

**ATTACHMENT TO
AMENDED
NEGATIVE DECLARATION
REASONS SUPPORTING DETERMINATION**

**APPLICATION FOR SITE PLAN, SPECIAL USE PERMIT
AND SUBDIVISION APPROVAL FOR EDGEWATER**

**22 Edgewater Place:
Tax Grid Nos. 5954-25-581985, 5954-25-574979, 5954-25-566983, 5955-19-59002**

CONCLUSIONS

On December 12, 2017, the Beacon Planning Board adopted a Negative Declaration finding that the Proposed Action would not result in any significant adverse environmental impacts.

On June 12, 2018 the Beacon Planning Board received a revised set of plans for the Project which included revisions to the site plan, in part to comply with Local Law No. 9-2018 adopted by the City Council on May 21, 2018 which amended the calculation of lot area per dwelling unit in the R1, RD and Fishkill Creek Development Districts. The revisions to the Project include but are not limited to a reduction in the total number of proposed dwelling units from 307 units (413 bedrooms) to 246 units (350 bedrooms), a reduction in the number of parking spaces, a reduction in the amount of impervious surface coverage, and approximately 140 feet of additional walkways on the west side of the Property facing the Hudson River (“Amended Project” or “Amended Proposed Action”). Additional application materials submitted with the revised plans included an updated Part 1 of the Environmental Assessment Form (EAF), dated June 11, 2018.

At the time of the Planning Board’s adoption of the Negative Declaration on December 12, 2017, the Proposed Action was a Type I action pursuant to 6 NYCRR 617.4(b)(5)(iii) because the project proposes the construction of more than 250 new residential units to be connected to public water and sewer in a city having a population of less than 150,000. The Amended Proposed Action is no longer a Type I action because it proposes a total of 246 dwelling units which falls below the threshold for Type I actions. Therefore, the Amended Proposed Action is an Unlisted action.

The Planning Board, as Lead Agency, previously held a public hearing to consider comments regarding any environmental impacts of the Proposed Action on May 9, 2017 and continued the hearing to July 11, 2017, August 8, 2017, September 12, 2017, October 12, 2017, November 14, 2017 and December 12, 2017, at which time the State Environmental Quality Review Act (SEQRA) public hearing was closed.

Based upon a review of the Updated Parts 1 and 2 of the Full EAF and all other application materials that were submitted in support of the Proposed Action and the Amended 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, 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.**

Much of the analyses regarding impacts to land remain the same in the Amended Proposed Action as were analyzed for the Proposed Action in December 2017.

The Project Site continues to consists of four (4) parcels which are proposed to be merged into one development parcel of approximately 12 acres. Approximately 10 acres of the Site will be disturbed for development of the Project. The Site is currently developed with two buildings and is characterized by prior soil disturbance across much of the Site. Several stockpiles of aggregate and topsoil are currently located within the central portion of the Site on either side of the remnants of an asphalt road that extends across the central portion of the Site.

The Site is located within the RD-1.7 Zoning District. The Amended Project proposes 246 dwelling units (350 bedrooms) in seven (7) apartment buildings with associated infrastructure including utility lines, stormwater facilities, and a below-grade parking garage and on-grade parking. The number of proposed units was reduced from the 307 units (413 bedrooms) analyzed as part of the Planning Board SEQRA Negative Declaration adopted on December 12, 2017. The reduction in proposed units was required to comply with Local Law No. 9-2018 adopted by the City Council on May 21, 2018 which amended the calculation of lot area per dwelling unit in the R1, RD and Fishkill Creek Development Districts. Local Law No. 9-2018 generally requires that areas containing “Very Steep Slopes” must be deducted from the total net buildable area for the purposes of determining a property’s allowable density. “Very Steep Slopes” are defined by Local Law No. 9-2018 to include slopes of 25% or more extending over a contiguous land area of at least 10,000 square feet. Based on this formula, a total area of 110,533 square feet was deducted from the lot area to determine the Property’s net buildable area. This calculation resulted in a total unit count of 242 prior to adding the 10 bonus units as per the City’s Affordable Work Force Housing Law, bringing the total allowable units to 252. The Amended Proposed Action proposes 246 units comprised of 25 studios, 126 1-bedroom units, 86 2-bedroom units, and 9 3-bedroom units.

Land banked parking will continue to be utilized for a portion of the proposed parking spaces to minimize land disturbance and impervious coverage. The prior plans proposed to land bank 33 parking spaces, whereas the Amended Proposed Action proposes to land bank 45 parking spaces. A total of 328 parking spaces are required pursuant to the City Zoning Code and 329 parking spaces are proposed through a mix of 238 surface parking spaces, 46 podium parking spaces and 45 land banked parking spaces.

The Project will continue to require the removal of approximately 3.2 acres of woods, which generally involves smaller trees located on the interior of the site. No wetlands or wetland buffer areas will be disturbed as a result of the Project. As described in the June 12, 2018 memorandum from Hudson Land Design, P.C. entitled, “Reduced Density Proposal – Avoidance of Newly Defined Very Steep Slopes Wherever Possible,” disturbance of slopes will be avoided, minimized and stabilized using best management practices during construction and post-construction.

The revised site plan features several changes to reduce the impacts on Very Steep Slopes compared to the previous December 12, 2017 plans, including a retaining wall along the eastern parking area to maintain existing slopes near Bank Street, elimination of the parking areas behind Building 7 and along the lower access driveway, and the relocation of the western trail route to avoid slopes along the bluff overlooking the Hudson River. Due to proposed development on Very Steep Slopes, compliance with Section 223-16.B will be required for any final approvals for the Amended Project.

- **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 continue to be 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 Amended Project does not include or require wastewater discharged to groundwater, and is not located within 100 feet of potable drinking water or irrigation sources.

Site disturbance will still exceed 1-acre. Therefore the full Stormwater Pollution Prevention Plan (SWPPP) that was prepared to obtain coverage under NYSDEC SPDES General Permit GP-0-15-002 will be updated to reflect the reduction in site disturbance and impervious surface coverage. The proposed stormwater practices shown on the plans and described in the SWPPP are designed in accordance with the NYSDEC Stormwater Management Design Manual, including design of an underground site stormwater conveyance system and three infiltration basins.

The Amended Project will be connected to the existing public water distribution system. The Project reviewed for the Planning Board's December 2017 Negative Declaration was expected to require 45,430 gallons of water per day at full build out based on 307 dwelling units (413 bedrooms). The Amended Project is now expected to require 38,500 gallons of water per day at full build out based on 246 dwelling units (350 bedrooms). This represents a reduction of 6,930 gallons per day. Based on a recent study completed by the City of Beacon, there is sufficient public water supply for the Amended Proposed Action.

A 6" ductile iron (DI) water main runs beneath Tompkins Terrace and an 8" DI main runs beneath Bank Street. An 8" DI spur runs into the Site beneath Branch Street from Bank Street to an existing hydrant. The Amended Project continues to propose that the Site will connect to the 8" DI pipe (DIP) on Bank Street through a 8" DIP. The 8" DIP will be brought through the Site to provide water supply to the new buildings and continue to Branch Street and connect to the 8" DIP forming a looped connection to the City water system. The Applicant continues to propose to dedicate the new 8" water main to the City, along with a 20' wide utility easement for maintenance purposes. Flow and pressure tests have confirmed adequate flow and pressure are available for the Project. New fire hydrants and periodic isolation valves are proposed within the Site. In the event the City does not accept dedication of the 8" water main and easement, the infrastructure will remain privately owned and maintained but will need to be modified to include backflow prevention devices and meters. Notably, the Amended Project does not propose to use public water for irrigation purposes. Rather, the Amended Project includes an underground cistern for harvesting roof runoff for irrigation purposes. This is consistent with the original Project that was the subject of the December 2017 Negative Declaration.

The Amended Project will be connected to the existing public sanitary sewer system. The Project reviewed for the Planning Board's December 2017 Negative Declaration was expected to require 45,430 gallons of water per day at full build out based on 307 dwelling units (413 bedrooms). The Amended Project is now expected to require 38,500 galls of water per day at full build out based on 246 dwelling units (350 bedrooms x 110 gpd/bedroom). This represents a reduction of 6,930 gallons per day. Under normal operating conditions the public sanitary sewer system is

sufficient for the Project; however the West Main Street sewer pump station may require upgrades. If it is determined that upgrades are necessary as the City's hydraulic model of the sewer system is updated, the upgrades will be implemented as necessary. The Site currently contains an existing apartment building, and a single family residence. Both structures will be demolished thereby eliminating any current inflow and infiltration (I&I) entering the City sanitary sewer system (North interceptor) from the Site.

- **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 Amended Proposed Action, the treatment of stormwater will continue to be provided for the new impervious area. The Planning Board noted in its December 2017 Negative Declaration that a Stormwater Pollution Prevention Plan (SWPPP) had been prepared in accordance with the requirements of NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-0-15-002. The final stormwater management system was proposed to consist of minimal conveyance systems which included culverts and grass-lined swales/dikes where required. It was anticipated that most, if not all perimeter diversion swales/dikes will be unnecessary and removed after installation; however, there may be a need for some as site conditions warrant. The remainder of the drainage area would remain undisturbed with natural vegetation remaining.

The Amended Project includes a reduction in impervious surface coverage. Based on this reduction, the SWPPP will be updated to include the reduction in impervious area which was contributing to each stormwater management facility (Bioretention Areas 1 & 2 and Infiltration Basin 3). The reduction in impervious surface coverage will reduce overall stormwater impacts.

Further, the Amended Project continues to propose the implementation of green infrastructure practices to the greatest extent possible to reduce runoff, including avoidance of sensitive areas, minimizing grading and soil disturbance, minimizing impervious areas on internal access ways, driveways and parking areas, and use of meadow as permanent final groundcover to provide better water quality. The Amended Project continues to propose parking spaces and drive aisles that were reduced in size from 9'x20' with a 25' drive aisle to 9'x18' with a 24' drive aisle, to comply with the newly amended City Code requirements and consistency with the "Greenway Connections" and NYSDEC stormwater objectives to reduce impervious surfaces. Infiltration/bioretention practices, use of open channel

vegetated conveyance systems, and an underground cistern for roof runoff will also continue to be implemented.

As in December 2017, pretreatment practices proposed for the Amended Project include overland flow, vegetated swales, stone check dams, hydrodynamic devices, treatment practices, bioretention areas, infiltration basins and grass filter strips.

In December 2017, the proposed Bioretention areas 1 and 2 did not meet 100% Runoff Reduction Volume (RRV) due to shallow bedrock constraints. The January 2015 NYSDEC Stormwater Design Manual describes acceptable site limitations to include shall depth to bedrock. It was proposed at that time that Bioretention Area 1 will be supplemented with cisterns for roof runoff, and Bioretention Area 2 will be supplemented with a vegetated swale to maximize the Runoff Reduction Volume. As the SWPPP is updated by the Applicant to include the reduced impervious surface coverage, the City Engineer will review to confirm whether these practices remain applicable and issue his recommendations to the Planning Board. Moreover, temporary vegetation sufficient to stabilize the soil will be provided on all disturbed areas as needed to prevent soil erosion, in accordance with the SWPPP.

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

Impacts on air resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

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 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 the final filed site plan and 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.**

Impacts on plants and animals resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

Pursuant to a March 30, 2017 letter from NYSDEC, the only state-listed species recorded within or near the Project Site is the Indiana Bat (NYS Listing: Endangered). The main impact of concern for bats is the removal of potential roost trees. The Applicant submitted a Threatened and Endangered Species Habitat Suitability Assessment Report, dated September 15, 2017, prepared by Ecological Solutions, LLC, Southbury, CT. The Report concluded "The proposed project will require the removal of approximately 3.2 acres of woods for the proposed project, which generally involves smaller trees located on the interior of the site that consist of opportunistic trees that are not prime for Indiana bat habitat." Pursuant to NYSDEC recommendations, removal of trees greater than four (4) inches in diameter at the Project Site will take place between October 1 and April 1 during the bat hibernation period to avoid the removal of trees which may be utilized by Indiana Bats as roosting trees. The Amended Proposed Action also includes shielded, cut-off light fixtures that direct light down to minimize light pollution and not interfere with potential bat foraging activities. Lastly, the Amended Proposed Action includes implementation of soil conservation and dust control best management practices, such as watering dry disturbed soil to keep dust down, and using staked, recessed silt fence and anti-tracking pads to prevent erosion and sedimentation in surface waters on the site. Also, native vegetation is proposed to enhance wildlife habitat.

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

There continue to be no agricultural resources in the vicinity of the Site.

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

Impacts on aesthetic resources resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

The Amended 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.

The Local Waterfront Revitalization Program (LWRP) does not list viewsheds from the Site, or viewsheds that would be obscured by the Project. Seasonal views of the Amended Project will be experienced from the Metro North train station and from the Hudson River. The Applicant submitted an updated LWRP Consistency Statement, prepared by Aryeh Siegel, Architect, which was reviewed by the City Planner. Photo renderings of the Amended Project were also submitted by the Applicant demonstrating the possible seasonal views from these vantage points. The views remain unchanged from the December 2017 Negative Declaration. The renderings demonstrate that the tops of the buildings will be visible to some degree and the level of visibility will change with the seasonal leaf coverage. Architectural review of the proposed building roofs includes attention to the roof materials and finishes to harmonize with the existing landscape. The buildings have been designed to be set back from the property lines to allow for the maintenance of the existing wooded hillsides around the proposed development areas. The seasonal views of the Amended Project are consistent with the existing viewshed and will not result in a significant adverse environmental impact.

It is noted that the height of the proposed buildings complies with the maximum building height permitted in the RD-1.7 District. However, due to the method in which the buildings are measured under the City of Beacon Zoning Code three (3) of the seven (7) proposed buildings received a variance from the maximum number of stories permitted. Buildings 3, 4 and 6 will be 55 feet in height, consistent with the limitations in the Zoning Code, but are measured as 5 stories where a maximum of 4.5 stories is permitted.

Although there are no officially designated scenic views affected by the Amended Project, it should be noted that views of the Amended Project from publically accessible areas such as public streets, will be improved in the Amended Project as compared to the original Project reviewed for the December 2017 Negative Declaration. The reduced unit count requires 58 fewer parking spaces which resulted in additional green space, particularly at the most visible portion of the Property near the Bank Street/Tompkins Avenue intersection. Also, the parking areas behind Building 7 and along the lower driveway south of Building 4 have been eliminated.

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

Impacts on historic and archeological resources resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

Pursuant to a March 30, 2017 letter from NYSDEC, the records of 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 (NYS OPRHP) state that the Proposed Action is located within an area considered to be sensitive with regard to archaeological resources.

A Phase 1A Archeological Investigation for the Project Site dated September 2017 was submitted for the Board's review. The Phase 1A Report provides the following conclusion:

"The project area has experienced extensive soil disturbance, initially the result of historic development followed by excavation related to the removal of the historic buildings that once occupied the site. The recent use of the property for aggregate and topsoil stockpiling have also affected the landscape. A significant portion of the property, especially along the eastern, southern and western perimeters, have slopes exceeding 12%. With the high level of disturbance and the presence of slopes greater than 12%, no further archeological investigation is recommended."

Additionally, based on its review of the Project (OPRHP Project Review #17PR06370), in a letter dated October 10, 2017, the NYS OPRHP provided the following opinion: "...[the] project will have no impact on archaeological and/or historic resources listed in or eligible for the New York State Register of Historic Places."

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

Impacts on open space and recreation resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

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 Site is primarily a vacant lot, with improvements limited to an existing apartment building and a single family residence. If a park of adequate size and practical location does not address the need for additional recreation/parkland within the City, 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 Amended 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.**

A Traffic Impact Study, dated January 18, 2017, revised February 27, 2017, (the “Study”) was prepared by Maser Consulting, P.A., Hawthorne, N.Y. for review by the Planning Board. The Study was prepared to identify current and future traffic operating conditions on the surrounding roadway network and to assess the potential traffic impacts of the Project. The Study was based on the prior proposal of 307 dwelling units. The Study was subject to review and comment by the Planning Board’s Traffic Consultant, Creighton Manning Engineers, LLP, Albany, N.Y.

The Amended Project continues to propose access to the Site at a reconstructed driveway connection to Tompkins Avenue located between Tompkins Terrace and Bank Street. The Amended Project also continues to include an extension at the southern end of the Site to Branch Street, providing access directly to Bank Street, which connects to West Main Street to the south.

The Study established Year 2017 Existing Traffic Volumes and then projected a 2022 Design Year which took into account background traffic growth and traffic from other potential or approved developments in the area. Estimated volume from the Project during peak hours was added to the Study and the Existing, No-Build and Build Traffic Volumes were compared to roadway capacities based on procedures from the Highway Capacity Manual to determine existing and future Levels of Service (LOS) and operating conditions.

The following intersections were studied:

Wolcott Avenue (NYS Route 9D)/Tompkins Avenue/Ralph Street
Tompkins Avenue/Bank Street
Beekman Street/W.Main Street
W.Main Street/Bank Street
Wolcott Avenue (NYS Route 9D)/Verplanck Avenue
Wolcott Avenue (NYS Route 9D)/Beekman Street/West Church Street
Wolcott Avenue (NYS Route 9D)/Main Street/Municipal Place
Tompkins Avenue/Site Access
Branch Street/Bank Street

The Study concluded and the Planning Board’s Traffic Consultant concurred that similar levels of service and delays will be experienced at the area intersections

under the future No-Build and Build Conditions. The majority of the intersections studied will experience a traffic volume increase of 7% or less as a result of Edgewater or the West End Lofts project recently approved by the Planning Board. The traffic projections do not take any credits for the anticipated use of Metro North and/or pedestrian trips to the train by residents of the new developments, which will likely reduce the actual peak vehicular traffic generated given the walking distance to the train station. The Applicant's traffic consultant prepared analyses for the Project as a transit-oriented development, based on the Site's proximity to the Metro-North train station. Where a mass transit credit is applied to the Project, which the Applicant's traffic consultant identified could be obtainable for the Site, the Applicant's traffic consultant concluded: "...the expected delays would be less at the study area intersections as a result of the lower vehicular traffic generation from the project."

Notwithstanding, due to anticipated delays at the Wolcott Avenue/Verplanck Avenue and Wolcott Avenue/Beekman Street intersections, traffic signal timing modifications are proposed during the AM Peak Hour for the Wolcott Avenue/Verplanck Avenue intersection and during the PM Peak Hours for the Wolcott Avenue/Beekman Street intersection, to address the project related delay increases. With these traffic signal timing modifications, the intersections will operate similar to No-Build conditions without the Project. Additionally, the intersections of Wolcott Avenue/Tompkins Avenue and Beekman Street/West Main Street are proposed to be monitored after occupancy of the Project to assess whether traffic signal warrants will be satisfied at these locations.

Related to transportation, the Amended Project also continues to propose improved pedestrian access to and from the Amended Project, upgraded pedestrian facilities along Branch Street, Bank Street and West Main Street, and pedestrian striping and signing improvements at the intersection of Bank Street and West Main Street. The Amended Project also continues to propose ample bicycle storage and a car share program for its residents.

An updated review of traffic conditions was prepared by the Applicant's consultant, Maser Consulting, P.A. in a letter dated June 5, 2018 ("Updated Traffic Analysis"). The Updated Traffic Analysis includes the AM Peak Hour and PM Peak Hour trip generated projected for the Amended Proposed Action with 246 dwelling units instead of 307 dwelling units. As expected, the reduced density proposal results in a reduction in traffic generation. The net reduction in trip generation at the AM Peak Hour is 31 (307 units: 155 trips vs. 246 units: 124 trips) and the net reduction in trip generation at the PM Peak Hour is 35 (307 units: 188 vs. 246 units: 153). Notwithstanding the reduction in projected trip generation, the Applicant continues to propose all previously proposed traffic mitigation measures, as described above.

As with the original Study, these projections do not account for any mass transit usage by residents of the development. However, due to the Property's proximity to the Metro-North Train Station it is likely that a portion of residents will utilize mass transit thus reducing the actual trip generation.

The Planning Board's Traffic Consultant, Creighton Manning Engineers, LLP, Albany, N.Y., reviewed the Updated Traffic Analysis and in a memorandum to the Planning Board dated July 3, 2018 concurred that the Amended Project will result in fewer trips than that originally studied.

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

Impacts on energy resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

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

Several green building techniques have been incorporated into the Amended Project. The building design will allow for the ability to utilize solar energy in the future if and when it becomes feasible.

- **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.**

Impacts on noise, odor and light resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

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

Noise impacts associated with the proposed Amended 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. Soil testing was conducted onsite to investigate the depth of the soil and rock conditions. In the area of Bioretention area 1, shale bedrock was found less than 5 feet from the existing grade. In the area of Bioretention area 2, bedrock depths were found to be slightly deeper than 4 feet. If blasting becomes 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.

All proposed lighting will be fully shielded and dark sky compliant. Lighting levels along the access drive will generally be low (within 0.0 – 1.0 footcandles along the majority of the access drive, with discrete areas of increased intensity under lighting fixtures (up to about 3.0 footcandles). The proposed Lighting Plan shows minimal to no light spillage over property lines. Lighting at the perimeter of the site is negligible.

- **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.**

Impacts on human health resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

According to information available on the NYS DEC Site Remediation Database, the off-site contamination under the following Site Codes identified in the EAF has either completed a remediation program or does not pose a threat to development on the Edgewater Site: V00293, C314112, V00096, 314069, 546031.

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

Impacts on community plans and community character resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

The Amended Project is consistent with the recommendations and goals identified in the 2007 Comprehensive Plan and 2017 Comprehensive Plan Updates regarding density of developments. The Site is the only property in the City classified in the RD-1.7 Zoning District and the number of proposed dwelling units complies with the provisions of the RD-1.7 District. The transit oriented nature of the Amended Project is consistent with the Comprehensive Plan which seeks to encourage development and allow for increased density of housing in the waterfront/train station area of the City. (2007 Comprehensive Plan, pp. 7 & 17; 2017 Comprehensive Plan Update, p. 10). The density of the Amended Project is also consistent with the surrounding neighborhood which includes the existing Tompkins Terrace and Colonial Springs residential developments.

The Amended Project will create an increased demand for community services such as emergency services and the Beacon City School District. The application was previously referred to the City of Beacon Police and Fire Departments and the general layout has not substantially changed since that time, except to create a “No Parking, Fire Zone” in front of Building 4 to address comments from the Fire Department. The Amended Project will be constructed in accordance with all applicable state and local emergency and fire safety requirements.

The December 2017 Negative Declaration adopted by the Planning Board contains a lengthy discussion of impacts to the Beacon City School District (BCSD). At that time, the Planning Board concluded that based on the information provided the Planning Board’s professional planning consultant, the Applicant’s professional planning consultant and the BCSD, the addition of 42 school-age children represents the most accurate application of the Rutger’s ratios. The Planning Board also considered the instruction budget vs. the total budget of the BCSD in determining the impacts of the Project on the BCSD. The following chart was provided in the December 2017 Negative Declaration to show the net fiscal impacts of 42 school-age children:

	<u>Cost/Student</u>	<u># Students</u>	<u>Add’l. Costs</u>	<u>Revenue</u>	<u>Net Impacts</u>
<i>Instructional Budget</i>	<i>\$17,102</i>	<i>42</i>	<i>\$718,284</i>	<i>\$810,300</i>	<i>+ \$92,016</i>
<i>Total Budget</i>	<i>\$23,116</i>	<i>42</i>	<i>\$970,872</i>	<i>\$810,300</i>	<i>-\$160,572</i>

After considering all testimony and written submissions to the Planning Board on this subject, the Planning Board determined that the addition of 42 school-age children as a result of the Project will not create a significant increased demand on the School District.

The Applicant has submitted revised analysis of the generation of school-age children resulting from the Amended Proposed Action which includes 246 dwelling units instead of 307 dwelling units. The Amended Proposed Action will produce fewer school-age children than the previously studied Proposed Action. According to the City Planner’s review of the Applicant’s analysis, application of the Rutgers demographic multipliers results in an estimated 36 public school-age children, compared to 42 in the former projection.

Further, based on a July 3, 2018 memorandum from the Beacon City Assessor, the estimated valuation of the Amended Proposed Action remains \$34-40 million due to the overall square footage of the development remaining relatively constant despite the reduction in the number of units. Therefore, the fiscal impacts to the BCSD will similarly be less than that which was previously studied for the December 2017 Negative Declaration.

Thus, for the reasons set forth in the December 2017 Negative Declaration and updated herein, the Planning Board finds that the Amended Proposed Action will not have a significant adverse impact on community services including the BSCD.

Based upon all information before the Planning Board to-date, including the revised Full EAF, the Planning Board finds that the Amended Proposed Action will not have any significant adverse impacts upon the environment. This Amended Negative Declaration indicates that no environmental impact statement need be prepared and that the SEQRA process is complete.