

**TOWN OF POUGHKEEPSIE PLANNING BOARD
RESOLUTION DETERMINING THAT THE
FINAL ENVIRONMENTAL IMPACT STATEMENT
IS COMPLETE**

IN THE MATTER OF MACDONNELL HEIGHTS TOWN CENTER

WHEREAS, Meadow View Properties LLC, Kirchhoff Properties, LLC and Industrial Retro LLC are the owners collectively of an approximately 61-acre site proposed to be developed with up to 390 residential dwelling units in apartments and townhomes; 85,000 to 180,000 SF of commercial and non-residential space; recreational amenities; and associated parking and utilities (the “Project”); and

WHEREAS, the Project site is comprised of the following parcels: 6262-04-723342, 761394, 749282, 754298, 758301, 864243 and 892195; and

WHEREAS, Kirchhoff Properties, LLC is the applicant for this Project; and

WHEREAS, the Site is located in the MacDonnell Heights Center (MHC) and Heavy Industrial (I-H) Zoning Districts of the Town Code of the Town of Poughkeepsie (“Town Code”); and

WHEREAS, on January 25, 2016 the Town of Poughkeepsie Planning Board received applications for Site Plan, Special Use Permit, and Subdivision approvals (“Applications”) from the applicant, as well as a Long Environmental Assessment Form (“EAF”) Part 1, setting forth technical details pertaining to the potential environmental impacts of the Project; and

WHEREAS, on February 29, 2016 the Board circulated the Applications and EAF to the identified involved and interested agencies seeking their consent to the Board acting as the Lead Agency for purposes of coordinating the environmental review of the project pursuant to 6 NYCRR 617.6; and

WHEREAS, on March 29, 2016, with no objection being received from any involved agency, the Planning Board assumed Lead Agency status; and

WHEREAS, on August 16, 2016 the Board issued a Positive Declaration requiring the preparation of a Draft Environmental Impact Statement (“DEIS”) pursuant to 6 NYCRR 617.7, and simultaneously issued a draft scoping document for public review; and

WHEREAS, for this application, the Planning Board chose to exercise the option granted to it pursuant to the SEQRA regulations to directly undertake the preparation of the EIS (rather than have the applicant do so), and retained VHB Engineering, Surveying, and Landscape Architecture, P.C. (“VHB”) for that purpose; and

WHEREAS, VHB then prepared the initial scoping document, and subsequently the DEIS and Final Environmental Impact Statement for the Project (“FEIS”) based upon the information contained in the Applications, plans and materials provided by applicant; and

WHEREAS, on September 22, 2016, the Board held a public scoping session to identify potentially significant adverse environmental impacts related to the Project to be addressed in the DEIS, and after closing the public scoping session on September 22, 2016 accepted written comment on the draft scoping document through September 30, 2016; and

WHEREAS, on October 20, 2016 the Board adopted a Final Scoping Document in accordance with 6 NYCRR 617.8; and

WHEREAS, with the consent of the Owner, and pursuant to 6 NYCRR 617.9(a)(1), the Board authorized the preparation of a DEIS in accordance with the adopted Final Scoping Document; and

WHEREAS, the applicant submitted a Draft Environmental Impact Statement to the Planning Board on September 14, 2017; and

WHEREAS, the Planning Board, after consultation with Planning Department Staff, independent consultants, and counsel, determined on September 28, 2017 that the DEIS was “adequate with respect to its scope and content for the purpose of commencing public review” pursuant to 6 N.Y.C.R.R. Section 617.9(a)(2); and

WHEREAS, the Board held a duly-noticed public hearing on the DEIS on October 19, 2017, and on November 1, 2017 moved to formally accept written comments on the DEIS until November 22, 2017, more than 14 days thereafter; and

WHEREAS, the applicant submitted a draft FEIS to Planning Department Staff by sections on various dates in November and December, 2017; and

WHEREAS, Planning Department Staff, independent consultants, and counsel reviewed the draft FEIS to determine whether to accept it as complete for the purpose of distributing it to the public; and

WHEREAS, on various dates, Planning Department Staff and independent consultants provided the applicant with comprehensive comments on the draft FEIS seeking additional information and various clarifications; and

WHEREAS, on or about January 2, 2018 the applicant submitted a revised draft FEIS to the Planning Board, which addressed the aforementioned comments; and

WHEREAS, the Planning Department Staff and counsel have reviewed the latest revised version of the FEIS, and are recommending pursuant to 6 N.Y.C.R.R. Section 617.9(a)(6) that the Planning Board deem this version of the FEIS as complete, and to direct Staff to publish a Notice of Completion and file copies of the FEIS pursuant to 6 N.Y.C.R.R. Section 617;

NOW THEREFORE BE IT RESOLVED THAT:

1. The Planning Board hereby determines that the information submitted in the FEIS, including all responses to public comment, is complete and adequate, and directs Staff to file, publish and circulate the Notice of Completion and the FEIS in accordance with the requirements of 6 N.Y.C.R.R. Sections 617.9 and 617.12; and

2. The Planning Board hereby directs Staff to arrange to: (i) publish the Notice of Completion as required in the Environmental Notice Bulletin (ENB); and (ii) have copies of the FEIS filed with the New York State Department of Environmental Conservation, and the Office of the Town Clerk for public review; and (iii) have a copy of the FEIS and Notice of Completion

circulated to all involved and interested agencies; and (iv) have the FEIS posted on the Town's website at: <http://www.townofpoughkeepsie.com> .

Moved: *Carl Whitehead*

Second: *Rocco Romeo*

	<u>VOTE</u>
Chairman Weisman	Yes
Member Whitehead	Yes
Member Paganelli	Yes
Member Romeo	Yes
Member Fanelli	Yes
Member Powers (alt.)	Absent
Member Gemmati (alt.)	Yes

The above resolution was duly adopted by the vote of a majority of the members of the Town of Poughkeepsie Planning Board at a meeting held on January 18, 2018.

By: *Carol A. Barone*

Carol Barone, Clerk
Town of Poughkeepsie Planning Board