

**ATTACHMENT TO
NEGATIVE DECLARATION
REASONS SUPPORTING DETERMINATION**

**APPLICATION FOR SUBDIVISION, SITE PLAN
AND SPECIAL USE PERMIT APPROVAL
FOR 1182 NORTH AVENUE**

Parcel ID Nos. 5955-19-738049 & 747060

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 Part 3, even if the potential impact was identified as “none” or “small.” Based upon a review of Parts 1 and 2 of the Full 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 a lot line realignment between two parcels, where an existing single-family residence will remain on Parcel No. 5955-19-738049 which will consist of 0.284 acres, and a single-family residence with a 646 square foot accessory apartment is proposed on Parcel No. 5955-19-747060 which will consist of 0.39 acres. The property is located at 1182 North Avenue in the R1-7.5 Zoning District and the Historic District and Landmark Overlay (HDLO) Zone (the “Property” or “Site”).

The Proposed Action is an Unlisted Action. The Planning Board circulated its Notice of Intent to be Lead Agency, and received no objections. The Planning Board, as Lead Agency, opened and closed a public hearing to consider comments on its environmental review of the Proposed Action on December 10, 2019.

Summary of Rationale for Negative Declaration

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

- **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 Property is located in the R1-7.5 Zoning District and the Historic District and Landmark Overlay Zone and is currently improved with an existing single-family residence. The Applicant now seeks a lot line realignment between two parcels where the existing single-family residence will remain, and proposes to construct a single-family residence with a 646 square foot accessory apartment on the enlarged vacant lot. The Proposed Action will reconfigure the lot lines between two existing lots so as to convert a landlocked lot consisting of 0.123 acres to a 0.392 acre lot suitable for development. There are no steep slopes or natural features that require significant grading or excavation. No significant adverse environmental impacts are expected as a result of any physical change to the project site.

- **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 on the Property.

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

The Project does not include or require wastewater discharged to groundwater.

The Project includes the implementation of erosion and sediment controls, including stormwater management structures. The Applicant has also agreed to use gravel or other permeable materials in the construction of the proposed 9' x 18' off-street parking area at the rear of the site to reduce the impervious coverage and stormwater runoff.

The Project will be connected to the existing public water distribution and sanitary sewer systems. The total estimated water and wastewater demand for the Site is 440 gallons per day (gpd).

Due to the proposed potable water demand of 440 gpd the Proposed Action is exempt from the existing moratorium enacted by the City of Beacon City Council on September 3, 2019 and modified on February 18, 2020. According to the terms of the moratorium, it was established "to protect the City and its residents, businesses and visitors from the potential impacts of new development on the City's water supply given the condition of Well #2." Well #2 of the City's water supply system is off-line while it is undergoing repairs. The Proposed Action will not adversely affect the City's water supply.

As a result, the Project will not result in a significant adverse impact on 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.**

For the reasons set forth above, the Project will not have a significant adverse impact on or alter drainage flows or patterns, or on surface water runoff.

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

Construction activities including paving, grading and excavation could result in temporary air quality impacts. However, air quality in the area is not expected to be significantly impacted by project construction because the construction activities will be temporary and confined to the Property. Construction will be limited to 8:00 am – 4:00 p.m. Monday through Friday and 9:00 a.m. – 4:00 p.m. on Saturdays. 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. Fugitive dust emissions will be mitigated by wetting and stabilizing soils to suppress dust generation. Other dust suppression methods include the spraying of soil stockpiles during dry periods and covering trucks carrying solid and other dry materials. These unavoidable short term impacts to air quality will cease upon project completion. Construction will be conducted in accordance with all applicable federal, state and local codes. It is anticipated that nearby properties may experience temporary fugitive dust and an elevation in vehicle emissions from construction vehicles throughout occasional periods during construction of the proposed project. This is a temporary, construction-related, unavoidable impact that is not significant.

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

Although the Full EAF indicates that the Property may contain or serve as habitat for the endangered Atlantic Sturgeon, Shortnose Sturgeon and Indiana Bat, the habitat of the Sturgeon will not be disturbed and removal of trees greater than four (4) inches in diameter at the Project Site will take place between October 1 and March 31 during the bat hibernation period to avoid the removal of trees which may be utilized by Indiana Bats as roosting trees. The Applicant will be removing eight (8) trees from the property including the removal of the pines along the border of the property which the Applicant represented pose a risk of toppling during inclement weather. However, the Applicant has proposed to landscape the Property by planting trees, shrubs and grass as shown on the proposed Site Plan, including planting new trees with a lower canopy where the existing pines are located along the eastern property line. Further, two (2) trees that were originally proposed for removal (12-inch maple and 15-inch maple) are now proposed to be preserved due to the reduction in the number of proposed parking spaces in the rear of the Site. For these reasons, the Proposed Action will not have a significant adverse environmental impact on flora and fauna.

- **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 have a significant adverse environmental impact on aesthetic resources. The construction of the additional building will not result in the obstruction, elimination or significant screening of one or more officially designated scenic views, or visibility from any publicly accessible vantage points either seasonally or year around.

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

The Proposed Action is adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory. However, the proposed development on the Property is consistent with the existing neighborhood and will not affect archaeological resources. The Project is located near the Dewindt House and the Lower Main Street Historic District, but the Project is not visible from these resources and will therefore not impact either historic resource. The Proposed Action will not have a significant adverse environmental impact on historic or archaeological resources.

- **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 current or future recreational resource, eliminate significant open space, or result in loss of an area now used informally by the community as an open space resource.

- **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.**

Traffic. The additional traffic generated by the construction of a single-family residence with an accessory apartment near a major thoroughfare (Route 9D) will be insignificant.

Parking. The proposed parking includes 6 parking spaces as required by the City of Beacon Code. Demand is sufficiently met and there will be no impact on parking.

The Proposed Action will not have a significant adverse environmental impact on transportation.

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

The existing energy infrastructure will adequately serve the additional demand. The Proposed Action does not require a new, or an upgrade to any existing substation.

- **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 discernable odors at the property line. Noise impacts associated with the proposed Project will be limited to temporary impacts generated during construction. It is not anticipated that blasting will be necessary during the proposed construction. If blasting does become necessary, it will be performed in accordance with all applicable state and local requirements. In addition, there will be no significant noise impacts post-construction. Proposed lighting for the expanded parking lot will be shielded to prevent light pollution onto neighboring properties.

- **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.**

The construction of a single-family residence with an accessory apartment and associated parking is generally not associated with significant adverse impacts on human health from exposure to new or existing sources of contaminants. According to EAF Part 1, the project has never been used as a solid waste management facility, has never been the site of hazardous waste generation or disposal and has not been the site of any oil spills or other contamination. Additionally, use as a single-family residence and an accessory apartment do not typically produce contaminants that will be released into the air exposing humans to adverse environmental impacts, the effects of air disturbance and noise are limited to the construction period which is temporary and confined to the Property. As such the Proposed Action will not have a significant adverse environmental impact on human health from exposure to new or existing sources of contaminants.

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

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The Proposed Action is generally consistent with the Comprehensive Plan and City Zoning Code.

Based upon this information and the information in the Full 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.

Resolution Adopted: March 10, 2020
Beacon, New York

John Gunn, Chairman
City of Beacon Planning Board

_____, 2020
Dated

Motion by J.Reynolds, seconded by K.Quiana:

Kevin Byrne	Voting: AYE	Leonard Warner	Voting: AYE
Rick Muscat	Voting: EXCUSED	J. Randall Williams	Voting: EXCUSED
Karen Quiana	Voting: AYE	John Gunn, Chairman	Voting: AYE
Jill Reynolds	Voting: AYE		

Approved 5-0