

**ATTACHMENT TO
NEGATIVE DECLARATION
REASONS SUPPORTING DETERMINATION**

**APPLICATION FOR SUBDIVISION APPROVAL
FOR 25 TOWNSEND STREET**

CONCLUSIONS

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 (Unlisted), 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, makes the following conclusions.

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 in the R1-7.5 Zoning District and is currently improved with a 1 story building with associated improvements. It was the location of the Knights of Columbus.

The application submitted in 2016 sought to subdivide the 5-acre parcel into 15 separate parcels. The application has since been reduced to proposed 13 residential parcels with associated infrastructure and one common parcel for stormwater management facilities.

Although much of the site is proposed to be disturbed and a portion of the site contains slopes, the disturbance will be performed in accordance with all applicable state and local laws, rules and regulations. While construction on a sloped site could create potential for erosion, the project will limit disturbance in several ways and will incorporate protective measures to avoid erosion. Disturbance of slopes will be stabilized using best management practices during construction and post-construction. A Stormwater Pollution Prevention Plan will be prepared to address water quality and stormwater runoff generated from the project so that there is no net increase in runoff from the 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.**

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 stormwater practices shown on the plans and described in the SWPPP will be designed in accordance with all applicable requirements. The Project proposes to disturb less than 5 acres and has less than 25% impervious cover for which the NYSDEC requires a SWPPP that only includes erosion control. However, Chapter 190 of the City of Beacon Code requires all projects that disturb over 2 acres to have a SWPPP that includes water quantity and water quality controls. The SWPPP will be designed to meet these requirements.

The Project will be connected to the existing public water distribution and sanitary sewer systems. The projected flow from the Proposed Action is 15,000 gallons per day (gpd). Details plans and specifications will be required to be submitted to the Dutchess County Department of Behavioral and Community Health by a New York State licensed professional for review for future approval of the proposed sanitary sewer and public water supply infrastructure.

On behalf of the City, Henningson, Durham & Richardson Architecture and Engineering, P.C. (HDR) evaluated the impact of the proposed development on the hydraulic capacity of the City's sanitary sewer system during critical conditions. As a result of the analysis, HDR's February 13, 2018 memorandum contains the following conclusions and recommendations:

1. The proposed development at 25 Townsend is not expected to cause [sanitary sewer overflows] SSO or worsen hydraulic conditions in the South Interceptor, even during extreme conditions associated with very large (5.6-inc, 1-in-17-year) storm.
2. The proposed development at 25 Townsend is expected to increase water levels in the small, 8-inch diameter sewer along Fishkill Ave. and Hanna Street. While the resulting water levels are not expected to cause SSOs, the model indicates that this area of the collection system is relatively flat

and water levels are high, with little leeway before an SSO may occur. Anecdotal evidence of sewer blockages in this area tends to support the model findings.

3. Since no flow metering has been performed along the Fishkill Ave segment where water levels appear to be of concern, HDR recommends metering to confirm model-calculated hydraulic conditions there.

Based on the conclusions reached by HDR, the additional flows from the Project are not expected to cause SSOs. Therefore, the proposed development will not have a significant adverse impact on City water and sanitary sewer systems and will not have an adverse impact on water 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.**

As noted above, the SWPPP prepared for the Project will be in conformance with the all applicable requirements to address stormwater runoff generated from the project.

- **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 Property. 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 existing impervious surfaces and vegetation, and site grading. Fugitive dust emissions will be mitigated by wetting and stabilizing soils to suppress dust generation. Other dust suppression methods will 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 will 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.**

Pursuant to NYS Master Habitat Databank (MHDB) records, NYS DEC has determined that the subject Site is located within or near record(s) of the Indiana Bat (NYS Endangered species). The main impact of concern for bats is the removal of potential roost trees. Absent a field survey/habitat suitability assessment by a NYS licensed professional demonstrating the lack of suitable habitat for the Indiana Bat and any other requirements of NYSDEC, tree removal at the project site will take place only between October 31 and March 31 during the bat hibernation period to avoid the removal of trees which may be utilized by Indiana Bats as roosting trees.

- **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, or visible from any publicly accessible vantage points either seasonally nor year around.

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

According to an Eligibility Evaluation determination by SHPO on February 20, 2017, the former Knights of Columbus building is not eligible for listing/inclusion in the National Register. According to the statewide inventory of archaeological resources maintained by the New York State Museum and the New York State Office of Parks, Recreation, and Historic Preservation, the project site is located within an area considered to be sensitive with regard to archaeological resources. DEC review of the project will require preparation of a cultural resources assessment and the review of the New York State Office of Parks, Recreational and Historic Preservation. According to the Applicant, SHPO is conducting an archeological consultation and will provide its conclusions upon completion of that review. The subject Site is currently developed so it is not anticipated that there will be any significant adverse impact on archeological resources. The Planning Board's finding of no significant adverse impact on archeological resources is subject to the Applicant's avoidance of any area of the Site found by SHPO to be archeologically significant, or if avoidance is not practicable, documentation and preservation of any artifacts uncovered during construction pursuant to all applicable SHPO regulations or guidelines.

- **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, as the property is currently a vacant lot. A recreation fee will be required which will be used for the future need for park and recreational opportunities in the City of Beacon.

- **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.**

As confirmed by a Traffic Evaluation performed by Maser Consulting P.C., dated February 23, 2018, traffic generated from 13 single family homes is not expected to alter transportation patterns or create a significant adverse impact on the existing roadway systems and intersections. The increase in vehicle trips during the AM and PM Peak Hours equates to less than a 1.5% increase in traffic volumes as compared to existing conditions. It should be noted that vehicles trips to and from the proposed development may be split between two points of access to Fishkill Avenue: (1) Townsend Street; and Conklin Street.

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

It is anticipated that existing energy infrastructure would to serve the Proposed Action and that enough surplus exists to meet potential demand of 13 additional single family dwellings. 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 noxious odors.

Noise impacts associated with the proposed Project will be limited to temporary impacts generated during construction. The period of construction is anticipated

to be 24 months. Temporary noise impacts associated with construction will be mitigated by limiting construction activities to the hours between 7:00 a.m. and 7:00 p.m. 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.

- **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. The existing building will be demolished in accordance with all applicable federal, state and local requirements.

- **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.

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.