

**ATTACHMENT TO
NEGATIVE DECLARATION
REASONS SUPPORTING DETERMINATION**

**APPLICATION FOR
SITE PLAN AND SUBDIVISION APPROVAL
FOR FERRY LANDING AT BEACON**

Parcel No. 5954-33-556840

CONCLUSIONS

This Part 3 analysis has been prepared to address all relevant areas of environmental concern as identified in the review by the Planning Board. This narrative will discuss and explain the analysis of the potential impacts, and why a particular element of the proposed action will not result in a significant adverse environmental impact. Such analysis is appropriately set forth in the Part 3, even if the potential impact was identified as “none” or “small.” Based upon a review of Parts 1 and 2 of the Long Environmental Assessment Form (EAF) and all other application materials that were submitted in support of the Proposed Action, along with reports from City staff and consultants, information from involved and interested agencies, and information from the public, the Planning Board, acting as Lead Agency, provides the following rationale for its SEQRA Determination.

Project Description:

The Proposed Action is the development of a 0.56 acre parcel for the construction of six single-family townhouses. The property is located at the intersection of Beekman Street and Ferry Street in the Linkage District and the Coastal Management Zone (the “Property”). The development will require Site Plan and Subdivision Approvals from the Planning Board, along with a Consistency Determination under the Local Waterfront Revitalization Program (“LWRP”).

The Proposed Action is an Unlisted Action. The Planning Board circulated its Notice of Intent to be Lead Agency on May 21, 2018, and received no objections. The Planning Board, as Lead Agency, opened a public hearing to consider comments concerning any environmental impacts of the Proposed Action on June 12, 2018. The hearing was adjourned to a date certain for several months while the Applicant held meetings with the Planning Board’s Architectural Review Subcommittee. The hearing was re-noticed and re-opened on March 12, 2019. The SEQRA public hearing was closed on June 11, 2019.

Summary of Rationale for Negative Declaration

The Proposed Action will not result in any significant adverse impacts on the environment.

In summary:

- **Impact on Land: The Proposed Action will not have a significant adverse environmental impact as a result of any physical change to the project site.**

The Project Site is located within the Linkage Zoning District and the Coastal Management Zone. The Project will involve the construction of six new single family townhouses with associated infrastructure. The Proposed Action will require typical grading and site work associated with such construction including rock removal as described below. The Site currently consists of trees and grasses. Approximately 0.40 acres of the 0.56 acre site will be disturbed. The Proposed Action features a low impact design with a small building footprint, including a garage under each unit, to minimize the impact to the Property. The Project initially included 4-stories, but was later reduced to 3-stories.

- **Impact on Geological Features: The Proposed Action will not have a significant adverse environmental impact on any unique or unusual land forms on the site.**

There are no unique geological features proposed to be disturbed on the project site.

- **Impacts on Surface Water and Groundwater: The Proposed Action will not have a significant adverse environmental impact on surface or groundwater quality or quantity.**

Residential land uses are generally not associated with the discharge of contaminants into aquifers or other ground water sources. There will be no bulk storage of petroleum or chemicals on-site. The Project does not include or require wastewater discharged to groundwater, and is not located within 100 feet of potable drinking water or irrigation sources.

The Proposed Action will disturb less than one acre so a Stormwater Pollution Prevention Plan is not required. To reduce stormwater runoff, the Proposed Action was designed to minimize the amount of impervious surface added to the Property. The Project includes 5,702 square feet (approximately 23% of the lot area) of landscaped area on the Property and an additional 1,814 square feet of adjoining off-site landscaped area in the shoulder of the right-of-way to reduce stormwater runoff. Stormwater runoff from the site is proposed to be directed overland to three catch basins within the driveway plus an additional catch basin at the entrance to the site. The catch basins will connect to the City's existing public storm sewers. Furthermore, the Project will reduce stormwater runoff through effective construction methods such as erosion and sediment control measures utilizing silt fencing and a stabilized construction entrance.

The Project will be connected to the existing public water distribution and sanitary sewer systems. Water usage and liquid waste generation is anticipated to be 1,320 gallons per day. Adequate water supply and sewer capacity exist for these additional flows.

For the reasons stated herein, the Proposed Action will not result in any significant adverse impact to surface or groundwater quality or quantity.

- **Impact on Flooding: The Proposed Action will not have a significant adverse environmental impact on or alter drainage flows or patterns, or surface water runoff.**

No adverse stormwater impacts are anticipated as a result of the Proposed Action for the reasons set forth above. All land disturbances will be subject to appropriate erosion and sediment control measures during construction. The Proposed Action will not have a significant adverse impact on drainage flows or patterns, or surface water runoff.

- **Impact on Air: The Proposed Action will not have a significant adverse environmental impact on air quality.**

Construction activities associated with grading and excavation could result in temporary air quality impacts. Air quality in the area, however, is not expected to be significantly impacted by project construction because the construction activities will be temporary and confined to the Site. Construction vehicles will emit certain air pollutants through engine exhaust. There is also the potential for fugitive dust to be created during the construction period from site preparation activities, including removal of rock and vegetation, and site grading. These unavoidable short term impacts to air quality will cease upon project completion. Construction, including rock removal, will be conducted in accordance with the final filed site plan and in accordance with all applicable federal, state and local codes.

- **Impact on Plants and Animals: The Proposed Action will not have a significant adverse environmental impact on flora or fauna.**

The Property consists of approximately 0.40 acres of grass area and 0.16 acres of the Property is identified as forested area. Three (3) regulated trees (6" in diameter or greater) were recently removed from the Property, plus approximately ninety (90) unregulated trees. According to the Plant Schedule on the proposed Site Development Plan, a total of nine (9) trees will be replanted on the Property.

There are no known threatened or endangered plant species on the Property. Pursuant to NYS DEC records, the Shortnose Sturgeon and Atlantic Sturgeon (NYS endangered species) have been documented in the Hudson River which is about 0.15 miles from the

Property. The Proposed Action will not result in any direct impacts to the Hudson River and thus, will not result in any significant adverse impact to the Shortnose Strugeon or Atlantic Sturgeon. The DEC database does not identify the Property as a potential habitat for Indiana Bat.

Therefore, the Proposed Action will not result in any significant adverse environmental impacts on plants or animals.

- **Impact on Agricultural Resources: The Proposed Action will not have a significant adverse environmental impact on agricultural resources.**

There are no agricultural resources in the vicinity of the Property.

- **Impact on Aesthetic Resources: The Proposed Action will not have a significant adverse environmental impact on aesthetic resources.**

The Proposed Action will not result in the obstruction, elimination or significant screening of one or more officially designated scenic views visible from any publicly accessible vantage points either seasonally nor year around. The Local Waterfront Revitalization Program (LWRP) does list protected viewsheds in the vicinity of the Proposed Action, however, as discussed in the LWRP Consistency Determination, these viewsheds will not be impacted.

While officially designated scenic views will not be obstructed or significantly screened, the Proposed Action may be visible from publicly accessible vantage points, such as Bayview Avenue. During its review of the application, the Planning Board inquired as to whether the proposed townhouses would obstruct or obscure views of the Hudson River. At the Planning Board's March 12, 2019 meeting, the Applicant's architect presented a virtual reality real-time model of the Property, surrounding context and key views. Renderings were also presented. In response to comments, the Applicant reduced the height of the Project from 4-stories to 3-stories. Revised renderings were presented for the Planning Board's June 11, 2019 which demonstrate that the Project would not obstruct or obscure views of the Hudson River from Bayview Avenue. In addition, the third story is setback to minimize any impact to views from the Train Station.

- **Impact on Historic and Archeological Resources: The Proposed Action will not have a significant adverse environmental impact on historic or archeological resources.**

Developing the Property into six single-family townhouses will not have a significant adverse impact on historic or archeological resources because there are no such resources in the immediate vicinity of the Site. A review of the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) Cultural Resource

Information System used to identify areas that contain archeologically sensitive features indicates the Site as being the location of a potentially archeological sensitive area. However, a examination of OPRHP's documents shows that on July 16, 1979 Unique Site Number 027-41-0142 was created for the Prizzi carriage house property located on Rombout Avenue, Beacon, NY 12508. The street address for the carriage house property was incorrectly listed as Ferry Street, Beacon, NY 12508. The correct location for the property is Rombout Avenue Beacon, NY 12508.

Furthermore, in a letter from the Division of Historic Preservation of OPRHP, dated June 20, 2018, OPRHP stated that it has no concerns regarding the Proposed Action under SEQRA.

- **Impact on Open Space and Recreation: The Proposed Action will not have a significant adverse environmental impact on open space and recreation.**

The area of the Proposed Action is not designated as open space by the City of Beacon. The Proposed Action will not result in the loss of a recreational resource or eliminate significant open space. To the extent the Property may be currently used informally by the community as an open space resource for the placement of "Welcome" signage at this gateway to the City, the loss of such signage does not create a significant adverse impact requiring the preparation of an Environmental Impact Statement.

- **Impact on Critical Environmental Areas: The Proposed Action will not have a significant adverse environmental impact on Critical Environmental Areas.**

The Proposed Action is not located in a Critical Environmental Area.

- **Impact on Transportation: The Proposed Action will not have a significant adverse environmental impact on transportation.**

The construction of six single family townhouses will not result in a significant adverse traffic impact. The added vehicle trips generated by six single family townhouses will not exceed the capacity of the roadway infrastructure. Pursuant to a letter from Creighton Manning Engineering, LLP, dated July 3, 2018, the trip generation of six townhouses is minimal, ranging from 3 to 5 trips during the morning and afternoon peak hours and as such no significant traffic capacity issues are expected. The July 3, 2018 letter from Creighton Manning identifies the sight distance for the proposed project as adequate. Sight distance for drivers exiting Ferry Street is impaired in its current condition due to existing light poles, street trees and the existing concrete barrier on the Site. Sight distance in the proposed condition will continue to be reviewed during the Planning Board's site plan review. Based on all information presented, the Proposed Action will not have a significant adverse impact on transportation.

- **Impact on Energy: The Proposed Action will not have a significant adverse environmental impact on energy.**

It is anticipated that existing energy infrastructure will continue to serve the Proposed Action and that enough surplus exists to meet potential demand. The Proposed Action does not require a new, or an upgrade to any existing substation. The Proposed Action will not result in a significant adverse impact on energy.

- **Impact on Noise, Odor and Light: The Proposed Action will not have a significant adverse environmental impact as a result of objectionable odors, noise or light.**

The Proposed Action is not anticipated to generate any noxious odors.

All proposed lighting will be dark sky compliant. Specifically, all outdoor post lights will contain dusk to dawn photocontrol and will include "Dark Sky Design." The Applicant included photometric measurements on the Site Development Plan Drawing 3 of 9, dated March 20, 2019, which shows light spillage into the parcel to the rear (Parcel ID 5954-33-552825) and onto the Bayview Avenue right-of-way. The proposed light fixtures shall be shielded to eliminate any light spillage onto the neighboring parcels or the Bayview Avenue right-of-way.

There will be no significant noise impacts post-construction. Noise impacts associated with the proposed Project will be limited to temporary impacts generated during construction. Temporary noise impacts associated with construction will be mitigated by limiting construction activities to be performed in conformity with applicable regulations on hours of work. Rock removal is anticipated. According to the Applicant, the building foundation for footings is limited to a 42" depth below the proposed grade. In any location that the building foundation excavation encounters solid rock at depths that are shallower than 42" the rock will be air pressure blasted clean and the building foundation footings will be drilled and pinned to the top of the exposed rock. This will minimize the amount of rock removal for the building foundation. Rock removal for the stormwater drainage system and underground utilities will be performed mainly with the use of a Vermeer rock trencher. Rock removal for water and sewer utilities will be mainly located on the northwest end of the Site. Due to existing utilities already in this area, any rock encountered in this location will be removed by a backhoe mounted hydraulic hammer. Minimum rock removal in this location is anticipated. Construction, including rock removal, will be conducted in accordance with the final filed site plan and in accordance with all applicable federal, state and local codes.

- **Impact on Human Health: The Proposed Action will not have a significant adverse environmental impact on human health from exposure to new or existing sources of contaminants.**

Residential land uses are generally not associated with significant adverse impacts on human health from exposure to new or existing sources of contaminants. There is no evidence of any hazardous waste generated, treated and/or disposed of at the site and no spills have been reported at the site or an adjoining site. The DEC database identified several properties within 2,000 feet of the Property in the EAF Mapper Summary as having been listed on the NYSDEC Spill Incident database or the Environmental Site Remediation database. The details from the DEC database were provided by the Applicant and demonstrates that each property has either been remediated, redeveloped or is in an area that has no impact on this Property.

- **Consistency with Community Plans and Community Character: The Proposed Action is not inconsistent with adopted community plans and community character.**

The Proposed Action is generally consistent with the Comprehensive Plan and City Zoning Code and consistent with the character of the existing neighborhood. It adds residential density near to the train station which is characteristic of transit-oriented development (“TOD”).

Based upon this information and the information in the Long Environmental Assessment Form, the Planning Board finds that the Proposed Action will not have any significant adverse impacts upon the environment. This Negative Declaration indicates that no environmental impact statement need be prepared and that the SEQRA process is complete.

Adopted: June 11, 2019
Beacon, New York

Motion by _____, seconded by _____:

Gary Barrack	Voting:	Jill Reynolds	Voting:
David Burke	Voting:	Randall Williams	Voting:
Patrick Lambert	Voting:	John Gunn, Chairman	Voting:
Rick Muscat	Voting:		

Approved _____
Denied _____