

August 30, 2015

Supervisor Todd Tancredi  
Poughkeepsie Town Hall  
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Poughkeepsie NY 12603

Subject: Hudson Heritage Draft Scoping Document comments

In addition to my comments offered at the August 19, 2015 public hearing on the Hudson Heritage Draft Scoping document, I offer the following public comment for the record:

\* In order to facilitate public participation in the scoping process, future revisions to the Scoping Documents should be in the form of a searchable PDF.

\* The 750 residential units proposed exceeds the number of units allowed under current zoning. However, there does not appear to be identification of density bonuses or incentives that will allow the project to reach the 750 units proposed. Density bonuses and incentives should be identified.

\* The number of residential units should be substantially reduced in order to mitigate impacts including, but not limited to, traffic impacts resulting from a project of this magnitude. The project proposes 750 residential units and a 350,000 sq ft commercial component including a 165,000 sq ft building which is about the size of the average Walmart Supercenter. The project may also include an additional 80,000 square feet of hotel space plus re-use of several other buildings.

The 750 residential units alone could result in 1,000 to 2,000 vehicles and there will be increased vehicle traffic from those shopping at retail spaces and attending publicly accessible recreation opportunities such as trails and "The Great Lawn". Increased vehicle counts should be broken down by commercial and residential.

\* When taking economic feasibility into account regarding the number of residential units to be built, the fact that the applicant will likely be receiving millions and millions of dollars in tax credits from participation in the New York State Brownfield Cleanup Program must be taken into consideration. Estimate of such tax credits should be provided.

\* While the claim is made that the proposed action will bring in much needed tax revenue, the majority of studies show that cost of services from residential growth exceeds the tax revenue generated.

Projected tax revenues do not take into account the fact that property owners often subsequently request - and receive - a reduction in the assessed value of the property which then lowers the taxes paid and the associated tax revenue. See September 2, 2015 Poughkeepsie Town Board Agenda identifying 28 Tax Certiorari Proceedings for Review of Tax Assessments.

<http://www.townofpoughkeepsie.com/clerk/2015/TownBoard20150902.pdf>

Also, when the town board votes to approve a tax certiorari, it means a loss of tax revenue for local fire districts whose Boards do not get to vote on the reduction but must still provide fire and emergency medical services.

In regard to specific impacts and existing conditions:

**Regarding Fiscal and Economic:**

\* Population growth should be translated into consequent public services costs.

\* Revenues generated by growth should be projected.

\* Development-induced costs should be projected.

\* When comparing development-induced costs to revenues generated, future reductions in assessed values should be estimated based on the town's past history of approved tax certiorari. Those reductions should be taken into consideration when performing the comparison of costs to revenues. As noted above, current requests for 28 tax assessment reviews by the Town Board are identified at

<http://www.townofpoughkeepsie.com/clerk/2015/TownBoard20150902.pdf>

**Regarding Land:**

\* As EAF Part 2 indicates construction on slopes of 15% or greater may occur, steep slopes should be quantified and depicted using Town Code 177-7 definition of steep slopes which reads "All ground areas having a topographical gradient equal to or greater than 20% measured by utilizing two-foot contours".

\* As EAF Part 2 indicates potential moderate to large erosion impacts due to physical disturbance or vegetation removal, the number, species, size and location of trees to be removed should be quantified. The effect of such tree removal on erosion and soil retention should be identified along with mitigation of impacts.

\* As EAF Part 2 indicates potential moderate to large erosion impacts and the proposed action is or may be located within a Coastal Erosion Hazard Area, the latest Coastal Erosion Hazard Area maps should be consulted with adherence to

ECL Article 34 and 6 NYCRR Part 505.

**Regarding Flora and Fauna:**

- \* As EAF Part 2 indicates potential moderate to large impact on threatened or endangered species and their habitat, mapping of plant and animal life should take place over a range of seasons at optimal times.
- \* As the EAF indicates potential moderate to large impacts from removal of 10 or more acres of forest or important habitat, existing trees 8 or more inches DBH should be inventoried and depicted and a tree preservation plan provided in order to avoid impacts to mature trees on the project site.
- \* Biodiversity and habitat reports and maps prepared for the Town by Hudsonia should be consulted so that impacts to important habitat areas are avoided and minimized instead of proceeding directly to mitigation.
- \* As Indiana bats and bat habitat have been found in neighboring areas of the Town, surveys for this state and federally endangered species should be conducted. Mitigation measures other than avoidance of tree removal during summer roosting periods should be proposed as such mitigation does nothing to address long-term impacts of habitat removal.
- \* Habitat and nest site surveys should be conducted for any federal or state-listed endangered, threatened or special concern species that exist or may be impacted.  
Surveys should include Blanding's turtles and its habitat as temporary exposed soil conditions could attract this state-listed threatened species to the site. If found, disturbance of habitat in Priority Zones and Conservation Zones identified by Hudsonia should be avoided.

**Regarding Noise:**

- \* As the EAF indicates potential moderate to large noise impacts, evaluation of impacts associated with removal of buildings that currently act as noise barriers should be conducted.
- \* As the EAF indicates potential moderate to large noise impacts, evaluation of impacts associated with removal of trees on the project site should be conducted as trees also act as noise barriers. Impacts should be determined for leaf-on and leaf-off conditions since sound carries differently depending on the seasons.

**Regarding Geology:**

- \* Soil analysis to test for prior contamination on the site including - but not limited to - PCBs should be conducted.

\* Known contaminated sites should be evaluated.

\* Remediation plans must be prepared for any additional sites that might be encountered.

**Regarding J. Traffic, Transportation, Pedestrians and Transit:**

**1.b.** ATR counts on Routes 9 and 9G should be conducted when schools are in session.

**1.c.** Traffic accidents reports for the last three years that are to be analyzed should include traffic accident reports from the Town of Poughkeepsie Police Department and Town of Hyde Park Police Departments as well as the NYSDOT.

**Regarding Demographics and Community Facilities:**

**1.c.(2)** Relevant service providers are described only as "Police". Identification of specific police department(s) should be provided.

**1.c.(3)** When describing relevant service providers - in addition to the Fairview Fire District - the Arlington Fire District, Hyde Park Fire District, Roosevelt Fire District and City of Poughkeepsie Fire Department should be included as they are providers under the Dutchess County Mutual Aid Plan.

**3.b** When describing potential impacts to service providers as a result of the proposed project - in addition to the Fairview Fire District - the Arlington Fire District, Hyde Park Fire District, Roosevelt Fire District and City of Poughkeepsie Fire Department should be included as they are providers under the Dutchess County Mutual Aid Plan.

**Regarding Stormwater Management:**

\* Identify New York State SPDES Permit for Construction Activity requirements.

**Regarding surface and subsurface water resources:**

\* Existing Conditions should address remediation work per NYSDEC Voluntary Cleanup Program Site No. V00657 which was implemented to mitigate impacts to a stream and wetland area due to the project site's prior use as a landfill. Per the NYSDEC database "Wastes are believed to include primarily household and commercial refuse as well as possibly coal ash, construction debris and municipal waste from the Town of Poughkeepsie." Scoping should include baseline stream and wetland sampling due to prior contamination.

\* V00657 also documents PCB contamination found in stream sediment due to a transformer explosion. The stream is a tributary to the Hudson River. Existing conditions should be expanded to include groundwater and surface sampling. The possibility of adverse surface and groundwater quality impacts from PCB

and landfill leachate contamination must be addressed.

\* The Site Health Assessment for V00657 per the NYSDEC database states "Drinking contaminated groundwater is not expected since there are no drinking water supplies near the site". The change in use of the site to residential and commercial use should address the potential for "drinking contaminated groundwater". Monitoring requirements should be identified.

\* Status of both the north and south contaminated sites on the property identified in the NYS Environmental Site Remediation as C314120 and C314121 as "Active" sites should be addressed with monitoring requirements identified.

\* Regarding identification of NYSDEC, ACOE and Town of Poughkeepsie wetlands & wetland buffers, there should be a table quantifying pre- and post-construction square footage of wetlands & wetland buffers that includes both temporary and permanent impacts as Chapter 116 of Town Code, Aquatic Resource Protection, does not differentiate between temporary and permanent wetland & wetland buffer impacts.

\* ACOE protocol to avoid and minimize potential impacts before proceeding to mitigation should be followed.

\* Regarding delineation of existing streams, wetlands and wetland buffers, during periods of below-normal rainfall, protocols for delineations under such conditions should be followed.

\* Regarding impacts of water resources required for significant areas of landscaping, including the "Great Lawn", mitigation should include use of Low Impact Development techniques such as cisterns and rain barrels as stored rain water can be used for landscaping irrigation. Such techniques aid in stormwater management as well as conservation of water resources.

#### **Regarding Hazardous Materials:**

\* Identify potential release of hazardous materials from demolition of existing buildings, clean up of site, construction of site and disturbance of soil and include mitigation of potential impacts resulting from these activities.

\* All three areas of the project site identified in the NYSDEC Environmental Site Remediation Database as V00657, C314120 and C314121 should be addressed under this category.

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cc: Town Clerk Felicia Salvatore, Poughkeepsie Town Board

