

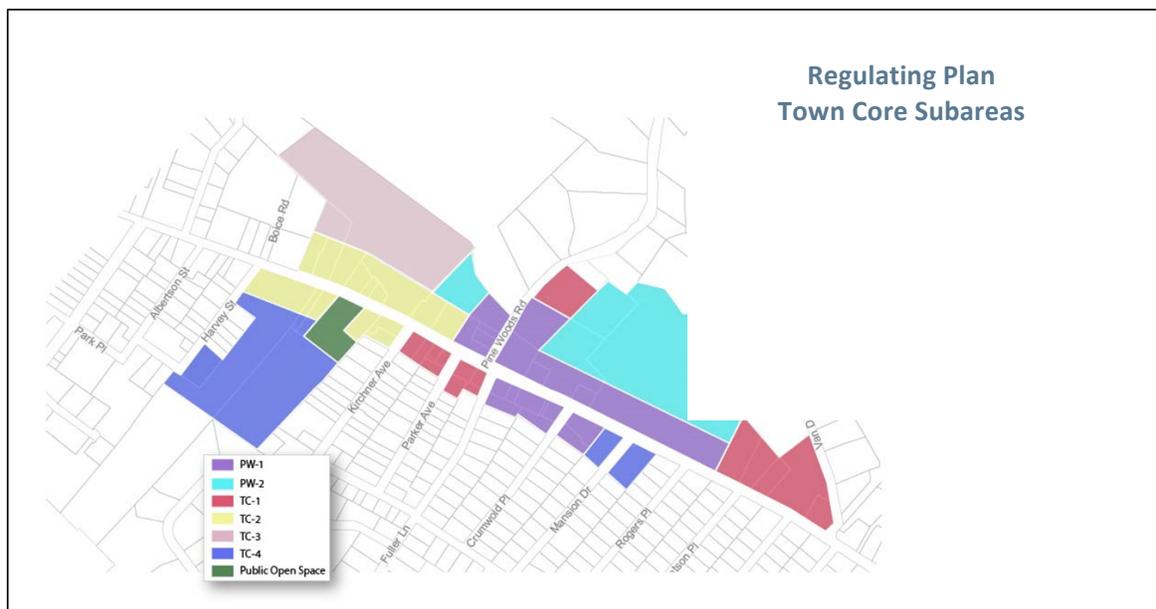
## Long EAF Narrative to Part 1

- I. **Proposed Action.** The Town of Hyde Park Town Board proposes to adopt the following:
- Amendments to the 2005 Town of Hyde Park Comprehensive Plan to incorporate the 2018 Town Center Vision Memo; and
  - Amendments to Chapter 108, Zoning, to create a new Town Core zoning district, which will be regulated in accordance with Development and Design Standards. These regulations specify the types of building types that will be allowed within specific subareas that form the Town Core zoning district.

In general, development within the Town Core zoning district will be guided by and will meet the following general design characteristics:

- Compact mixed-use development
- Mix of housing styles, types, and sizes, and higher density than other areas of the Town
- None to narrow front yard setbacks
- Greater setbacks for garages and accessory structures and behind the building façade
- Human-scale building design and configuration
- Orientation of buildings to the street
- A system of interconnected streets
- Streets with sidewalks, bike paths and transit offering multiple routes for multiple users
- Pedestrian amenities and connectivity
- Design and landscaping of parking lots and public spaces
- Incorporation of significant historic and scenic features into site design, including viewsheds of the Hudson River where visible

The Town Core zoning district will be further regulated in accordance with a Regulating Plan that includes subareas. Each subarea will allow a particular building type as shown in the chart



below

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Building Type	Town Core Subareas						
	OS	PW-1	PW-2	TC-1	TC-2	TC-3	TC-4
Row-Style Shopfront		●	●				
Traditional Shopfront		●	●	●	●		
One-Story Shopfront				●	●		
General Building						●	
Multiple Family			●	●	●	●	●
Multiple Family, Converted					●		
Townhouse			●	●	●	●	●
Threeplex and Fourplex				●	●	●	●
Two-Family Detached						●	●
Single-Family Detached						●	●
Public Gathering Space	●	●	●	●	●	●	●

By regulating building types, the Town is expressing that the building’s massing, scale, and appearance takes primary importance and the uses that are allowed are secondary. The Town Core Design and Development Standards further set forth architectural guidelines to ensure the quality of any new development is consistent with that envisioned by the public during the Town Center workshops.

It cannot be precisely determined what the potential buildout would be for the new Town Core zoning district, as almost all properties are already developed. Implementation of the vision for the Town Core will only be achieved through the provision of centralized sewer service within the project area. It is expected that new development will occur incrementally over time, and would not be developed in a single phase which would overwhelm natural resources, transportation systems, infrastructure, or community facilities.

**II. Project Area.** The project area includes the lands proposed to be rezoned to the Town Core zoning district. These areas are presently zoned Neighborhood (N) and Tow Center Historic District (TCHD). The new Town Core zoning district would generally include lands with frontage along Albany Post Road, and generally located to the north and south of its intersection with Pine Woods Road. The new zoning district extends generally from Harvey Street to the north to Van Dam Road to the south. The area to be rezoned to the TC zoning district (project area) is approximately 66 acres in size.

**III. Impacts Associated with the Adoption of Comprehensive Plan and Zoning Amendments.** The following narrative addresses the potential generic impacts that may result from the proposed action.

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**Impact on Land.** The proposed action involves Town Board adoption of a new zoning district, the Town Core (TC) district, which will encompass approximately 66 acres of the unincorporated area, and a Town Center Vision memo as an amendment to the Comprehensive Plan. Adoption of the comprehensive plan and zoning amendments in and of itself will not result in land disturbances or impact geology, topography or soils.

The majority of the proposed TC district is underlain by Austin Glen formation of Middle Ordovician age consisting of greywacke and shale.<sup>1</sup> The TC area, which is underlain by Austin Glen Formation, is not constrained by bedrock.

The Soils table below presents the soil types in the proposed TC zoning district. More than half of the proposed zoning district is underlain by gravelly silt soils which do not pose a significant constraint to development.

SOILS			
Map Unit	Map Unit Name	Acres	% of Total
HsA	Hoosic gravelly loam, nearly level	5.5	8.3
HuA	Hoosic-Urban land complex, nearly level	15.6	23.7
NwD	Nassau-Cardigan complex, hilly, very rocky	27.9	42.3
Ur	Urban land	17.0	25.7
	Total	66.0	100

Source: Soil Survey of Dutchess County, 2019.

General slope ranges within the proposed TC zoning district are presented in the Slopes table below. The majority of slopes within the area are flat. Moderately sloping soils, which can require additional land clearances and which may require additional engineering solutions to stabilize the land surface, is 42.3 percent of the land area.

SLOPES		
Percent Slope	Acres	% of Total
0-3	38.1	57.7
3-8	0	0
8-15	0	0
15-30	27.9	42.3
Total	66.0	100.0

Source: Soil Survey of Dutchess County, New York, 2019.

Future land development applications will be subject to site-specific review, including SEQRA review. Future land disturbances could result in vegetative removal and cut and fill of soils on the site to bring lands to appropriate grade to support a proposed development. A grading plan

<sup>1</sup> <https://mrddata.usgs.gov/geology/state/state.php?state=NY>

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identifying the areas to be graded, and a soil erosion and sediment control Plan to indicate how soil movement will be controlled during and post-construction would be required as part of any review. Any area that will not be developed with buildings or impervious surfaces will be landscaped in accordance with a landscaping plan as required by the Town's zoning chapter. The increase in stormwater runoff that will also result is addressed under "Impact on Flooding" below. Chapter 93, Stormwater Management and Erosion and Sediment Control, would govern future land disturbances. With inclusion of appropriate soil erosion controls, future projects are not anticipated to have any significant adverse impact.

**Impact on Geological Features.** Based on a review of the NYSDEC Environmental Resource Mapper and website, the proposed action will not impact any unique or unusual landform as they are not present on or adjoining the area to be rezoned. See <http://www.dec.ny.gov/permits/53826.html>.

**Impact on Surface Water.** Based on a review of the NYSDEC Environmental Resource Mapper, there are no mapped perennial streams, wetlands, or floodplains present in the proposed TC zoning district.

**Impact on Groundwater.** Adoption of the proposed comprehensive plan and zoning amendments will not have any significant adverse impact on groundwater. The project area is not located over a primary or principal aquifer. According to U.S.G.S. data available from a well on the Vanderbilt Mansion site, groundwater is generally found at an elevation of 65 feet below the ground surface.<sup>2</sup> During site-specific development application review, the Planning Board would review the potential for projects to have an effect on groundwater resources. As the project area is within the Hyde Park Water and Fire District, potable water is provided by the Dutchess County Water and Wastewater Authority (DCWWA) Hyde Park water system; raw water is supplied from the Hudson River<sup>3</sup>. No significant adverse impacts to groundwater are anticipated.

**Impact on Flooding.** The project area does not include lands that are located within the 100-year floodplain. All subdivision, site plan and building permit applications in Hyde Park must address or comply with the MS4<sup>4</sup> regulations which are set forth in Chapter 93, Stormwater Management and Erosion and Sediment Control. The purpose of the regulations applicable to MS4 communities is to ensure that the minimum requirements for control of construction site and post-construction runoff of the New York State SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s) are met. Any land development application will be subject to the above Town regulations and site-specific impacts would be determined at that time.

**Impacts on Air.** The proposed action, adoption of a comprehensive plan and zoning

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<sup>2</sup> <https://groundwaterwatch.usgs.gov/AWLSites.asp?mt=g&S=414737073563301&ncd=awl>

<sup>3</sup> <https://www.dutchessny.gov/CountyGov/Departments/WaterandWaste/Water-Quality-Reports/2017-Drinking-Water-Quality-Report-Hyde-Park.pdf>

<sup>4</sup> Municipal Separate Storm Sewer System

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amendment, will not have any impact on existing ambient air quality. Dutchess County is in attainment of the National Ambient Air Quality Standards (NAAQS). Future development applications within the project area may have the potential to generate short- and long-term air quality impacts associated with construction activities and the introduction of traffic which would introduce vehicle emissions. The potential effect of any site-specific development project on air quality would be reviewed based on the size of the project and the anticipated trips generated by same. In general, the average annual daily traffic volumes on Albany Post Road (12,409 trips) and Pine Woods Road (3,653 trips), even with additional growth, are not likely to result in any exceedances in air quality standards.

**Impacts on Plants and Animals.** Adoption of the comprehensive plan and zoning amendments would not result in any significant adverse impact to plants and animals. The majority of the land within the project area is developed. Any potential site-specific impacts would be reviewed at the time a specific land development application is submitted.

Based on a review of the NYSDEC Environmental Resource Mapper, there are two significant natural communities within the project vicinity – Hemlock Northern Hardwood Forest and Oak Tulip Forest.

A review of the EAF Part 1 indicated the following regulated species may be present in the project area's vicinity: Atlantic Sturgeon and Shortnose Sturgeon. As these are aquatic species associated with the Hudson River's habitat, they are not present in the project area. A review of U.S Fish and Wildlife Service data indicates that the following species have the potential to be located within the vicinity of the project area: Dwarf wedgemussel (federal endangered); Indiana Bat (federal endangered); and the Northern Long-eared Bat (federal threatened).

The Dwarf wedgemussel prefers watercourses with bottom substrates including silt, sand and gravel, which may be distributed in relatively small patches behind larger cobbles and boulders. The river velocity is usually slow to moderate. Dwarf wedge mussels appear to select or are at least tolerant of relatively low levels of calcium in the water.<sup>5</sup> These watercourses are not present in the project area.

Indiana bats disperse from their winter homes, known as hibernacula, some going hundreds of miles. They feed solely on flying insects and presumably males spend the summer preparing for the breeding season and winter that follows. Females congregate in nursery colonies, only a handful of which have ever been discovered. These were located along the banks of streams or lakes in forested habitat, under the loose bark of dead trees, and contained from 50-100 females. In August or early September, Indiana bats swarm at the entrance of selected caves or mines. This is when mating takes place. Indiana bats spend the winter months in secluded caves or mines which average 37 to 43 degrees F. Where this species is found, however, it can be extremely abundant, congregating in densities of more than 300/square foot. Year after year, bats often return to exactly the same spots within individual caves or mines. Hibernation

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<sup>5</sup> <http://www.dec.ny.gov/animals/42253.html>.

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can begin as early as September and extend nearly to June.<sup>6</sup>

Northern long-eared bats (NLEB) are primarily forest-dependent insectivores. They utilize a diversity of forest habitats for roosting, foraging and raising young. In general, any tree large enough to have a cavity or that has loose bark may be utilized by NLEB for roosting or rearing young. Prior to 2006, NLEB were frequently detected in the forests of every county of New York State with the exception of the 5 counties of New York City. Since they feed predominantly on flying insects, they hibernate through the late fall and early spring to save energy when food is not available. Most known hibernation sites are caves or abandoned mines.<sup>7</sup> NLEB were listed as "threatened" by the United States Fish and Wildlife Service (USFWS) under the federal Endangered Species Act on April 2, 2015. In New York, all federally threatened species that occur in the state are afforded threatened status under the New York Endangered Species Law and its implementing regulations. The federal listing was the result of a dramatic population decline throughout most of the species' range due to white-nose syndrome (WNS), a disease caused by an invasive fungus that ultimately causes affected hibernating bats to starve to death over the winter. Since WNS was first discovered in New York in 2006, a 98% decline in the abundance of NLEB has been observed. Legal protections afforded by the listing status of the bat are focused on minimizing and avoiding direct loss of the remaining individuals by protecting the known hibernation sites and limiting forest management activities where NLEB are most likely to be present to certain times of the year.

Most of the project area is developed. However, an area generally located northwest of Pinewood Park is within the TC zoning district and is wooded. The potential exists for habitat to be present there for these protected species. In addition, there are other common species that would be present within the proposed TC zoning district. As necessary and depending on the extent to which a site has remained undisturbed, site-specific field surveys would be required to determine the specific types of species found in the area. Consultation with the USFWS and NYSDEC, and field surveys would be conducted during site plan review, and appropriate measures to protect any species, if found, would be determined at that time.

**Impacts on Agricultural Uses.** The project area does not contain any agricultural uses. As such, the proposed action will not impact any agricultural uses within or adjoining the project area.

**Impact on Aesthetic Resources.** Adoption of the proposed comprehensive plan and zoning amendments is not anticipated to have a significant adverse impact on aesthetic resources. A portion of the project area on the west side of Albany Post Road is located in the Estates District Scenic Area of Statewide Significance (SAS), Hyde Park Center Subunit (ED-25). With regard to the project area, the SASS Report states as follows: "Hyde Park's residential neighborhoods are attractive, but the NY Route 9 corridor contains many discordant features including inappropriate architecture, large illuminated signs, extensive parking lots and overhead utilities. Period homes have been converted to offices and stores in a manner insensitive to the original architectural style. In contrast, the stone walls located throughout

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<sup>6</sup> <http://www.dec.ny.gov/animals/6972.html>

<sup>7</sup> <http://www.dec.ny.gov/animals/106713.html>

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the highway corridor provide an element of historic and visual interest.” The Report further states that the Hyde Park Center subunit is not unique and fairly representative of town centers in the region. Most views are of streetscapes in the suburban areas in which the Hudson River either does not play a major visual role or is not visible at all. The Report states that the Hyde Park Center subunit is recognized through its association with the larger Hyde Park community which includes the two National Historic Sites, the Franklin D. Roosevelt Home and Vanderbilt Mansion.

The proposed Town Core district would be regulated by Design and Development Standards which are intended to control the building pattern and architectural quality of infill development within the zone, in a manner that complements and respects the historic character of the Town, and which envisions infill development to create a traditional downtown area, rather than further promote a suburban streetscape. Adoption of the comprehensive plan and zoning amendments are anticipated to improve the visual quality of the project area.

Further, any future site-specific development application will be reviewed against these standards, and SEQRA review will be conducted.

**Impact on Historic and Archaeological Resources.** Adoption of the proposed comprehensive plan and zoning amendments will not have a direct significant adverse impact on historic or archaeological resources. As per a review of the NYS Office of State Parks, Recreation and Historic Preservation (NYSOPRHP) website, the following properties are listed on the National or State Register of Historic Places within the project area:

- Hyde Park Elementary School;
- Berg-Stoutenburgh House.

The Town Center Vision Memo specifically acknowledges the importance of these two historic properties and recommends that any future development be designed in a manner which protects the integrity of these resources.

The entirety of the project area is located in archaeologically sensitive area. Any land development application submitted for a project within the project area would be subject to site-specific SEQRA review. At such time, the potential effect of a project on individual properties would be determined through consultation with the NYS Office of Parks, Recreation and Historic Preservation. If necessary, submission of a cultural resource study would be submitted by an Applicant for review by the State Historic Preservation Office.

**Impact on Open Space and Recreation.** The proposed project will not result in any reduction in public open space or recreational land or uses. The Town Core zoning district proposes the protection of an open lawn area in front of the Hyde Park Elementary School for open space, in order to ensure that views to this historic building from Albany Post Road are maintained. The Town Center Vision memo also recommends that development of the future parcels adjoining

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Pinewoods Park provide pedestrian connections to same. Depending on the scale of any future development in the TC zone, public gathering spaces will be integrated into the development to provide a recreational benefit to existing and future residents and employees of the project areas and its vicinity. No significant impact to Open Space or Recreation is anticipated as a result of this action.

**Impact on Critical Environmental Area.** A review of the NYSDEC website indicates that Critical Environmental Areas are not present within or in close proximity to the Project Area. No impact is anticipated to this resource. Refer to <http://www.dec.ny.gov/permits/25137.html>

**Impact on Transportation.** Adoption of the proposed comprehensive plan and zoning amendments is not anticipated to have a significant adverse impact on transportation facilities. The TC zoning district has been established in the area of the Town which is closest to, and served by, major transportation routes, specifically Albany Post Road (Route 9), and Pine Woods Road. The Planning and Engineering Report for the Redevelopment of the Town Center includes a description of current operating conditions in the project area. Appendix C of the Planning and Engineering Report already anticipates improvements to accommodate future traffic conditions in the project area. Individual properties will be subject to site-specific land development and SEQRA review at the time an application is made. If required by the Planning Board, an Applicant will submit transportations studies documenting any potential effect of new traffic on the level of service to transportation routes, which may require adjustments in signalized intersection timings, or improvements to turning lanes.

**Impact on Energy.** The proposed amendments will not generate demand for or impact any existing or planned energy facilities. Natural gas and electric services are provided by Central Hudson. Any new development application will be reviewed and a determination made as to the potential energy demand generated by the site-specific use. Any new buildings will be required to be designed in accordance with the New York State Energy Code.

**Impact on Noise, Odor and Light.** Adoption of the proposed amendments will not generate noise, odor or light and will not have any significant adverse impact as a result. Future land development applications will be subject to the requirements of Chapter 75, Noise, of the Town of Hyde Park Code. Lighting is regulated by the Design and Development Standards which require dark sky compliance light fixtures. Odors would generally emanate from improperly secured garbage and rubbish – Chapter 66, Garbage, Rubbish and Refuse, of the Town of Hyde Park Code would regulate. Individual properties will be subject to site-specific land development and SEQRA review at the time an application is made to ensure that uses do not generate noise, odor, or light impacts.

**Impact on Human Health.** The adoption of the comprehensive plan and zoning amendments is not anticipated to have any significant adverse impact on human health. Any project will be reviewed against applicable wastewater and water supply standards promulgated by Dutchess County Department of Health, New York State Department of Health, and the New York State Department of Environmental Conservation. Based on a review of the NYSDEC Environmental

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Navigator, there are no remediation sites or active solid waste sites within the project area. Individual properties will be subject to site-specific land development and SEQRA review at the time an application is made.

**Consistency with Community Plans.** The proposed action involves an amendment to the Town of Hyde Park 2005 Comprehensive Plan. The Town Center Vision memo is proposed as an amendment to the comprehensive plan to further support and define the area to be included in the Town Center (Town Core zone), building upon the recommendations of the 2018 Planning & Engineering Report for the Redevelopment of the Town Center which was adopted as an amendment to the comprehensive plan. The Town Core zoning district and attendant regulations and standards represent the implementation of the 2018 Report and Town Center Vision memo. No significant adverse impacts are anticipated.

**Consistency with Community Character.** Adoption of the comprehensive plan and zoning amendments will not have a significant adverse impact on community character. The TC zoning district, which effectuates the adopted 2018 Planning & Engineering Report for the Redevelopment of the Town Center and Town Center Vision memo, takes into consideration adjoining land uses and avoidance of potential inconsistencies with residential neighborhoods. The Town Core zoning district builds upon the results of the open house and public participation processes associated with adoption of the 2018 Report. As part of that effort, the public was able to select representative photographs of the character, in terms of uses, building patterns, building scale, and architectural preferences for the project area. The Town Core Development and Design Standards will regulate building types and architecture of new and infill development to ensure community character is consistent with the public's preferences. Ultimately, individual properties will be subject to site-specific land development and SEQRA review at the time an application is made to ensure that potential impacts on community character are evaluated at that time.