

# **GUIDELINES**

## **Southern Tier Region Community Revitalization Program 2012**

### **Part A. ESD**

**Southern Tier Region  
Economic Development Corporation**

**SOUTHERN TIER REGION  
COMMUNITY REVITALIZATION PROGRAM: 2012**

**PART A. ESD**

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## **SECTION 1. PURPOSE AND PROGRAM DESCRIPTION**

The Southern Tier Regional Economic Development Council has received funding from Empire State Development Corporation (ESD) to establish the 2012 Southern Tier Region Community Revitalization Program.

Eligible applicants include cities, town, villages, local development corporations (LDC), industrial development agencies (IDA), business improvement districts, downtown development agencies, and other community and economic development entities located in Broome, Chemung, Chenango, Delaware, Schuyler, Steuben, Tioga or Tompkins Counties.

### **Purpose**

There is substantial demand for downtown and neighborhood commercial center revitalization initiatives throughout the entire Southern Tier Region that would help meet the growing demand for urban apartments and commercial development, while stimulating the local economy. There is also substantial need for rebuilding businesses located in local commercial buildings damaged or destroyed by 2011 flooding that support the families that live in the population centers. There are many municipalities, community and economic development organizations, and developers prepared to move forward with significant financial investment if they can secure the needed gap financing that allows many projects to become reality.

The Southern Tier Region Community Revitalization initiative will fund projects that utilize a collaborative approach to provide improved and diverse downtowns, mixed use options, and commercial and retail opportunities linked to discrete neighborhood centers.

### **Goal**

The goal is to use both state and federal public investments as “gap financing” for specific downtown and community neighborhood commercial center revitalization projects that have a financing strategy and can demonstrate the greatest potential to leverage public funds and non-profit resources, attract and sustain both short-term and long-term private capital, and catalyze further development.

Revitalization projects will create quality commercial space for commercial development and entrepreneurial enterprises and additional mixed use options, while building on existing infrastructure with upgrades and new construction in keeping with the downtown and neighborhood commercial center character.

### **Program Description**

The Southern Tier Region Community Revitalization Program will provide “gap financing” for redevelopment of key commercial buildings, infill of new buildings, and development of the Southern Tier Region’s downtowns, rural population centers, and neighborhood commercial centers. The Community Revitalization Program will allow each community to identify its own priorities and structure projects to support unique local needs in targeted areas.

Funding will be in the form of loan/grant packages. Each application for a loan/grant package will be evaluated on a case-by-case basis to assess the request for loan and/or grant funding. Careful and individual consideration will be given to each application, and the final funding award will be based on project feasibility, measurable impact, project readiness, leveraging of funds, support of Southern Tier Regional Economic Development Council strategies and availability of funds in the Southern Tier Region Community Revitalization Program. Final funding awards will be subject to approval by the Southern Tier Regional Economic Development Council and the Southern Tier Regional Office of the Empire State Development Corporation.

## **Leveraging Resources and Economic Impact**

### Leveraging Resources

The maximum project award is \$500,000 or 50% of the total project cost, whichever is less; although the Southern Tier Regional Economic Development Council reserves the right to make an award that exceeds this amount. All projects require no less than fifty percent of the award amount in matching contributions. Owner equity must be at least ten percent of the total project cost.

Projects must demonstrate that resources are leveraged. Priority will be given to projects that demonstrate the greatest leverage of investment. For example:

- Local, state and federal funding (NY Main Street, CDBG, HOME, New Markets Tax Credits, etc.)
- Private investment - philanthropic, corporate and individual

### Impact

Projects are expected to demonstrate clear and quantifiable impact such as:

- Creates quality commercial space for business development and entrepreneurial enterprises.
- Creates mixed use developments.
- Enhances tax base.
- Responds to recent natural disasters that have severely impacted the sustainability of many downtowns, and the loss of businesses that support the workforce and residents.
- Implements plans for redevelopment of Brownfield Opportunity Areas.
- Supports recruitment and retention of a talent based workforce.
- Builds on the existing infrastructure by upgrading or replacing out-moded styles with new construction designed to meet changing needs and blend into the downtown and neighborhood commercial center character.
- Recaptures the value of neighborhoods that have underused or deteriorated public assets.
- Supports the renewable energy strategies of the Southern Tier Regional Economic Development Council.
- Supports NYS and local smart-growth principles.
- Supports NYS Affirmative Action Goals.

## **SECTION 2. APPLICANT AND PROJECT ELIGIBILITY**

### **Applicant Eligibility**

Eligible applicants include cities, towns, villages, local development corporations (LDC), industrial development agencies (IDA), business improvement districts, downtown development agencies, and other community and economic development entities located in Broome, Chemung, Chenango, Delaware, Schuylers, Steuben, Tioga or Tompkins Counties.

### **Ineligible Project Activities**

The following are **not** definable projects, and will not be considered for project funding.

- Building and property acquisition is not an eligible expense for a Community Revitalization loan/grant package, but may be part of the total project cost and therefore used as a matching cost
- Working capital

- Rehabilitation of municipal buildings and properties for municipal reuse
- Demolition that is not a component of the proposed project. Demolition will only be considered as an eligible project cost if the applicant can demonstrate why demolition is a component of the overall project that will result in a commercial/retail revitalization project.

### **Definable Project**

Individual properties must be bundled into a definable “project.” The project may include the rehabilitation, reconstruction and new construction of a building or group of buildings that furthers the goals of revitalizing a downtown or neighborhood commercial center, and encourages commercial investment.

To constitute a coherent and cohesive project, a group of properties will be selected because their reconstruction, rehabilitation, or new construction are inter-related and will collectively advance a strategic objective of an economic development, a local revitalization or an urban development plan. A site map must be included for each project clearly identifying all targeted properties.

Projects should be architecturally consistent with nearby and adjacent properties or in a manner consistent with an economic development, local revitalization or an urban development plan.

The applicant and/or developer entity must demonstrate that it has current or pending ownership of the properties involved in the definable project. If the property is not owned by the applicant or developer entity at the time of application, a copy of a legal binding document in the form of a contract for sale or option must be included in the application.

The Southern Tier Region Community Revitalization Program funding is not intended to be the primary source of funding for downtown and/or neighborhood commercial center revitalization. Project funding is intended to offset the high redevelopment costs of urban construction or rebuilding of severely impacted commercial/retail properties and to fill funding gaps preventing projects from advancing. Projects will be required to be self-sustaining and supported by private sector investment. All projects require no less than ten percent of the total project amount in owner equity.

## **SECTION 3. FUNDING PRIORITIES AND STRUCTURE**

### **Funding Priorities**

Strong emphasis will be placed on project feasibility and readiness. This includes demonstrating the following.

- Project Feasibility through a market feasibility, business plan with detailed pro forma, etc.
- Project Readiness through documentation of conformance with local planning and zoning, federal and state permits secured, etc.
- Environmental Readiness through completion of the SEQR process, SHPO consultation and approval, etc.
- Project financing has been secured, with letters of commitment on financing
- Project is ready to start within 3 months of a Community Revitalization Program award

### **Funding Structure**

***All projects require no less than fifty percent of the award amount in matching contributions. Owner equity must be at least ten percent of the total project cost.*** The matching contribution must be in the form of cash, equity in property involved in the project, and other sources of funding from federal, state (other than Community Revitalization funds) and local government sources, and funds from private contributions. Match

amounts must be “firmly committed” and will support the proposed Community Revitalization project. “Firmly committed” means that there must be a signed, written agreement with terms and conditions from each funding source. If the cash match includes bank financing, then original signature written commitments from all financing institutions must be included in the application packet. ***A letter of interest does not constitute a firm commitment for financing or property acquisition.*** The written commitment may be contingent upon an applicant receiving a Community Revitalization award.

The funding award will be in the form of a low interest loan/grant package. The loan/grant packages will be administered by the Southern Tier Region Economic Development Corporation (STREDC).

Within ten (10) calendar days of a project award notification, the award recipient will inform the developer entity in writing of the terms and conditions of the loan/grant package. The developer entity will have fifteen (15) calendar days to inform the award recipient, STREDC and the Southern Tier Regional Office of Empire State Development Corporation in writing that it declines the award or is prepared to move forward with the project. STREDC will then contact the developer entity to secure any additional information required to prepare the loan/grant documents.

STREDC will close the loan/grant package with the developer entity. If any portion of the project financing includes a loan from the Community Revitalization Program, then at the time of closing a proportionate lien will be placed on the property(s) involved in the project for the term of the loan, with a minimum lien of five years. Also at the time of closing, the developer entity will enter into a project agreement that will include a detailed list of eligible project costs and a draw down schedule. Funds will be made available from Empire State Development Corporation to STREDC at the time of loan/grant closing. The developer entity may submit draw down invoices on a quarterly basis for eligible expenses incurred during the previous quarter. The development entity may request a monthly draw down. Funds will be held by STREDC and distributed to the developer entity upon approval of both STREDC and the Southern Tier Regional Office of Empire State Development Corporation.

\* The Southern Tier Regional Economic Development Council reserves the right to modify the above conditions.

### **Eligible Project Costs**

The following costs are eligible for a Community Revitalization loan/grant package.

- Demolition; only if demolition is a component of construction or rehabilitation
- New construction
- Building rehabilitation
- Infrastructure and site preparation needs related to the project including, but not limited to excavation, grading, environmental clean-up, water, sewer, sidewalks and parking
- Reasonable soft costs related to the project including professional service/consultant, engineering, inspections, fees, insurance, environmental assessment, legal costs and closing costs

### **Ineligible Costs for Reimbursement**

The following costs are not eligible project costs, but may be considered in the total project cost. If land or building costs are included as equity, the current assessed value must be stated in the application form.

- Property acquisition
- Building acquisition
- Expenditures incurred prior to the application due date
- Physical work on a project prior to completion of appropriate SEQRA review

**SECTION 4. EVALUATION CRITERIA**

The Southern Tier Regional Economic Development Council will evaluate and rank applications using the following criteria.

Points	Criteria
Up to 30	Leverage Other Resources such as Brownfield Redevelopment, and funds from Local, Private, State and Federal sources
Up to 25	Program Goals and Impact
Up to 35	Project Readiness / Feasibility
Up to 10	Support Southern Tier Regional Economic Development Council Strategies

**SECTION 5: APPLICATION AND APPROVAL PROCESS**

**Application Process**

Applications will be submitted to the Southern Tier Region Economic Development Corporation (STREDC) and reviewed for completeness, applicant and funding eligibility, qualifications and credit worthiness of the development team, project and financial feasibility, owner equity and commitments for matching funds. STREDC will forward the application package and its evaluation of project strength to the Southern Tier Regional Economic Development Council for evaluation against the criteria. Final approval of a project award will be made by both the Southern Tier Regional Economic Development Council and the Southern Tier Regional Office of Empire State Development Corporation.

All inquiries and questions should be directed to the Southern Tier Region Economic Development Corporation at (607) 962-3021.

Applicant Action

The applicant’s legal governing body must pass a resolution finding that the proposed project is consistent with the entity’s strategic plan and/or the respective municipality’s local revitalization or urban development plan; that the proposed financing is appropriate for the specific project; that the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities where applicable. A true and complete copy of the resolution must be included in the application.

Certification

The application must be certified by the lead official of the applicant entity that it is complete, true and accurate.

Submission Deadline

The application submission deadline is **3 PM, Monday, July 2, 2012.**

Applicants will submit all documents listed on the Application Checklist to:

Southern Tier Region Economic Development Corporation  
c/o REDEC/RRC  
8 Denison Parkway, E.  
3<sup>rd</sup> Floor—Suite 403  
Corning, NY 14830

### Application Package

All items on the Application Checklist must be included. Incomplete applications will not be considered. The Southern Tier Region Economic Development Corporation, at its sole discretion, reserves the right to accept minor amendments and additions to this application.

The application package consists of:

- 7 copies.
- All materials must be on 8.5 x 11 paper.
- Assemble documents in a 3-ring binder no thicker than 2 inches and include all forms, enclosures and attachments. The binder with original signature and the Application Fee should be labeled “Original.”
- Place the applicant’s name on the cover and the spine of the binder.

### Application Fee

A non-refundable check payable to Southern Tier Region Economic Development Corporation in the amount of \$250 must be included with the application, and should be placed in an envelope marked “Application Fee” and placed in the front of the binder labeled “Original.”

### **Review and Approval Process**

Applications will be reviewed by the Southern Tier Region Economic Development Corporation (STREDC) for completeness, applicant and funding eligibility, project and financial feasibility, owner equity, matching funds, and project worthiness. STREDC reserves the right to request additional information as determined necessary to complete an evaluation of the proposed project.

STREDC will forward to the Southern Tier Regional Economic Development Council the complete application together with an assessment of the strengths and weaknesses of the proposed project. Final approval of a project award must be made by both the Southern Tier Regional Economic Development Council and the Southern Tier Regional Office of Empire State Development Corporation before STREDC can take action to close on the funding award.

### **Loan Administration**

Upon final approvals, the project award recipient will enter into an agreement with the Southern Tier Region Economic Development Corporation (STREDC). The loan/grant will be closed and administered by STREDC. A loan commitment fee of 0.5% (maximum of \$5,000) will be paid by the borrower at time of loan closing. The borrower also will be responsible for all loan closing costs.

## SECTION 6. APPLICATION CHECKLIST

The completed Application Checklist form **must** be submitted at the time of application. The Southern Tier Region Economic Development Corporation reserves the right to seek additional information or decline an application. The Application Checklist is contained in Part A of the Application Form.

Applicant Name		
Item	Yes	N/A
Certification signed by Municipal/Applicant official		
\$250 Application fee payable to Southern Tier Region Economic Development Corporation. Place fee in an envelope and insert inside front pocket of the application binder labeled "Original."		
<b>Application Documents</b>		
Completed Parts B-L		
Project Development Plan, including a market feasibility analysis, financing strategy and 5-year operating pro forma		
Non-applicant Project Development Proposal		
Credentials of individuals of non-municipal entities involved in the project		
Letter from the Local Planning/Zoning official stating the project is compatible to local ordinances		
Project Site Map		
Third party estimates for project costs		
Property Data Sheet, Property Budget Sheet, Façade Photos and a signed Site Control Affidavit for each property involved (label photos with corresponding address/name of property)		
Property Appraisal(s)		
Documentation of property ownership; and/or signed options or purchase agreements		
Written commitment(s) for all project financing sources		
Documentation of all equity commitments		
SEQRA Assessment Form (EAF) and EIS Findings Statement		
SEQRA Negative Declaration		
Additional environmental reviews or other approvals		
SHPO Review Materials		
True and complete copy of the applicant's Governing Body Resolution		
Permits and special approvals such as Ag District		
Non Discrimination and Affirmative Action form		

## SECTION 7. DEFINITIONS

NEIGHBORHOOD COMMERCIAL CENTER shall mean a cluster of small commercial and mixed use buildings in a distinct neighborhood district.

HISTORIC AND/OR CULTURAL PLACE OR PROPERTY shall mean any building, structure, district, area, site or object, including an underground and underwater site, which is of significance in the history, architecture, archeology or culture of the state, community or nation.

MATCH shall mean cash, the assessed value of property(s) involved in the defined project and other sources of funding from federal, state (other than Community Revitalization funds) and local government sources, and funds from private contributions. Match amounts must be "firmly committed" and will support the proposed

Community Revitalization project. “Firmly committed” shall mean there must be a signed, written agreement with terms and conditions from each funding source. If the cash match includes bank financing, then the written commitment from all financing institutions must be included. A letter of interest does not constitute a firm commitment. The written agreement may be contingent upon an applicant receiving a Community Revitalization award.

MUNICIPALITY shall mean a municipal subdivision that is a city, town, or village.

PROJECT shall mean the demolition, rehabilitation, reconstruction and new construction of a building or group of buildings that furthers the goal of revitalizing an urban downtown center or neighborhood commercial center, and encourages commercial investment. To constitute a coherent and cohesive project, a group of properties shall be selected because their reconstruction, rehabilitation or demolition are inter-related and will collectively advance a strategic objective of the local revitalization or urban development plan.

PROJECT TYPE shall mean the following:

- DEMOLITION shall mean to completely tear down or raze a building.
- REHABILITATION shall mean structural repairs, mechanical systems repair or replacement, repairs related to deferred maintenance, emergency repairs, energy efficiency upgrades, accessibility improvements, mitigation of lead-based hazards, and other repairs that result in a significant improvement to the property, provided however, that to the extent possible, such rehabilitation shall be architecturally consistent with nearby and adjacent properties, or done in a manner consistent with a local revitalization or urban development plan.
- RECONSTRUCTION shall mean the construction of a new building, which is similar in architectural style, size and purpose to a previously existing building at such location, provided however, that to the extent possible that such reconstruction is architecturally consistent with nearby and adjacent properties, or in a manner consistent with a local revitalization or urban development plan.

PROPERTY LIST shall mean a list of the properties included in the defined project, including the location, size and residential or commercial natures of each building, and whether the building is proposed to be demolished, rehabilitated or reconstructed.

SITE CONTROL shall mean (i) ownership by the applicant or (ii) written consent from the ownership entity and, if different, the entity that has legal control of the site consenting to the application for Community Revitalization funding and, if awarded, agreeing to use Community Revitalization funds as outlined in the application. If the property is not owned by the applicant or developer entity at the time of application, the applicant must have a legal binding document in the form of a contract for sale or option.

SOFT COSTS shall mean reasonable costs related to those items in a project that are necessary to prepare and complete the non-construction needs of the project. Soft costs include such items as architecture, design, engineering, permits, inspections, consultants, environmental studies, and regulatory demands needing approval before construction begins. Soft costs do not include construction, telecommunications, furnishings, fixed equipment, and expenditures for any other permanent components of the project.

## SECTION 8. TERMS AND CONDITIONS

A program award recipient must provide a matching contribution of no less than fifty percent of the Southern Tier Region Community Revitalization program amount. Such matching contribution may be cash, qualified loans, equity in project property(s), or funds from federal, state (other than Community Revitalization funds) and local government sources and funds from private contributions. Match amounts must be “firmly committed” to support the proposed Southern Tier Community Revitalization project. “Firmly committed” shall mean there must be a signed, written agreement from each funding source.

If the cash match includes bank financing, then a written commitment from all financing institutions must be included with the application. ***A letter of interest does not constitute a firm commitment.*** The written agreement may be contingent upon an applicant receiving a Community Revitalization award.

All projects require no less than ten percent of the total project amount in owner equity. In addition, applicants will be required to disclose proposed tax abatements to be applied to the proposed project.

Each application for a loan/grant package will be evaluated on a case-by-case basis to assess the request for loan and/or grant funding. Careful and individual consideration will be given to each application, and the final funding award will be based on project feasibility, measurable impact, project readiness, leveraging of funds including owner equity, support of Southern Tier Regional Economic Development Council strategies and availability of funds in the Southern Tier Community Revitalization Program. Final funding awards will be subject to approval by the Southern Tier Regional Economic Development Council and the Southern Tier Office of Empire State Development Corporation.

The Southern Tier Regional Economic Development Council reserves the right to offer project awards to sponsors in different amounts and under different terms than requested. The Council reserves the right to review and reconsider project and property selections in the event of material changes in the project plans or circumstances.

Expenditures incurred prior to the application due date are not eligible for reimbursement by Community Revitalization loan/ grant funds.

Upon final approvals, the project award recipient will enter into a project agreement with STREDC. The loan/grant will be administered by STREDC. A loan commitment fee of 0.5% (maximum of \$5,000) will be paid by the borrower at time of loan closing. The borrower will be responsible for all loan closing costs. A lien will be placed on the property in the amount of the loan for a period of not less than five years.

Southern Tier Community Revitalization funds are intended to remain in real estate developments for a minimum of 5 years. If a program beneficiary sells a development that has received Community Revitalization funding within 5 years of receipt of funds, a pro-rated portion of those funds will be recaptured by STREDC.

An administrative fee (amount to be determined) will be due at signing of the project award agreement.

It is expected the project will proceed in the time frame set forth by the applicant. If the implementation of a project fails to proceed as planned and is delayed for a significant period of time and there is, in the exclusive judgment of STREDC, doubt as to its viability, STREDC reserves the right to cancel its funding commitment to such project.

## **SECTION 9. STATE HISTORIC PRESERVATION OFFICE (SHPO) CONSULTATION INSTRUCTIONS**

Under the New York State Historic Preservation Act, Section 14.09 and its associated rules and regulations, State funded (in whole or in part) activities that have the potential to affect historic properties, either directly or indirectly, must be evaluated by the State Historic Preservation Office (SHPO) of the New York State Office of Parks, Recreation and Historic Preservation (OPRHP). Regulations associated with this law define a Historic and/or Cultural Place or Property as “any building, structure, district, area, site or object including underground and underwater sites, that is of significance in the history, architecture, archeology or culture of this state, its community or the nation.”

**The SHPO process does not need to be completed prior to the submission of the Southern Tier Community Revitalization application; however, it MUST be completed prior to the approval by the ESDC Southern Tier Regional Office and closing on the award by the Southern Tier Region Economic Development Corporation.**

In order to expedite the SHPO review process, the applicant must provide the information outlined below for the appropriate project category. It is recommended that the applicant contact NYSHPO’s regional staff associated with its area during the application process. Regional staff contact information can be found at <http://nysparks.state.ny.us>. Click on Historic Preservation; next click on Territorial Assignments. Staff members are listed by the counties they service.

### **Demolition**

For demolition projects on a small scale (fewer than 20 individual buildings), provide the following for each building:

- An individual Building/Structure Inventory Form (at <http://nysparks.state.ny.us> under Environmental Review/Forms).
- Color photographs (digital are acceptable). These should depict the building on the exterior (1-3 views), representative interior views if accessible (2-5 views) and at least one image of the building in its streetscape (showing the buildings to either side).
- Map depicting the location of the project.

### **Rehabilitation Projects**

For individual rehabilitation projects, provide the following:

- An individual Building/Structure Inventory Form (at the OPRHP web site under Environmental Review /Forms).
- Color photographs (digital are acceptable). These should depict the building on the exterior (1-3 views), representative interior views if accessible (2-5 views) and at least one image of the building in its streetscape (showing the buildings to either side).
- Map depicting the location of the project.
- Project narrative explaining work to be proposed. For small façade improvement projects, sketch plans and materials descriptions are very helpful. For large scale projects, plans may be requested.

### **New Construction Projects**

For new construction projects, provide the following:

- Color photographs (digital are acceptable). These should depict the lot on which the building is being placed. Additional photographs should depict the setting of the new construction.
- Document what had previously been on the site if demolition project is not part of the proposal.
- Map depicting the location of the project.
- Depiction of proposed construction including a site plan and at least one elevation.

To check for National Register listed properties, historic districts and archaeologically sensitive areas that may include or involve a project, please go to <http://nysparks.state.ny.us>, then select HISTORIC PRESERVATION, then select On Line Resources, then go to the Public GIS Program.

Send SHPO forms directly to the address below.

New York State Historic Preservation Office  
Peebles Island Resource Center  
Delaware Avenue  
Cohoes, NY 12047  
(518) 237-8643

## SECTION 10. SEQR PROCESS INSTRUCTIONS

New York's **State Environmental Quality Review Act** (SEQR) requires all state and local government agencies to consider environmental impacts equally with social and economic factors during discretionary decision-making. This means these agencies must assess the environmental significance of all actions they have discretion to approve, fund or directly undertake. SEQR requires the agencies to balance the environmental impacts with social and economic factors when deciding to approve or undertake an "**Action**".

If an action is determined not to have significant adverse environmental impacts, a determination of nonsignificance (Negative Declaration) is prepared. If an action is determined to have potentially significant adverse environmental impacts, an "**Environmental Impact Statement**" is required.

The SEQR process uses the EIS to examine ways to avoid or reduce adverse environmental impacts related to a proposed action. This includes an analysis of all reasonable alternatives to the action. The SEQR "**decision making process**" encourages communication among government agencies, project sponsors and the general public.

The law was implemented by regulations which were fully effective on November 1, 1978 and revised effective June 1, 1987 and January 1, 1996.

SEQR applies to all state or local government agencies including districts and special boards and authorities whenever they must approve or fund a privately or publicly sponsored action. It also applies whenever an agency directly undertakes an action. Applicants who seek project approval or funding may be responsible for preparing an EIS.

When actions consist of several steps or sets of activities, the entire set must be considered the action, even if several separate agencies are involved. Segmentation of an action into components for individual review is contrary to the intent of SEQR. No agency involved in the overall action can make a final decision until the SEQR process is completed.

Actions that NEVER require an EIS are Type II actions. Type II actions listed in the statewide and agency SEQR regulations are determined not to have a significant adverse impact on the environment. Some examples:

- rebuilding or replacement of facilities, in-kind, on the same site
- minor structures, such as garages, barns or home swimming pools, routine permit and license renewals with no substantial change in permitted activities
- construct or expand either primary or accessory nonresidential structures in an appropriate zone with less than 4,000 square feet of gross floor space construct or expand a single, two or three family residence on approved lot
- routine activities of educational institutions, including expansions of existing facilities by less than 10,000 square feet
- nondiscretionary (ministerial) approvals
- maintenance and repair activities
- emergency actions
- actions of the New York State Legislature and the Governor or of any court enforcement actions
- actions subject to environmental review under the Adirondack Park Agency or Public Service Laws.

For an outline of SEQR's basic requirement and additional information on the SEQR process, see [Guiding the Process](#) at <http://www.dec.ny.gov> .

#### **SECTION 11. COMPLIANCE WITH OTHER APPLICABLE LAWS**

All procurement and project development activity associated with the Southern Tier Community Revitalization Program must be in conformance with applicable Federal, State and local laws, and the specific requirements of Empire State Development Corporation funding such as Minority and Women's Business Enterprise (M/WBE) guidelines and goals, Equal Employment Opportunity (EEO) guidelines and goals, and the New York State Smart Growth Public Infrastructure Policy Act. Applicants will be informed of the relevant requirements at the time of project award.