. Compliance for the SO₂ emission limits shall be demonstrated by compliance with condition I.B.2 (fuel sulfur limit). The facility shall conduct fuel sulfur analysis in accordance with NSPS Subpart GG, or a custom schedule approved by the US EPA.
2. The facility shall comply with the continuous emission monitoring and compliance certification requirements of 40 CFR Parts 60 and 75. Stack continuous emissions monitoring (CEM) equipment for concentration and mass emissions of NO_x and CO (including a diluent monitor) shall be installed and operated. All required CEMS certification testing shall be completed for each gas turbine within 180 days of first fire of the gas turbine unit. The CEM data from this equipment shall be used to determine compliance with the emissions limits in conditions I.A. Excess emissions measured by the CEM equipment shall constitute violations of the applicable emission limits. At the discretion of the NYSDEC and the USEPA, these violations may be excused if the facility owner and/or operator adheres to the actions, recordkeeping, and reporting requirements established in 6NYCRR 201-1.4 and/or 6NYCRR 201-1.5.
 3. In addition to the above compliance CEMS, the facility shall maintain a portable NO_x CEMS to allow for any necessary combustor tuning. This portable NO_x CEMS will not be subject to any certification or data availability requirements. In no case will the permittee be allowed to turn off the SCR to perform maintenance/troubleshooting activities on the gas turbine.
 4. The facility shall determine compliance with the sulfur dioxide emission limits in condition I.A.1. by measuring the sulfur content of natural gas burned in the gas turbines in accordance with the schedule contained in NSPS Subpart GG, or other custom monitoring schedule approved by the US EPA.
 5. The facility shall continuously measure and record ambient air temperature and gas turbine generator and steam turbine gross power output (MW) for determining compliance with condition I.B.1. These measurements shall be recorded as one hour block averages.
 6. Demonstration of continuous compliance with the PSD permit limits will not be required until completion of the PSD compliance testing, or within 180 days of startup,



whichever occurs first. However, the permittee shall take all reasonable steps to minimize emissions during startup and equipment testing prior to completion of compliance testing.

D. Reporting and Record Keeping Requirements

1. The facility shall comply with the reporting and record keeping requirements of 40 CFR Parts 60 and 75.
2. The facility shall maintain written records of the compliance determinations required in accordance with conditions I.C.3 and I.C.4. These records shall be maintained on site and shall be reported upon request.

II. Auxiliary Boiler (Emission Unit U-00AUX):

One auxiliary natural gas fired auxiliary steam boiler with a maximum heat input capacity of 162.5 mmBtu/hr. This boiler is subject to the Federal New Source Performance Standards for industrial steam generating units (40 CFR Part 60 Subpart Db).

A. Emission Limits

Nitrogen Oxides - When firing natural gas, emission control shall consist of low NOx burners and Flue Gas Recirculation.

Sulfur Dioxide and Sulfur Acid - Emissions shall be controlled by the use of low sulfur fuel, i.e., natural gas with less than 0.8 grains/100 SCF and by efficient combustion techniques.

Particulate and Carbon Monoxide - PM, PM10 and CO emissions shall be controlled by the use of clean burning fuel, i.e., natural gas, and by efficient combustion techniques.

Limit:		Applicable Requirement:
NOx:	6.0 lb/hr & 0.036 lb/mmBtu	BACT/LAER
CO:	13.0 lb/hr & 0.08 lb/mmBtu	BACT
PM/PM10:	1.2 lb/hr & 0.007 lb/mmBtu	BACT
SO2:	0.5 lb/hr & 0.003 lb/mmBtu	BACT

B. Operational Restrictions



1. Operation of the auxiliary boiler shall not exceed 500 hours per year, calculated on a monthly rolling basis.
2. The sulfur content of natural gas burned in the auxiliary boiler shall not exceed 0.8 grains/100 SCF.

C. Testing and Compliance Certification Requirements

1. With the exception of SO₂, stack testing shall be conducted in accordance with 40 CFR 60.8 to determine compliance with the emission limits in condition II.A. Compliance with the SO₂ emission limits shall be demonstrated by compliance with the fuel sulfur limit in condition II.B.2. The facility shall measure and record fuel sulfur content as per a custom schedule approved by the US EPA for the combustion turbines.

D. Reporting and Record Keeping Requirements

1. In order to verify compliance with condition III.B.1, a log of the hours of operation of the auxiliary boiler shall be maintained on site. The hours of operation for each month shall be calculated from the hours recorded in the log. Hours of operation for each month shall be summed with the previous eleven months to calculate a rolling twelve month total.

III. Emergency Diesel Engine/Generator (Emission Unit U-00GEN):

A. Emission Limits

PM/PM10:	2.0 lbs/hr	Applicable Requirement:
CO:	4.4 lbs/hr	BACT
NO _x :	110.0 lbs/hr	BACT
SO ₂ :	1.5 lbs/hr	BACT/LAER
		BACT

B. Operational Restrictions

1. The operation of the emergency engine/generator shall not exceed 300 hours per year.
2. The sulfur content of diesel oil burned in the engine shall not exceed 0.05% sulfur, by weight.



C. Testing and Compliance Certification Requirements

1. With the exception of SO₂, stack testing shall be conducted in accordance with 40 CFR 60.8 to determine compliance with the emission limits in condition III.A. Compliance with the SO₂ emission limit shall be determined by facility fuel sulfur sampling per delivery of diesel oil.

D. Reporting and Record Keeping Requirements

1. In order to verify compliance with condition III.B.1, a log of the hours of operation of the engine and the reason for operation shall be maintained on site. The hours of operation for each month shall be calculated from the hour counter and recorded in the log. Hours of operation for each month shall be summed with the previous eleven months to calculate a rolling twelve month total.

IV. Facility-wide Requirements:

- A. The particulate emission limits based on heat input correspond to the Higher Heating Value (HHV) of the fuel burned.
- B. All emission limits apply at all loads and modes of operation. During periods of startup, shutdown, maintenance, and malfunction or emergency, the provisions of 6 NYCRR Part 201-1.4 and 1.5 apply.
- C. All emission limits are based on a one hour average with the exception of the NO_x emission limit, contained in condition I.A.1., which will be based on a three hour block average.
- D. Cooling towers shall be constructed with drift eliminators having a design drift rate of not greater than 0.0005 percent of circulating water flow. As a result, the cooling tower system shall be operated with a drift rate not to exceed 0.6 gallons per minute per cooling tower, and a solids load not to exceed 3.2 grams/liter.
- E. During Facility Construction:
 1. Trucks used for transporting soil and/or gravel during construction shall be covered to avoid loss of transported material, and truck speed on site shall be controlled to minimize fugitive dust. Any spillage from trucks on paved roadways shall be



cleaned regularly.

2. Dust suppression systems shall be used as necessary on all unpaved roads and disturbed areas.
 3. Any dust producing stockpiled material will be periodically removed.
 4. The facility owner and/or operator shall not dispose of land clearing waste or construction related waste by burning those waste materials onsite; the facility owner and/or operator shall be responsible for the actions of its contractors with respect to this condition.
- F. The facility owner and/or operator shall submit a complete Title IV acid rain permit application at least 24 months prior to commencement of operation of the facility.
- G. The facility owner and/or operator shall submit a complete Title V operating permit application within one year of commencement of operation of the facility.
- H. The facility is subject to and shall operate in accordance with the requirements of 6NYCRR Part 227-3.
- I. Emission offsets of NO_x shall exceed the facility emission potential by an offset ratio of 1.15:1. Therefore, 233 tons per year of NO_x offsets shall be obtained and identified at least 60 days prior to permit issuance. To satisfy emission offset requirements of 6NYCRR Part 231-2, the facility has identified the following sources of NO_x emission reduction credits (ERCs):

FACILITY	QUANTITY (Tons/yr)	CONTAMINANT
Bethlehem Steel (PA)	233	NO _x

- L. The facility emission potential (FEP) of NO_x shall not exceed 202 tons per year. In order to determine compliance with this FEP limit:
1. Total NO_x emissions from emission units U-00HS1 and U-00HS2 shall not exceed 184.2 tons per year on a rolling 365 day basis.
 2. NO_x emissions from emission unit U-00AUX shall not exceed 1.5 tons per year. Compliance with this emission limit shall be determined using the records required by condition II.D.1.



3. NOx emissions from emission unit U-00GEN shall not exceed 16.4 tons per year. Compliance with this emission limit shall be determined using the records required by condition III.D.1.
- M. At least Sixty (60) days prior to the commencement of operation, the facility must notify the Department (the Regional Air Pollution Control Engineer, Region 4 office) of any change(s) in the list of offset sources identified in condition IV.K. For a change in offset source, the facility must submit the following:
1. A "Use of ERCs Form" duly signed by authorized representatives of the facility and the new offset source.
 2. A letter signed by authorized representatives of the facility and the old offset source, requesting that the ERC transfer transaction through the old "Use of ERCs Form" or an options contract be considered null and void.
- N. The approval to construct the facility shall become invalid if construction is not commenced within 18 months after receipt of such approval, if construction is discontinued for a period of 18 months or more, or if construction is not completed within a reasonable time. The Department may extend the 18 month period upon a satisfactory showing that an extension is justified.



FEDERALLY ENFORCEABLE GENERAL CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

****** Facility Level ******

Condition 1: Sealing

Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 200.5

Item 1.1:

- (a) The commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the commissioner issued in the case of the violation. Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.
- (b) No person shall operate any air contamination source sealed by the commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.
- (c) Unless authorized by the commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section.

Condition 2: Acceptable ambient air quality

Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 200.6

Item 2.1:

Notwithstanding the provisions of 6 NYCRR Chapter 111, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the commissioner shall specify the degree and/or method of emission control required.



Condition 3: Maintenance of equipment
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 200.7

Item 3.1:

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

Condition 4: Unpermitted Emission Sources
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 201-1.2

Item 4.1:

If an existing emission source was subject to the permitting requirements of 6NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

- (a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.
- (b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

Condition 5: Unavoidable Noncompliance and Violations
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 201-1.4

Item 5.1:

At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and record keeping, and reporting requirements must be adhered to in such circumstances.

- (a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's



representative when requested to do so in writing or when so required by a condition of a permit or certificate issued for the corresponding air contamination source. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start up/shutdown for the facility to the commissioner's representative.

(b) In the event that emissions of air contaminants in excess of any emission standard in 6NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates,

(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or operator shall take appropriate action to prevent emissions which will result in contravention of any applicable ambient air quality standard. Reasonably available control technology, as determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

Condition 6: Emergency Defense

Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 201-1.5

Item 6.1:

An emergency constitutes an affirmative defense to an action brought for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

(a) The affirmative defense of emergency shall be demonstrated through properly signed contemporaneous operating logs, or other relevant evidence that:



- (1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
 - (2) The equipment at the permitted facility causing the emergency was at the time being properly operated;
 - (3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
 - (4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.
- (b) In any enforcement proceeding, the facility owner and/or operator seeking to establish the occurrence of an emergency has the burden of proof.
- (c) This provision is in addition to any emergency or upset provision contained in any applicable requirement.

Condition 7: Recycling and Salvage
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 201-1.7

Item 7.1:

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6NYCRR.

Condition 8: Prohibition of Reintroduction of Collected Contaminants to the Air
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 201-1.8

Item 8.1:

No person shall unnecessarily remove, handle, or cause to be handled, collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.



Condition 9: Public Access to Record keeping for Title V facilities
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 201-1.10(b)

Item 9.1:

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Condition 10: Proof of Eligibility
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 201-3.2(a)

Item 10.1:

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Condition 11: Proof of Eligibility
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 201-3.3(a)

Item 11. 1:

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.



**Condition 12: Applicable Criteria, Limits, Terms, Conditions and Standards
Effective for entire length of Permit**

Applicable Federal Requirement: 6NYCRR 201-6.

Item 12.1:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in the permit. This shall include:

- i. Any reporting requirements and operations under an accidental release plan, response plan, and compliance plan as approved as of the date of the permit issuance, or
- ii. Any support documents submitted as a part of the permit application for this facility as accepted and approved as of the date of permit issuance.

Any permit noncompliance constitutes a violation of the federal Clean Air Act and will be grounds for enforcement action, for permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application.

Item 12.2:

Any document, including reports, required by the federally-enforceable portions of this permit shall contain a certification by the responsible official for this facility as set forth in Section 201-6.3 that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

**Condition 13: Cessation or Reduction of Permitted Activity Not a Defense
Effective for entire length of Permit**

Applicable Federal Requirement: 6NYCRR 201-6.

Item 13.1:

It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

**Condition 14: Compliance Requirements
Effective for entire length of Permit**

Applicable Federal Requirement: 6NYCRR 201-6.



Item 14.1:

The following information must be included in any required compliance monitoring records and reports:

- i. The date, place and time of sampling or measurements;
- ii. The date(s) analyses were performed;
- iii. The company or entity that performed the analyses;
- iv. The analytical techniques or methods used including quality assurance and quality control procedures if required;
- v. The results of such analyses including quality assurance data where required; and
- vi. The operating conditions as existing at the time of sampling or measurement;

Any deviation from permit requirements must be clearly identified in all records and reports. Reports must be certified by the responsible official, consistent with Section 201-6.3 of Part 201.

Item 14.2:

Requirements for compliance certification with terms and conditions contained in this facility permit include the following:

- i. Compliance certifications shall contain:
 - the identification of each term or condition of the permit that is the basis of the certification;
 - the compliance status;
 - whether compliance was continuous or intermittent;
 - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related record keeping and reporting requirements of this permit;
 - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions; and
 - such additional requirements as may be specified elsewhere in this permit related to compliance certification.
- ii. All compliance certifications shall be submitted to the Administrator as well as to the Department-
- iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the



anniversary date of the effective date of this permit.

Item 14.3:

The permittee shall comply with the approved compliance schedule for this permit if such a schedule is a part of this permit. Risk management plans must be submitted to the Administrator if required by Section I 12(r) of the Clean Air Act for this facility.

Item 14.4:

Progress reports consistent with an applicable schedule of compliance must be submitted at least semiannually from the effective date of this permit, or at a more frequent period if specified in the applicable requirement or by the Department elsewhere in this permit. These reports shall be submitted to the Department within 30 days after the end of a reporting period. Such progress reports shall contain the following:

- i. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
- ii. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

**Condition 15: Federally-Enforceable Requirements
Effective for entire length of Permit**

Applicable Federal Requirement: 6NYCRR 201-6.

Item 15.1:

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

**Condition 16: Fees
Effective for entire length of Permit**

Applicable Federal Requirement: 6NYCRR 201-6.

Item 16.1:

The permittee shall pay the required fees associated with this permit.



**Condition 17: Monitoring, Related Record keeping and Reporting Requirements
Effective for entire length of Permit**

Applicable Federal Requirement: 6NYCRR 201-6.

Item 17.1:

Compliance monitoring and record keeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements. Records of all monitoring data and support information shall be retained for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

Item 17.2:

To meet the requirements of this facility permit with respect to reporting, the permittee must:

- i. Submit reports of any required monitoring at least every 6 months after the date of permit issuance. These reports shall be submitted to the Department within 30 days after the end of a reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by the responsible official for this facility.
- ii. Report promptly (as prescribed under Section 201-1.4 of Part 201) to the Department:
 - deviations from permit requirements, including those attributable to upset conditions,
 - the probable cause of such deviations, and
 - any corrective actions or preventive measures taken.
- iii. The permittee must, in the event that emissions of air contaminants exceeding any air emission standard under 6 NYCRR Chapter III occur due to an emergency, comply with the reporting requirements of section 201-1.4 and subdivision 201-6.6(c) of 6 NYCRR Part 201 as soon as possible during normal working hours but in any event not later than two working days after becoming aware that the malfunction occurred. Facilities desiring an affirmative defense for noncompliance with any applicable requirement due to an emergency shall follow the requirements established under the general provisions of Part 201.
- iv. Except where the owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, reports on equipment maintenance or start-up/shutdown for the facility need not be submitted to the commissioner's representative unless requested by the Department or required elsewhere in this permit.



**Condition 18: Permit Conditions - 40 CFR Part 82, Subpart F - Protection of Stratospheric Ozone
Effective for entire length of Permit**

Applicable Federal Requirement: 6NYCRR 201-6.

Item 18.1:

The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F:

- (a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to § 82.156.
- (b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to § 82.158.
- (c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to § 82.16 1.

**Condition 19: Permit Revocation, Modification, Reopening, Reissuance or Termination, and
Associated Information Submission Requirements
Effective for entire length of Permit**

Applicable Federal Requirement: 6NYCRR 201-6.

Item 19.1:

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not relieve the permittee from the requirement to comply with any condition contained in this permit.

The permittee shall furnish to the Department, within a reasonable time, any information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The permittee shall also, on request, furnish the Department with copies of records required to be kept by the permit. Where information is claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

**Condition 20: Permit Shield
Effective for entire length of Permit**



Applicable Federal Requirement: 6NYCRR 201-6.

Item 20.1:

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield. For those facilities for which a permit shield has been granted, compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
- ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;
- iii. The applicable requirements of Title IV of the Act-;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

Condition 21: Property Rights

Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 201-6.

Item 21.1:

This permit does not convey any property rights of any sort or any exclusive privilege.

Condition 22: Reopening for Cause

Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 201-6.



Item 22.1:

This Title V permit shall be reopened and revised under any of the following circumstances:

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.
- ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.
- iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

Item 22.2:

Proceedings to reopen and issue Title V facility permits shall follow the same procedures as apply to initial permit issuance but shall affect only those parts of the permit for which cause to reopen exists.

Item 22.3:

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

Condition 23: Right to Inspect

Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 201-6.

Item 23.1:

Upon presentation of credentials and other documents, as may be required by law, the permittee shall allow the Department or an authorized representative to perform the following:

- i. Enter upon the permittee's premises where the permitted facility is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;



- ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- iii. Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
- iv. As authorized by the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

Condition 24: Severability

Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 201-6.

Item 24.1:

If any federally-enforceable provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.

Condition 24a: Annual Compliance Certification Reports

Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR Part 201-6.5(e)

Item 24a.1:

The compliance certification activity will be performed for the facility.

Item 24a.2:

Compliance certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Compliance certification shall contain the following information:

- the identification of each term or condition of the permit that is the basis of the certification;
- the compliance status;
- whether compliance was continuous or intermittent;
- the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related record keeping and reporting requirements of this permit;
- such other facts as the Department may require to determine the compliance



status of the facility as specified in any special permit terms or conditions; and
- such additional requirements as may be specified elsewhere in this permit related
to compliance certification.

Compliance certifications shall be submitted annually. Certification reports are due
30 days after the anniversary date of the effective date of this permit.

All compliance certifications shall be submitted to the Administrator (or his or her
representative) as well as two copies to the Department (one copy to the regional
air pollution control engineer (RAPCE) in the regional office and one copy to the
Bureau of Compliance Monitoring and Enforcement (BCME) in the DEC central
office). Please send annual compliance certifications to the Region 2 EPA
representative for the Administrator, at the following address:

Chief, Stationary Source Compliance Section
USEPA Region 2, Air Compliance Branch
290 Broadway,
New York, NY 10007-1866

The address for the RAPCE is as follows:
Regional Air Pollution Control Engineer
NYSDEC Region 7
615 Erie Blvd, West, Syracuse, NY 13204.

The address for the BCME is as follows:
NYSDEC
Bureau of Compliance Monitoring and Enforcement
50 Wolf Road, Albany, NY 12233-3258

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Reports are due 30 days after the anniversary date of the effective date of this permit.

Condition 25: Required emissions tests
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 25.1:

An acceptable report of measured emissions shall be submitted, as may be required by the



commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6NYCRR Part 202-1.

Condition 26: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 202-2.1

Item 26.1:

The Compliance Certification activity will be performed for the Facility.

Item 26.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year.

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR YEAR)

Reports due by April 15th for previous calendar year

Condition 27: Record keeping requirements
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 202-2.5

Item 27.1:

(a) The following records shall be maintained for at least five years:

- (1) a copy of each emission statement submitted to the department; and
- (2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.

(b) These records shall be made available at the facility to the representatives of the department upon request during normal business hours.



Condition 28: Blank

Condition 29: Visible emissions limited.
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 211.3

Item 29.1:

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

Condition 30: Open Fires Prohibited at Industrial and Commercial Sites
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 215.

Item 30.1:

No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, rubbish for salvage, or rubbish generated by industrial or commercial activities.

Condition 31: Corrective action.
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 227-1.6(a)

Item 31.1:

Any facility found in violation of the provisions of this Part shall not cause, permit, or allow the operation of the combustion facility unless:

- (1) it is equipped with approved emission control equipment;
- (2) it is rehabilitated or upgraded in an approved manner; or
- (3) the fuel is changed to an acceptable type.

Condition 32: Corrective action.
Effective for entire length of Permit



Applicable Federal Requirement: 6NYCRR 227-1.6(b)

Item 32.1:

The commissioner may seal a facility that does not comply with the provisions in subdivision 6 NYCRR 227-1.6(a) within the time provided.

Condition 33: Corrective action.

Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 227-1.6(c)

Item 33.1:

No person shall cause, permit, or allow the operation of any facility sealed by the commissioner in accordance with this section.

Condition 34: Corrective action.

Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 227-1.6(d)

Item 34.1:

No person except the commissioner or his representative shall remove, tamper with, or destroy any seal affixed to any facility.

Condition 35: Emissions data requirements.

Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 227-1.7(b)

Item 35.1:

Sampling, compositing, and analysis of fuel samples shall be conducted in accordance with methods acceptable to the commissioner.

Condition 36: This condition states the facility is applicable to NOx RACT.

Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 227-2.1



Item 36.1:

This facility is subject to NOx RACT.

Condition 37: EPA Region 2 address.

Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A

Item 37.1:

All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

Director, Division of Enforcement and Compliance Assistance
USEPA Region 2
290 Broadway, 21st Floor
New York, NY 10007-1886

Copies of all correspondence to the administrator pursuant to this part shall also be submitted to the NYSDEC Regional Office issuing this permit (see address at the beginning of this permit) and to the following address:

NYSDEC
Bureau of Enforcement and Compliance Assurance
50 Wolf Road
Albany, NY 12233-3254

Condition 38: Date of construction notification.

Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.7(a), NSPS Subpart A

Item 38.1:

Any owner or operator subject to this part shall furnish the Administrator with the following information:

- 1) a notification of the date construction or reconstruction commenced, post marked no later than 30 days after such date;
- 2) a notification of the anticipated date of initial start up, post marked not more than 60 days not less than 30 days prior to such date;



- 3) a notification of the actual date of initial start up, post marked within 15 days after such date;
- 4) a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under this part. The notice shall be post marked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capability of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional information regarding the change;
- 5) a notification of the date upon which the demonstration of continuous monitoring system performance commences, post marked not less than 30 days prior to such date;
- 6) a notification of the anticipated date for conducting the opacity observations, post marked not less than 30 days prior to such date; and
- 7) a notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during the performance test, post marked not less than 30 days prior to the performance test.

Condition 39: Record keeping requirements.
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.7(b), NSPS Subpart A

Item 39.1:

Affected owners or operators shall maintain records of occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

Condition 40: Excess emissions report.
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.7(c), NSPS Subpart A

Item 40.1:

Affected owners or operators shall submit an excess emissions report quarterly (or more frequently as required by the applicable Subpart or the Administrator), to the Administrator. These reports shall be post marked no later than 30 days after each calendar quarter (or as appropriate), and shall



contain the following information:

- 1) the magnitude of excess emissions computed, any conversion factors used, the date and time of each occurrence, and the process operating time during the reporting period;
- 2) specific identification of each period of excess emissions that occur during startup, shutdown, or malfunction, where the nature, cause, and corrective action are provided for a malfunction;
- 3) the date and time identifying each period during which the continuous monitoring system was inoperative except for zero span checks and the nature of the system repairs or adjustments; and
- 4) when no excess emissions have occurred or when the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be provided in the report.

Condition 41: Excess emissions report.
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.7(d), NSPS Subpart A

Item 41.1:

An excess emissions report and/or a summary report, for each pollutant monitored, shall be sent to the Administrator quarterly (or as required), in the form prescribed in Figure 1 of subdivision 60.7(d).

Condition 42: Facility files for subject sources.
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.7(f), NSPS Subpart A

Item 42.1:

The following files shall be maintained at the facility for all affected sources: all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system evaluations; all continuous monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part, recorded in permanent form suitable for inspections. The file shall be maintained for at least two years following the date of such measurements, reports, and records.



Condition 43: Performance testing timeline.
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.8(a), NSPS Subpart A

Item 43.1:

Within 60 days after achieving, the maximum production rate, but not later than 180 days after initial startup of the facility, the owner or operator of the facility shall conduct performance testing and provide the results of such tests, in a written report, to the Administrator.

Condition 44: Performance test methods.
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.8(b), NSPS Subpart A

Item 44.1:

Performance testing shall be conducted in accordance with the methods and procedures prescribed in this part or by alternative methods and procedures approved by the Administrator.

Condition 45: Required performance test information.
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.8(c), NSPS Subpart A

Item 45.1:

Performance tests shall be conducted under such conditions specified by the Administrator, based upon representative performance data supplied by the owner or operate of the facility.

Condition 46: Prior notice.
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.8(d), NSPS Subpart A

Item 46.1:

The owner or operator shall provide the Administrator with prior notice of any performance test at least 30 days in advance of testing.



Condition 47: Performance testing facilities.
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.8(e), NSPS Subpart A

Item 47.1:

The following performance testing facilities shall be provided during all tests:

- 1) sampling ports adequate for tests methods applicable to such facility;
- 2) a safe sampling platform;
- 3) a safe access to the sampling platform; and
- 4) utilities for sampling and testing equipment.

Condition 48: Number of required tests.
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.8(f), NSPS Subpart A

Item 48.1:

Each performance test shall consist of three separate runs, at the specified duration required in the applicable test method. Compliance with all applicable standards shall be determined by using the arithmetic means of the results of the three runs.

Condition 49: Availability of information.
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.9, NSPS Subpart A

Item 49.1:

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by part 2 of this chapter.

Condition 50: Opacity standard compliance testing.
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.11, NSPS Subpart A



Item 50.1:

The following conditions shall be used to determine compliance with the opacity standards:

1) observations shall be conducted in accordance with Reference Method 9, in Appendix A of 40 CFR 60 (or an equivalent method approved by the Administrator including continuous opacity monitors);

2) the opacity standards apply at all times except during periods of start up, shutdown, and malfunction; and

3) all other applicable conditions cited in section 60.11 of this part.

**Condition 51: Compliance with Standards and Maintenance Requirements
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 60.11(a), NSPS Subpart A

Item 51.1:

Compliance with standards in 40 CFR Part 60, other than opacity standards, shall be determined in accordance with performance tests established by section 60.8 of 40 CFR Part 60 unless otherwise specified in the applicable standard.

**Condition 52: Compliance with Standards and Maintenance Requirements
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 60.11(d), NSPS Subpart A

Item 52.1:

At all times, including periods of startup, shutdown, and malfunction, owners and operators of this facility shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Department and the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

Condition 53: Circumvention.

Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.12, NSPS Subpart A



Item 53.1:

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

Condition 54: Monitoring requirements.

Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.13, NSPS Subpart A

Item 54.1:

All monitoring systems and devices shall be installed, calibrated, maintained, and operated in accordance with the requirements of section 60.13.

Condition 55: Modifications.

Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.14, NSPS Subpart A

Item 55.1:

Within 180 days of the completion of any physical or operational change (as defined in section 60.14), compliance with the applicable standards must be achieved.

Condition 56: Reconstruction

Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.15, NSPS Subpart A

Item 56.1:

The following shall be submitted to the Administrator prior to reconstruction (as defined in section 60.15):

- 1) a notice of intent to reconstruct 60 days prior to the action;
- 2) name and address of the owner or operator;
- 3) the location of the existing facility;



- 4) a brief description of the existing facility and the components to be replaced;
- 5) a description of the existing air pollution control equipment and the proposed air pollution control equipment;
- 6) an estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility;
- 7) the estimated life of the facility after the replacements; and
- 8) a discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

****** Emission Unit Level ******

Condition 57: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 227-1.3(a)

Item 57.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00HS1

Item 57.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity except for one six minute period not to exceed 27 percent, based upon the six minute average in reference test method 9 in Appendix A of 40 CFR 60.

Parameter Monitored: OPACITY

Upper Limit of Monitoring: 20 percent

Monitoring Frequency: SINGLE OCCURRENCE



Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 58: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 227-1.3(a)

Item 58.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00HS2

Item 58.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS
SURROGATE

Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity except for one six minute period not to exceed 27 percent, based upon the six minute average in reference test method 9 in Appendix A of 40 CFR 60.

Parameter Monitored: OPACITY

Upper Limit of Monitoring: 20 percent

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 59: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 227-1.3(a)

Item 59.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00AUX



Item 59.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity except for one six minute period not to exceed 27 percent, based upon the six minute average in reference test method 9 in Appendix A of 40 CFR 60.

Parameter Monitored: OPACITY

Upper Limit of Monitoring: 20 percent

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 60: Compliance Certification

Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 227-1.3(a)

Item 60.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00GEN

Item 60.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity except for one six minute period not to exceed 27 percent, based upon the six minute average in reference test method 9 in Appendix A of 40 CFR 60.

Parameter Monitored: OPACITY

Upper Limit of Monitoring: 20 percent

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY



STATE ONLY ENFORCEABLE CONDITIONS

****** Facility Level ******

**Condition 61: General Provisions: Facilities Subject to Subparts 201-5 and 201-6
Effective for entire length of Permit**

Applicable State Requirement: 6NYCRR 201-5.

Item 61.1:

This section contains terms and conditions that are not federally enforceable and are not required under the Act or under any of its applicable requirements. Terms and conditions so designated are not subject to the requirements of Section 201-6.4 of Part 201.

Item 61.2:

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

Item 61.3:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 61.4:

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

**Condition 62: Air pollution prohibited
Effective for entire length of Permit**

Applicable State Requirement: 6NYCRR 211.2



Item 62.1:

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property, Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.