

**ATTACHMENT TO
NEGATIVE DECLARATION
REASONS SUPPORTING DETERMINATION**

**APPLICATION FOR SUBDIVISION APPROVAL
FOR 38 ST LUKE'S PLACE**

Parcel No. 6054-38-156634

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 (Type I), 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 conclusions set forth below.

Project Description:

The Proposed Action is the subdivision of a 0.405-acre parcel with one existing house into three lots for the construction of two new houses. The property is located at 38 St. Luke's Place in the R1-5 Zoning District (the "Property").

The Proposed Action is a Type I action pursuant to 6 NYCRR 617.4(b)(5)(iii) due to the Property's proximity of St. Luke's Episcopal Church which is listed on the National Register of Historic Places. The Planning Board, as Lead Agency, opened a public hearing to consider comments regarding any environmental impacts of the Proposed Action on June 12, 2018. The SEQRA public hearing was closed on July 10, 2018.

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 in the R1-5 Zoning District and is currently improved with a single family dwelling. The Proposed Action would involve the construction of two new single family dwellings with typical grading and site work associated with such construction. The Applicant has offered to dedicate a portion of land along Union Street to the City of Beacon for highway purposes to aid in any future widening of Union Street in that location. There are no wetlands, water bodies, steep slopes or other environmentally sensitive areas on the Property. The Proposed Action will not

have a significant adverse environmental impact as a result of physical changes to the Property.

- **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 groundwater sources. There will be no bulk storage of petroleum or chemicals on-site. The Project does not include or require wastewater discharged to groundwater. 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 an additional 660 gallons per day above the existing condition. Adequate water supply and sewer capacity exist for these additional flows.

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.**

A Drainage Report, dated June 26, 2018, was prepared by Hudson Land Design Professional Engineering, P.C. for the Project and reviewed by the City Engineer. Although some revisions to the Drainage Report are recommended by the City Engineer, the stormwater practices proposed for the Project will be in conformance with the all applicable best practices and requirements to address stormwater runoff generated from the project. Appropriate stormwater management measures will be incorporated to the project plans so that post-development runoff rates will not exceed the pre-development runoff rates for a 25-year storm event.

The rear of the Property is known to experience some flooding and the proposed stormwater management measures have been carefully reviewed in this context. According to the Applicant, on July 5, 2018 the Applicant, the Applicant's Engineer and the owner of the neighboring property to the southeast of the property (Parcel No. 6054-38-161628) met on the Property to discuss the proposed stormwater management measures. The Applicant agreed to incorporate the following into the project plans to address any potential stormwater impacts to the neighboring property subject to review by the City Engineer:

1. Bring in topsoil to fill in low spots and regrade the area on the neighboring property to promote drainage away from the foundation, and toward the back of the house. From there, the proposed grading on Lot 3 will continue to allow drainage flow away from the neighboring property.
2. Install a small “country curb” on the right (east) side of the proposed driveway for Lot 3 so that no drainage from impervious surfaces can drain toward the neighboring property. The grading for the driveway will be pitched slightly toward the curb so that the curb will act as a gutter and convey it toward the parking area, and then pitch it toward the rear of the lot.
3. The existing chain-link fence between the lots will be removed to perform the grading. The Applicant has offered to replace the fence with a stockade privacy fence.

The Proposed Action will not have a significant adverse impact on drainage flows or patterns, or surface water runoff. Implementation of the proposed stormwater management practice, including the proposed grading, may improve flooding or ponding experienced from time to time on the Property and the neighboring property.

- **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.**

There are currently no trees or landscaping on the existing Property. The Applicant has proposed to plant two street trees on St. Luke’s Place on Lots 1 and 2. The Full EAF indicates that the Property does not contain any species of plant or animal listed by the federal government or New York State as endangered, threatened, rare or a species of

special concern, nor does it contain any areas identified as habitat for an endangered or threatened species.

- **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.**

The subdivision of the Property into three lots for the construction of two new single family homes in an existing residential neighborhood will not have a significant adverse impact on St. Luke's Church. By letter dated May 29, 2018, the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation confirmed that "Based on this review, it is the opinion of the SHPO that the proposed project will have No Adverse Impact to historic and cultural 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. A recreation set aside or 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.**

The construction of two single family homes will not result in a significant adverse traffic impact.

- **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 associated with two single family homes. 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. Outdoor lighting will be consistent with typical residential lighting. 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 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. Although the EAF Mapper Summary Report identified DEC Spills or Remediation Sites within 2,000 feet of the Property, review of reports from DEC's Environmental Site Remediation Database reveal that the sites have either been closed out or are too far distant from the Property to have an effect on the Proposed Action.

- **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.