

***Full Environmental Assessment Form***  
***Part 3 - Evaluation of the Magnitude and Importance of Project Impacts***  
***and***  
***Determination of Significance***

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

**Reasons Supporting This Determination:**

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

See attached.

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status: ☒ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1 ☒ Part 2 ☒ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

All application materials submitted by the Applicant, memoranda from City staff and consultants, agency and public comment, and testimony from meetings held on the application.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the  
City Council of the City of Beacon as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Comprehensive Plan amendments and local laws to amend Zoning Map and Chapter 223 of the Code of the City of Beacon

Name of Lead Agency: City Council of the City of Beacon

Name of Responsible Officer in Lead Agency: Randy Casale

Title of Responsible Officer: Mayor

Signature of Responsible Officer in Lead Agency: Date: December 18, 2017

Signature of Preparer (if different from Responsible Officer) Date:

**For Further Information:**

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**For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

City of Beacon City Council

December 18, 2017

**Proposed Action:** Comprehensive Plan amendments and local laws to amend Zoning Map and Chapter 223 of the Code of the City of Beacon

### **Full Environmental Assessment Form**

#### **Part 3- Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance**

This project will not result in a significant adverse impact on the environment. The proposed action involves amendments to the Comprehensive Plan, changes to the Zoning Map, and changes to the the Central Main Street (CMS) Zoning District and the Fishkill Creek Development (FCD) Zoning District.

A portion of the Metro-North Commuter Railroad right-of-way along Tioronda Avenue, tax parcel number 6054-37-096715, with the owner's address at 347 Madison Avenue, New York, NY 10017 is proposed to be changed from LI to FCD. The Comprehensive Plan Update recommended other sections of the Metro-North right-of-way just to the north be merged into the FCD district. This additional section of the track right-of-way will link two currently zoned FCD parcels to make a continuous FCD district. Because of the existing tracks and steep slopes on the parcel, the rezoning will not significantly affect any development potential.

A 1.3-acre parcel along the Fishkill Creek owned by the Scenic Hudson Land Trust, Inc. at 1 Civic Center Plaza, Poughkeepsie, NY 12601, tax parcel number 5954-16-910293, is proposed to be changed from FCD to Waterfront Park (WP) Zone. The parcel is contiguous with other properties zoned WP and is very near another Scenic Hudson parcel that is part of Madam Brett Park. The City Council proposes to extend the WP district to include this parcel because of its sensitive nature along the Fishkill Creek and proximity to the other Scenic Hudson-owned park parcels. Development is limited in the waterfront park zone to maintain, enhance and increase the levels and types of access to public water-related resources and facilities.

In addition, text changes are proposed for the CMS District and FCD District regulations. The proposed local law amending the CMS District regulations proposes clarifications and updates to the permitted uses, eliminates a five-story building as a use permitted by special permit, creates a dual rear yard setback requirement dependent upon the depth of the lot, requires a 15-foot building setback for buildings abutting a residential district that are over 39 feet in height, and updates the applicable design standards, among other changes. The proposed local law amending the FCD District regulations proposes clarifications and updates to the permitted uses, eliminates the requirement for special permit approval for development projects in the FCD, updates the design standards, reduces development potential by requiring a deduction of certain environmentally sensitive areas from the overall lot area used to determine the maximum number of dwelling units permitted per acre, requires a minimum of 25% of the total floor area to be devoted to nonresidential uses, and increases the permitted maximum height, among other changes. These changes impose

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**Proposed Action:** Comprehensive Plan amendments and local laws to amend Zoning Map and Chapter 223 of the Code of the City of Beacon

specific architectural and design standards to minimize the overall impacts a project may have on the surrounding neighborhood. These changes also control development to better protect environmentally sensitive areas.

The amendments to the Comprehensive Plan involve individual parcel zoning adjustments to the recommendations in Sections 11 and 12 of the Comprehensive Plan Update adopted 1/3/17. The Comprehensive Plan Update recommended the extension of the CMS district north on Fishkill Avenue to Verplanck Avenue. However, under the proposed amendment to the Comprehensive Plan, the City Council does not want to permit commercial zoning on this block. By not allowing commercial expansion, the City hopes to protect the primarily residential buildings along this block. This change will result in far fewer impacts on the neighborhood. The amendments to the Comprehensive Plan specifically include deleting Sections 4.6, Change the zoning of areas on East and West Main Street to reflect density allowed in Central Main Street district, and 4.7, Extend Central Main Street District north along Route 9D to Verplanck Avenue. The amendments also require that the City create more specific architectural and design standards in the historic section of the Local Business District in the Fountain Square area on East Main Street by converting the area to the Central Main Street District and provides that four Fountain Square area parcels not located in the Historic District Overlay be changed from Local Business to the adjacent R1-5 district. The existing historic character of the neighborhood will be better protected by the architectural streetscape, and design standards not present in the current Local Business District. The modifications to the Comprehensive Plan are modest and reflect recent information and changes in the City. The City Council to a careful look at individual parcels to create the proposed amendment.

These proposed changes are consistent with the overall intent and general recommendations set forth in the 2017 Comprehensive Plan Update, but require the City Council to make specific adjustments to individual streets and parcels. Therefore, the City Council determines that the Proposed Action will not have a significant adverse effect on the environment and a Draft Environmental Impact Statement is not required.