



CITY OF BEACON
One Municipal Plaza
Beacon, New York 12508

Mayor Randy Casale
Councilman Lee Kyriacou, At Large
Councilman George Mansfield, At Large
Councilwoman Peggy Ross, Ward 1
Councilman Omar Harper, Ward 2
Councilwoman Pam Wetherbee, Ward 3
Councilman Ali Muhammad, Ward 4
City Administrator Anthony Ruggiero

May 16, 2016
City Council Agenda Regular Meeting

- I. **Call to Order**
- II. **Pledge of Allegiance**
- III. **Roll Call:**
- IV. **Public Comment:**

Each speaker may have one opportunity to speak up to three minutes on any subject matter other than those which are the topic of a public hearing tonight. Please sign in at the podium. This segment will last no longer than thirty minutes, with speakers recognized in the order they appear on the sign-in sheet. A second public comment opportunity will be provided later in the meeting for those who do not get to speak during this first segment.

- V. **Presentations:**

- A. State of the City, Mayor Randy Casale

- VI. **Reports:**

- A. Council Member Ali Muhammad
- B. Council Member Omar Harper
- C. Council Member Lee Kyriacou
- D. Council Member George Mansfield
- E. Council Member Pam Wetherbee
- F. Council Member Peggy Ross
- G. City Administrator, Anthony Ruggiero
- H. County Legislators
- I. Mayor Randy Casale

- VII. **Local Laws and Resolutions:**

- A. Consideration of a Resolution to Settle the Tax Certiorari Matter of Hedgewood Home for Adults LLC et al V. Assessor of the City of Beacon, et al
- B. Consideration of an Agreement with BFJ, Planning for Planning Services Related to the Comprehensive Plan Review Project
- C. Consideration of a Resolution to Authorize the Sale of City-Owned Property Located on West Main Street
- D. Consideration of a Resolution to Designate the E. Main Street Bridge as the Ron and Ronnie Sauer Bridge
- E. Consideration of a Resolution Confirming the Award of a Contract for Installation of the Solar Energy Facility at the City Landfill at Dennings Point and Adopting a Negative Declaration

- VIII. **2nd Opportunity for Public Comments:**

Each speaker may have one opportunity to speak up to three minutes on any subject matter other than those which are the topic of a public hearing tonight. This segment will last no longer than thirty minutes. Those who spoke at the first public comment segment are not permitted to speak again.

- IX. **Executive Session:**

A. Matters leading to the appointment, employment, promotion, discipline, suspension, dismissal or removal of a particular person or corporation

X. Adjournment:

**City of Beacon Council Agenda
5/16/2016**

Title:

State of the City, Mayor Randy Casale

Subject:

Background:

City of Beacon Council Agenda
5/16/2016

Title:

**Consideration of a Resolution to Settle the Tax Certiorari Matter of Hedgewood Home for Adults LLC et ano
V. Assessor of the City of Beacon, et al**

Subject:

Background:

ATTACHMENTS:

Description	Type
Res. Tax Cert Hedgewood Home	Resolution

**RESOLUTION RE: CERTIORARI SETTLEMENT -
Mtr. of Hedgewood Home for Adults, LLC/Boray, LLC
v. Assessor of the City of Beacon, et al.
(Sup. Ct. Dutchess Co. Index Nos. 3289/14, et seq.) -
SETTLEMENT OF 2014 AND 2015 TAX CERTIORARI PROCEEDINGS**

WHEREAS, there are tax certiorari proceedings, entitled *Mtr. of Hedgewood Home for Adults, LLC/Boray, LLC v. Assessor of the City of Beacon, et al.* (Sup. Ct. Dutchess Cty. Index Nos. 3289/14, et seq.), pending before the Supreme Court, Dutchess County; and

WHEREAS, these proceedings challenge the real property tax assessment of premises located at 355 Fishkill Avenue, which are identified as Tax Lot No. 6054/23/322981 on the Tax Map of the City of Beacon; and

WHEREAS, by virtue of these proceedings, the taxable assessment established by the City of Beacon with respect to said parcel has been contested in the years 2014 and 2015; and

WHEREAS, the Beacon City School District has intervened as a party in these proceedings; and

WHEREAS, a proposed settlement has been reached between and among the Petitioners, Hedgewood Home for Adults, LLC and Boray, LLC, and the Respondents, City of Beacon and Beacon City School District, providing for a disposition of these proceedings; and

WHEREAS, a proposed Consent Judgment effectuating these settlement terms has been prepared, subject to the approval of the City of Beacon; and

WHEREAS, the City of Beacon has obtained the advice and assistance of its counsel, Keane & Beane, P.C., with respect to the proposed settlement terms and duly considered same; and

WHEREAS, under the settlement terms, the City will be liable for City tax refunds that equal \$11,964.00;

NOW, THEREFORE, BE IT RESOLVED that the City Council accepts the settlement of these proceedings so that the following adjustments are made to the real property tax assessment of the aforementioned premises:

<u>Year</u>	<u>Taxable Assessment</u>	<u>Revised Taxable Assessment</u>	<u>Reduction</u>
2014	\$4,625,000	\$4,150,000	\$475,000
2015	\$4,625,000	\$4,200,000	\$425,000

BE IT FURTHER RESOLVED, that counsel for the City of Beacon, Keane & Beane, P.C., together with the City Administration, is hereby authorized to undertake such action as necessary to confirm and effectuate this settlement, including execution of the Consent Judgment incorporating the settlement terms.

Resolution No. _____ of 2016		Date: <u>May 16, 2016</u>					
<input type="checkbox"/> <input type="checkbox"/> Amendments		<input type="checkbox"/> On roll call		<input type="checkbox"/> 2/3 Required			
<input type="checkbox"/> <input type="checkbox"/> Not on roll call.				<input type="checkbox"/> 3/4 Required			
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					
		George Mansfield					
		Pamela Wetherbee					
		Peggy Ross					
		Mayor Randy J. Casale					
		Motion Carried					

City of Beacon Council Agenda
5/16/2016

Title:

Consideration of an Agreement with BFJ, Planning for Planning Services Related to the Comprehensive Plan Review Project

Subject:

Background:

ATTACHMENTS:

Description

Res. BFJ

Type

Resolution



RESOLUTION

**AUTHORIZING ENTRY INTO AN AGREEMENT
WITH BFJ PLANNING FOR THE
COMPREHENSIVE PLAN REVIEW PROJECT**

WHEREAS, in 2007 the City Council of the City of Beacon adopted a Comprehensive Plan; and

WHEREAS, Section 6 of the City Charter provides the City Council shall periodically undertake a full update of the Comprehensive Plan, at least every ten years; and

WHEREAS, the City Council has adopted a resolution establishing a Comprehensive Plan Committee; and

WHEREAS, the City advertised a Request For Proposals for the preparation by a planning consulting firm of an Update to the 2007 Comprehensive Plan; and

WHEREAS, the City has reviewed and considered the responses received pursuant to its Request For Proposals.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Beacon hereby authorizes the City Administrator to enter into a contract suitable in form and substance to the City Administrator and the City Attorney with BFJ Planning in an amount not to exceed \$83,000.00, with 50% of the costs related to the Comprehensive Plan update being paid for by the State and the other 50% being paid for by the City, either in direct payment or direct services of City employees and volunteers, for the preparation of a full update of the Comprehensive Plan, including but not limited to a review of zoning for a transit oriented development zone.

Resolution No. _____ of 2016		Date: <u>May 16, 2016</u>					
<input type="checkbox"/> Amendments						<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> Not on roll call.		<input type="checkbox"/> On roll call				<input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					
		George Mansfield					
		Pamela Wetherbee					
		Peggy Ross					
		Mayor Randy J. Casale					
		Motion Carried					

City of Beacon Council Agenda
5/16/2016

Title:

Consideration of a Resolution to Authorize the Sale of City-Owned Property Located on West Main Street

Subject:

Background:

ATTACHMENTS:

Description	Type
Res. 18 W. Main	Cover Memo/Letter
West Main EAF	Backup Material
Neg Dec	Backup Material



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. ___ OF 2016

RESOLUTION AUTHORIZING THE SALE OF CITY-OWNED PROPERTY ON WEST MAIN STREET

WHEREAS, there exists a certain tract or parcel of land located at West Main Street, located in between the road bed and right of way of West Main Street and the real property located at 18 West Main Street (Parcel No. 130200-5954-26-647966) in the City of Beacon, Dutchess County, New York; and

WHEREAS, the City is the record owner of said parcel and the property is not needed by the City of Beacon for any municipal purposes; and

WHEREAS, the City Council has the authority pursuant to General City Laws §20 to sell and convey real property, when not needed for City purposes; and

WHEREAS, pursuant to Section 1.07 of the City Charter, the City Council may by resolution vote to sell City property upon such terms and conditions as the City Council may deem proper; and

WHEREAS, the City has reviewed the Purchase and Sale Agreement for the sale of the City-owned property to Beacon Todd, LLC for the amount of \$1,500.00.

NOW THEREFORE, BE IT RESOLVED, that the City of Beacon City Council, in accordance with Article 8 of the State Environmental Conservation Law and 6 NYCRR Part 617 and upon review of the EAF and all other materials prepared for this unlisted action, hereby adopts the attached Negative Declaration.

BE IT FURTHER RESOLVED, the City Council hereby declares the real property as described above is not needed for municipal purposes and authorizes the Mayor or City Administrator to enter into a Purchase and Sale Agreement to convey the real property to Beacon Todd, LLC, along with all documents as may be necessary to effectuate the purpose of this Resolution, subject to review and approval by the City Attorney.

Resolution No. _____ of 2016		Date: <u>May 16, 2016</u>					
<input type="checkbox"/> Amendments		<input type="checkbox"/> On roll call				<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> Not on roll call.						<input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					
		George Mansfield					
		Pamela Wetherbee					
		Peggy Ross					
		Mayor Randy J. Casale					
		Motion Carried					

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
City of Beacon			
Name of Action or Project: Sale of vacant land adjacent to 18 West Main Street, Beacon, New York			
Project Location (describe, and attach a location map): Adjacent to 18 West Main Street, Beacon, New York			
Brief Description of Proposed Action: Sale of vacant land that the City acquired through an urban renewal program.			
Name of Applicant or Sponsor: City of Beacon		Telephone: 845-838-5009	
		E-Mail: administrator@cityofbeacon.org	
Address: 1 Municipal Plaza			
City/PO: Beacon		State: NY	Zip Code: 12508
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ <1 acres	
b. Total acreage to be physically disturbed?		_____ 0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ <1 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>City of Beacon</u>		Date: <u>May 16, 2016</u>
Signature: _____		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

City of Beacon City Council	May 16, 2016
Name of Lead Agency	Date
Anthony Ruggiero	City Administrator
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Project Number: _____

Date: May 16, 2016

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The City of Beacon City Council, has determined that the Proposed Action described below will not have a significant adverse effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Sale of vacant land located adjacent to 18 West Main Street, Beacon, New York

SEQR Status:

Type I	_____
Unlisted	<u> X </u>

Conditioned Negative Declaration:

Yes	_____
No	<u> X </u>

Description of Action:

Sale of vacant land located adjacent to 18 West Main Street, Beacon, New York, acquired by the City pursuant to an urban renewal program.

Location: Adjacent to 18 West Main Street, Beacon, New York

Reasons Supporting This Determination:

COULD THE PROPOSED ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING:

1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? **The proposed action will not result in any significant adverse impacts to air quality, surface or ground water quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or cause flooding problems.**
2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources, or community or neighborhood character? **The proposed action will not result in any significant adverse impacts to aesthetic, agricultural, archaeological, historic, or other natural or cultural resources, or community or neighborhood character.**
3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? **The proposed action will not result in any significant adverse impacts to vegetation, fauna, fish, shellfish or wildlife species, significant habitat, or threatened or endangered species.**
4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? **The proposed action will not result in any significant adverse impacts to officially adopted plans or goals.**
5. Growth, subsequent development, or related activities likely to be induced by the proposed action? **The proposed action will not induce growth, subsequent development, or related activities.**
6. Long term, short term, cumulative, or other effects not identified in #1 through #5 above? **The proposed action will not result in significant adverse long-term, short-term, cumulative or other effects.**
7. Other impacts (including changes in use of either quantity or type of energy)? **None.**

Involved Agency:**For Further Information:**

Contact Person: Anthony Ruggiero, City Administrator

Address: City of Beacon
One Municipal Plaza
Beacon, NY 12508

Telephone Number: (845) 838-5009 Fax (845) 838-5012

For Unlisted Actions, a copy of this notice has been filed with:

The City of Beacon

**City of Beacon Council Agenda
5/16/2016**

Title:

Consideration of a Resolution to Designate the E. Main Street Bridge as the Ron and Ronnie Sauer Bridge

Subject:

Background:

ATTACHMENTS:

Description	Type
Res. R. Sauers Bridge	Resolution



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. _____ OF 2016

**AUTHORIZING THE HONORARY NAME
OF THE RON AND RONNIE SAUER BRIDGE
FOR THE EAST MAIN STREET BRIDGE
OVER THE FISHKILL CREEK**

WHEREAS, when Ron and Ronnie Sauers arrived in Beacon in the mid-1980's, Main Street buildings were boarded up with plywood and covered in graffiti, but Ron and Ronnie saw an opportunity to revitalize Beacon; and

WHEREAS, Ron and Ronnie Sauers acquired vacant and abandoned buildings and restored the buildings, preserving their unique architectural qualities and encouraging others to invest in Beacon; and

WHEREAS, through the efforts led by Ron and Ronnie Sauers, Beacon's Main Street began to see new businesses open and a transformation to Main Street occur; and

WHEREAS, Ron and Ronnie Sauer's love of architecture and historic buildings and their passion for restoration rekindled the spirit of Beacon; and

WHEREAS, Sections 191-23 and 191-24 of the City Code provides for the criteria and procedure to consider an honorary street name and the City Historian has agreed with the recommendation that the East Main Street Bridge over the Fishkill Creek be renamed in their honor.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Beacon with much gratitude, appreciation and respect, bestows the honorary name of the Ron and Ronnie Sauers Bridge on the East Main Street Bridge over the Fishkill Creek and authorizes the Highway Department to place appropriate plaque and signage on the East Main Street Bridge so that future generations of Beacon residents and visitors will recognize and appreciate the contributions of Ron and Ronnie Sauers to the fabric and spirit of Beacon and our community.

Resolution No. _____ of 2016		Date: <u>May 16, 2016</u>					
<input type="checkbox"/> <input type="checkbox"/> Amendments		<input type="checkbox"/> On roll call				<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> <input type="checkbox"/> Not on roll call.						<input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					
		George Mansfield					
		Pamela Wetherbee					
		Peggy Ross					
		Mayor Randy J. Casale					
		Motion Carried					

City of Beacon Council Agenda
5/16/2016

Title:

Consideration of a Resolution Confirming the Award of a Contract for Installation of the Solar Energy Facility at the City Landfill at Dennings Point and Adopting a Negative Declaration

Subject:

Background:

ATTACHMENTS:

Description	Type
Res. Solar Farm	Resolution
Solar Farm SEQRA	Cover Memo/Letter



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. _____ OF 2016

**CONFIRMING AWARD OF CONTRACT FOR
INSTALLATION OF THE SOLAR ENERGY FACILITY
AT THE CITY LANDFILL AT DENNINGS POINT AND
ADOPTING A NEGATIVE DECLARATION**

WHEREAS, in April 2015, the City of Beacon issued a request for proposals (RFP) for the installation of a solar energy facility to be located on landfill property owned by the City of Beacon at Dennings Point; and

WHEREAS, thereafter the City Council adopted a resolution awarding the contract to BQ Energy, LLC and authorizing the City Administrator to enter into a power purchase agreement and a land lease and other such documents associated with implementation of the RFP, subject to review by the City Administrator and City Attorney and compliance with the New York State Environmental Quality Review Act; and

WHEREAS, the City Council thereafter reviewed an Environmental Assessment Form and adopted a resolution authorizing the circulation of a Notice of Intent to be the Lead Agency on April 4, 2016; and

WHEREAS, more than thirty days has passed and no one has objected to the City Council being the Lead Agency and the City Council has reviewed the Environmental Assessment Form and considered the potential adverse environmental impacts; and

NOW THEREFORE, BE IT RESOLVED, that the City of Beacon City Council, in accordance with Article 8 of the State Environmental Conservation Law and 6 NYCRR Part 617, having received no objections to it being the Lead Agency, hereby declares itself to be the Lead Agency and upon review of the EAF and all other materials prepared for this unlisted action, hereby adopts the attached Negative Declaration.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Beacon authorizes entering into the Contract and the implementation of the solar panel project at the landfill and the City Administrator is authorized to sign the Contract of Sale and take all actions necessary to implement its terms, subject to approval by the City Attorney as to form and substance of all such agreements.

Resolution No. _____ of 2016		Date: <u>May 16, 2016</u>					
<input type="checkbox"/> <input type="checkbox"/> Amendments				<input type="checkbox"/> 2/3 Required			
<input type="checkbox"/> <input type="checkbox"/> Not on roll call.		<input type="checkbox"/> On roll call		<input type="checkbox"/> 3/4 Required			
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					
		George Mansfield					
		Pamela Wetherbee					
		Peggy Ross					
		Mayor Randy J. Casale					
		Motion Carried					



May 10, 2016

Mr. Anthony Ruggiero
City of Beacon
One Municipal Plaza
Beacon, New York 12508

Re: City of Beacon Landfill Solar Installation
SEQR Lead Agency Designation
City of Beacon, Dutchess County
STERLING File #2016-10

Dear Mr. Ruggiero,

Mr. Paul Curran at BQ Energy, LLC asked that I provide you a letter in response to the New York State Department of Environmental Conservation's (NYSDEC's) correspondence of May 5, 2016 by which NYSDEC concurred with the City of Beacon's assumption of Lead Agency for the solar installation at the closed City Landfill.

The comments offered by the NYSDEC are for the City's consideration of potential environmental issues caused by the project.

Protection of Waters:

There are no regulated water bodies at the project site. The ground disturbance will be subject to a Storm Water Pollution Prevention Plan (SWPPP) and General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002). As a municipal separate storm sewer system (MS4) community, the City will have a direct role in the review and approval of the SWPPP. The SWPPP will adhere to industry standards and will assure there will be no adverse impact to regulated water bodies.

Freshwater Wetlands:

The former City Landfill parcel totals approximately 16.5 acres. No regulated wetlands are present at the Landfill and no excavation or filling of adjacent areas are proposed. The nearest NYSDEC wetland is west of the railroad tracks approximately 300 feet to the south, well beyond the 100 foot protected area adjacent to NYSDEC wetlands. Therefore, there will be no adverse impact to wetlands.

State-Listed Species:

The NYSDEC indicates that the project site is within the range potentially inhabited by the Bald Eagle. While there are no known eagle nests within the City, the NYSDEC recommends that construction activity including tree removal occur between March 31st and December 31st. The project applicant will stipulate to this requirement and will make note of such on the plans.

Solid Waste Management:

The applicant has confirmed with the NYSDEC and understands a modification to the Landfill Closure Plan is required and such modification must be approved by NYSDEC. The applicant will make note that no construction may proceed until NYSDEC approval is secured.

"Serving our clients and the environment since 1993"

Solid Waste Management:

The applicant has confirmed with the NYSDEC and understands a modification to the Landfill Closure Plan is required and such modification must be approved by NYSDEC. The applicant will make note that no construction may proceed until NYSDEC approval is secured.

Coastal Consistency:

The applicant has reviewed all coastal zone consistency requirements and policies. The solar project is consistent with such requirements and policies. A completed Federal Consistency Assessment Form and supporting information for the project is attached.

Cultural Resources:

While the project is within an area considered sensitive with respect to historic and archeological resources, it is important to note:

- The solar installation will be installed on the closed City Landfill. Only minimal excavation is proposed to install electrical conduit. The solar panels will be mounted on a ballasted rack system.

The Landfill footprint has been extensively disturbed in the past and therefore the project site does not hold any meaningful archeologic resources.

There are no identified historic structures at or adjacent to the former Landfill property. The nearest identified historic structure is located 1,300 feet from the project site.

Conclusion:

We believe the nature of the construction activities associated with the project have been adequately assessed by the Environmental Assessment Form (EAF) (copy attached) These construction impacts will be minor and typical of a project of this nature.

Please let me know if you have any questions or require additional assistance.

Very truly yours,

STERLING ENVIRONMENTAL ENGINEERING, P.C.



Mark P. Millspaugh, P.E.

President

mark.millspaugh@sterlingenvironmental.com

MPM/lis
Email/First Class Mail
Attachments

cc: Paul Curran, BQ Energy, LLC
James Falsetti, BQ Energy, LLC

NEW YORK STATE DEPARTMENT OF STATE
COASTAL MANAGEMENT PROGRAM

Federal Consistency Assessment Form

An applicant, seeking a permit, license, waiver, certification or similar type of approval from a federal agency which is subject to the New York State Coastal Management Program (CMP), shall complete this assessment form for any proposed activity that will occur within and/or directly affect the State's Coastal Area. This form is intended to assist an applicant in certifying that the proposed activity is consistent with New York State's CMP as required by U.S. Department of Commerce regulations (15 CFR 930.57). It should be completed at the time when the federal application is prepared. The Department of State will use the completed form and accompanying information in its review of the applicant's certification of consistency.

A. APPLICANT (please print)

1. Name: BQ Energy, LLC
2. Address: 47 South Hamilton Street, Poughkeepsie, NY 12601
3. Telephone: Area Code (800) 473-0300

B. PROPOSED ACTIVITY

1. Brief description of activity:

Passive Solar Installation at the Closed City of Beacon Landfill

2. Purpose of activity:

Installation of up to a 2-megawatt solar panel array on the existing closed landfill.

3. Location of activity:

<u>Dutchess</u>	<u>Beacon</u>	<u>Dennings Avenue</u>
County	City, Town, or Village	Street or Site Description

4. Type of federal permit/license required: _____

5. Federal application number, if known: _____

6. If a state permit/license was issued or is required for the proposed activity, identify the state agency and provide the application or permit number, if known:

NYSDEC Modified Closure Plan, NYSERDA Approval

C. COASTAL ASSESSMENT Check either "YES" or "NO" for each of these questions. The numbers following each question refer to the policies described in the CMP document (see footnote on page 2) which may be affected by the proposed activity.

1. Will the proposed activity result in any of the following: YES / NO
- | | | |
|--|-------------------------------------|-------------------------------------|
| a. Large physical change to a site within the coastal area which will require the preparation of an environmental impact statement? (11, 22, 25, 32, 37, 38, 41, 43) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Physical alteration of more than two acres of land along the shoreline, land under water or coastal waters? (2, 11, 12, 20, 28, 35, 44) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Revitalization/redevelopment of a deteriorated or underutilized waterfront site? (1) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Reduction of existing or potential public access to or along coastal waters? (19, 20) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Adverse effect upon the commercial or recreational use of coastal fish resources? (9,10) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Siting of a facility essential to the exploration, development and production of energy resources in coastal waters or on the Outer Continental Shelf? (29) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Siting of a facility essential to the generation or transmission of energy? (27) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h. Mining, excavation, or dredging activities, or the placement of dredged or fill material in coastal waters? (15, 35) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i. Discharge of toxics, hazardous substances or other pollutants into coastal waters? (8, 15, 35) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j. Draining of stormwater runoff or sewer overflows into coastal waters? (33) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| k. Transport, storage, treatment, or disposal of solid wastes or hazardous materials? (36, 39) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| l. Adverse effect upon land or water uses within the State's small harbors? (4) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

2. Will the proposed activity affect or be located in, on, or adjacent to any of the following: YES / NO
- | | | |
|--|-------------------------------------|-------------------------------------|
| a. State designated freshwater or tidal wetland? (44) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Federally designated flood and/or state designated erosion hazard area? (11, 12, 17,) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. State designated significant fish and/or wildlife habitat? (7) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. State designated significant scenic resource or area? (24) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. State designated important agricultural lands? (26) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Beach, dune or barrier island? (12) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Major ports of Albany, Buffalo, Ogdensburg, Oswego or New York? (3) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h. State, county, or local park? (19, 20) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i. Historic resource listed on the National or State Register of Historic Places? (23) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

3. Will the proposed activity require any of the following: YES / NO
- | | | |
|--|--------------------------|-------------------------------------|
| a. Waterfront site? (2, 21, 22) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (5) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Construction or reconstruction of a flood or erosion control structure? (13, 14, 16) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. State water quality permit or certification? (30, 38, 40) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. State air quality permit or certification? (41, 43) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

4. Will the proposed activity occur within and/or affect an area covered by a State approved local waterfront revitalization program? (see policies in local program document)

D. ADDITIONAL STEPS

1. If all of the questions in Section C are answered "NO", then the applicant or agency shall complete Section E and submit the documentation required by Section F.
2. If any of the questions in Section C are answered "YES", then the applicant or agent is advised to consult the CMP, or where appropriate, the local waterfront revitalization program document*. The proposed activity must be analyzed in more detail with respect to the applicable state or local coastal policies. On a separate page(s), the applicant or agent shall: (a) identify, by their policy numbers, which coastal policies are affected by the activity, (b) briefly assess the effects of the activity upon the policy; and, (c) state how the activity is consistent with each policy. Following the completion of this written assessment, the applicant or agency shall complete Section E and submit the documentation required by Section F.

E. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with the State's CMP or the approved local waterfront revitalization program, as appropriate. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program, or with the applicable approved local waterfront revitalization program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: BQ Energy, LLC

Address: 47 South Hamilton Street, Poughkeepsie, NY 12601

Telephone: Area Code (845)473-0300

Applicant/Agent's Signature: James Falsetti Digitally signed by James Falsetti
Date: 2016.03.23 12:47:17 -04'00' Date: _____



F. SUBMISSION REQUIREMENTS

1. The applicant or agent shall submit the following documents to the **New York State Department of State, Office of Coastal, Local Government and Community Sustainability, Attn: Consistency Review Unit, 1 Commerce Plaza, 99 Washington Avenue - Suite 1010, Albany, New York 12231.**

- a. Copy of original signed form.
- b. Copy of the completed federal agency application.
- c. Other available information which would support the certification of consistency.

2. The applicant or agent shall also submit a copy of this completed form along with his/her application to the federal agency.

3. If there are any questions regarding the submission of this form, contact the Department of State at (518) 474-6000.

*These state and local documents are available for inspection at the offices of many federal agencies, Department of environmental Conservation and Department of State regional offices, and the appropriate regional and county planning agencies. Local program documents are also available for inspection at the offices of the appropriate local government.

New York Department of State
Coastal Management Program
Section D: Additional Steps

The following explanation is provided pursuant to Section D.2.

Coastal Zone Policy

Description

- | | |
|----|---|
| 1 | Installation of a solar panel array on the closed City of Beacon landfill is consistent specifically with redeveloping underutilized waterfront areas for commercial/industrial development. The landfill was permanently closed in 1985 under a Consent Order by the New York State Department of Environmental Conservation (NYSDEC). For 31 years, these 16.75 acres of waterfront land have been considered inactive. Installing solar panels on the closed landfill would make use of and redevelop this inactive landfill while simultaneously doing the same for the City of Beacon in terms of green energy infrastructure. Consistent with the policy, this action enhances an existing use. |
| 19 | Denning's Point State Park, Beacon Riverfront Park, Madam Brett Park and the Dave Miller Connector Trail encompass State and local parks immediately adjacent to the closed City of Beacon landfill. These parks have established public access points that are currently compatible with the closed landfill. Installation of solar panel arrays will not impede, degrade or destroy any water access points or waterfront activities already established for the public. The existing level of public access will not be reduced or eliminated. Additionally, the possibility of increasing access to these parks in the future will not be eliminated. |
| 20 | Denning's Point State Park, Beacon Riverfront Park, Madam Brett Park and the Dave Miller Connector Trail encompass State and local parks immediately adjacent to the closed City of Beacon landfill. These parks have established public access points that are currently compatible with the closed landfill. Installation of solar panel arrays will not impede, degrade or destroy any water access points or waterfront activities already established for the public. The existing level of public access will not be reduced or eliminated. Additionally, the possibility of increasing access to these parks in the future will not be eliminated. |

New York Department of State
Coastal Management Program
Section D: Additional Steps

4

The City of Beacon's Local Waterfront Revitalization Program identifies individual environmental concern locations within the City. The closed Beacon Landfill is identified in Section IIH as being an environmental concern. The Waterfront Revitalization Program also identifies specific development and preservation areas within the City. The Dennings Avenue parcel is identified in Section IIII, Development Policies, 1E, as being an underutilized lot. The City's plan for this lot includes light industrial uses compatible with the existing adjacent sewage treatment plant. Installation of a solar array addresses and is consistent with both of these plans. Solar arrays would be compatible with the light industrial zoning and would not interfere with the sewage treatment plant's daily operations. A solar array would not introduce any new potential environmental concerns to the closed landfill, instead, it would be a forward step by the City towards cleaner, renewable energy.

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Passive Solar Installation at the Closed City of Beacon Landfill		
Project Location (describe, and attach a general location map): Dennings Avenue, Beacon, NY		
Brief Description of Proposed Action (include purpose or need): See attached narrative.		
Name of Applicant/Sponsor: BQ Energy, LLC		Telephone: 800-473-0300
		E-Mail: paul.curran@bqenergy.com
Address: 47 South Hamilton Street		
City/PO: Poughkeepsie	State: NY	Zip Code: 12601
Project Contact (if not same as sponsor; give name and title/role): Mr. Paul F. Curran, Managing Director		Telephone: 800-473-0300
		E-Mail: paul.curran@bqenergy.com
Address: 47 South Hamilton Street		
City/PO: Poughkeepsie	State: NY	Zip Code: 12601
Property Owner (if not same as sponsor): City of Beacon		Telephone: 845-838-5000
		E-Mail: aruggiero@cityofbeacon.org
Address: One Municipal Plaza		
City/PO: Beacon	State: NY	Zip Code: 12508

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Power Purchase Agreement and Land Use License	March 2016
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC Modified Closure Plan, NYSERDA, NYSDOS Coastal Zone Consistency	April 2016
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s):	
- City of Beacon NY Local Waterfront Revitalization Plan _____	
- Hudson River Greenway _____	

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
 If Yes, what is the zoning classification(s) including any applicable overlay district?
LI Light Industrial

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
 If Yes,
 i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Beacon City School District

b. What police or other public protection forces serve the project site?
City of Beacon

c. Which fire protection and emergency medical services serve the project site?
City of Beacon

d. What parks serve the project site?
Dennings Point State Park, Beacon Riverfront Park, Madam Brett Park, Dave Miller Connector Trail and Long Dock Park.

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Installation of solar panel array on closed City landfill.

b. a. Total acreage of the site of the proposed action? 16.75 acres
 b. Total acreage to be physically disturbed? Less than 1 acres
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 33.35 acres

c. Is the proposed action an expansion of an existing project or use? Yes No
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
 If Yes,
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

 ii. Is a cluster/conservation layout proposed? Yes No
 iii. Number of lots proposed? _____
 iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? Yes No
 i. If No, anticipated period of construction: 6 months
 ii. If Yes:
 • Total number of phases anticipated _____
 • Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
 • Anticipated completion date of final phase _____ month _____ year
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,
 i. Total number of structures Solar Panels
 ii. Dimensions (in feet) of largest proposed structure: _____ 10 height; _____ N/A width; and _____ N/A length
 iii. Approximate extent of building space to be heated or cooled: _____ N/A square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,
 i. Purpose of the impoundment: _____
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
 iii. If other than water, identify the type of impounded/contained liquids and their source. _____
 iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
 v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:
 i. What is the purpose of the excavation or dredging? _____
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): _____
 • Over what duration of time? _____
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

 iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

 v. What is the total area to be dredged or excavated? _____ acres
 vi. What is the maximum area to be worked at any one time? _____ acres
 vii. What would be the maximum depth of excavation or dredging? _____ feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:
 i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? Yes No
 If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No
 If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No
 If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No
 If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No
 If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No
 If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No
 If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No • Will line extension within an existing district be necessary to serve the project? <input type="checkbox"/> Yes <input type="checkbox"/> No <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ _____ _____
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____
<p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans): _____ _____ _____</p>
<p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____ _____</p>
<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or _____ acres (impervious surface) _____ Square feet or _____ acres (parcel size)</p> <p>ii. Describe types of new point sources. _____ _____</p> <p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____ _____</p> <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ _____ • Will stormwater runoff flow to adjacent properties? <input type="checkbox"/> Yes <input type="checkbox"/> No
<p>iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</p>
<p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade to, an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

<i>i. During Construction:</i>		<i>ii. During Operations:</i>	
• Monday - Friday:	_____ 7:00-5:00 _____	• Monday - Friday:	_____ N/A _____
• Saturday:	_____ 7:00-Noon _____	• Saturday:	_____ N/A _____
• Sunday:	_____ None _____	• Sunday:	_____ N/A _____
• Holidays:	_____ None _____	• Holidays:	_____ N/A _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:

i. Provide details including sources, time of day and duration: _____

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
Describe: _____

n. Will the proposed action have outdoor lighting? Yes No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No

If Yes:

i. Describe proposed treatment(s): _____

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): Install solar array on closed City landfill.
 ii. Anticipated rate of disposal/processing:
 • N/A Tons/month, if transfer or other non-combustion/thermal treatment, or
 • N/A Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: N/A years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No
 If Yes: provide name and location of facility: _____

 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.
 i. Check all uses that occur on, adjoining and near the project site.
 Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): Water Treatment Plant and Park
 ii. If mix of uses, generally describe:
Closed Landfill

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces <u>Add Ballast Blocks</u>	0.25	0.75	0.5
• Forested	2.5	1.0	-1.5
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	+1.0
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: <u>Closed Landfill and Buffer</u>	14	14	0

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No
• If yes, cite sources/documentation: See 1994 Landfill Closure Plan
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:
Solar panels to be installed on the closed landfill cap.
iii. Describe any development constraints due to the prior solid waste activities: _____
Excavation not to exceed 12" depth for wire conduits.

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: 30924
- Describe the type of institutional control (e.g., deed restriction or easement): Post Closure Plan
- Describe any use limitations: Future use of landfill subject of NYSDEC approval.
- Describe any engineering controls: Landfill cap
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: Solar panels will be rack system with ballast. Only excavation is shallow conduit trenches less than 12" deep.

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? >170 feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

<u>lacustrine silt-clay loam</u>	<u>varies</u> %
<u>organically derived soils</u>	<u>varies</u> %
<u>Madalin Silt Loam</u>	<u>near 100</u> %

d. What is the average depth to the water table on the project site? Average: 2-10 feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained: 100 % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: 90 % of site
 10-15%: 10 % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100 year Floodplain? Yes No

k. Is the project site in the 500 year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <p>Waterfowl winter concentration area _____ Squirrels _____ Migrating Birds _____ (see attached narrative) _____</p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="margin-top: 20px;">See attached narrative.</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="margin-top: 20px;">See attached narrative.</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p>	
<p>E.3. Designated Public Resources On or Near Project Site</p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>i. If Yes: acreage(s) on project site? _____</p> <p>ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input checked="" type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: <u>National Biscuit Company Carton Making & Printing Plant</u>	
<i>iii.</i> Brief description of attributes on which listing is based: <u>Meets National Register criteria, property is considered locally significant</u>	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: <u>Hudson Highlands State Park Preserve</u>	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>State Park/Dennings Point State Park/Beacon Riverfront Park/Madam Brett Park/Dave Miller Connector Trail</u>	
<i>iii.</i> Distance between project and resource: <u>varies, less than 1 miles.</u>	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name _____ Date _____

Signature _____ Title _____

PRINT FORM

BQ Energy, LLC
Passive Solar Installation at the Closed City of Beacon Landfill
Full Environmental Assessment Form (EAF) Supporting Narrative

The “Action” consists of installing up to a 2-megawatt solar panel array on the existing closed landfill owned and maintained by the City of Beacon. The landfill is comprised of the following parcels owned by the City.

<u>Parcel ID</u>	<u>Acreage</u>
679329	10.10 Acres
660374	<u>6.65 Acres</u>
Total Landfill Parcels	16.75 Acres

The City also owns the 16.6 acre parcel immediately to the north consisting of the Wastewater Treatment Works. Within the landfill parcels the former landfill, entrance road and maintained buffer area totals approximately 14.0 acres. The balance of the parcels, totaling approximately 2.5 acres, is overgrown with trees.

The following addresses the referenced items within the Environmental Assessment Form (EAF):

Part A:

BQ Energy LLC will be the Project Sponsor and will enter into a Power Purchase Agreement and Land Use License with the City of Beacon, likely through a project specific subsidiary. The Agreement will identify BQ Energy as the party responsible to install and operate the solar array. The City of Beacon will continue to be responsible for the post closure maintenance and monitoring of the closed landfill.

Part C:

Existing Comprehensive Plans and Land Use Plans make no specific recommendations for the closed landfills. The City of Beacon has established goals for the development of renewable energy.

Part E:

The solar panel array will be installed on the closed landfill. A ballast rack system is proposed. No ground disturbance is required for the rack system. Minor trenching of less than 12” deep is proposed for electrical conduit. Tree removal to the east, south and southwest is proposed to minimize shading of the installed panels.

Part E.1.v

Changes in post closure uses of closed landfills require modification of the Closure Plan and NYSDEC approval of the proposed use.

E.2.M-Q

Animals

The Animal and Animal Assemblages identified on the Natural Heritage Resource Mapper, Atlantic Sturgeon (*Acipenser oxyrinchus*) and Anadromous Fish Concentration Areas, are not applicable to the site as no part of the property is underwater. Waterfowl Winter Concentrations Areas identified do not have an Endangered, Threatened, or Rare designation.

Plants

The Flowering Plants and Ferns identified on the Natural Heritage Resource Mapper have either an Endangered, Threatened, or Rare State protection designation. However, consideration of the individual plants reveal an inconsistency with their required habitats and the character of the project site.

American Waterwort (*Elatine Americana*), Heartleaf Plantain (*Plantago cordata*), Smooth Bur-marigold (*Bidens larvis*), Spongy Arrowhead (*Sagittaria montevidensis* var. *spongiosa*), Mexican Seaside Goldenrod (*Solidago sempervirens* var. *Mexicana*) and Riverbank Quillwort (*Isoetes riparia*) are obligate wetland plants, meaning they are a species that always or almost always are found in wetlands. There are no wetlands on the subject property.

Delmarva Beggar-ticks (*Bidens bidentoides*) is a facultative wetland plant, meaning it is a species usually found in wetlands and occasionally in uplands. As we have determined, there are no wetlands on the subject property. The upland property has been mowed as part of an historical plan since the landfill's closure in the late 1990s.

Fairy Wand (*Chamaelirium luteum*) is a facultative upland species, meaning they usually occur in uplands but can be occasionally found in wetlands.

Davis' Sedge (*Carex davisii*) is a facultative species, meaning they can be found in either wetlands or uplands and do not favor one habitat over the other.

Natural Communities

As previous discussed, there are no wetlands on the subject property. Upland habitat is maintained acreage in accordance with Part 360 Solid Landfill Maintenance.

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]

Project :
 Date :

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “Yes” to a numbered question, please complete all the questions that follow in that section.
- If you answer “No” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: <u>None.</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features
 The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) NO YES
If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water
 The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) NO YES
If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air			
The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2,h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals			
The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: <u>Minor tree removal along south and east side of Landfill to reduce shadows.</u> _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile - WWTP 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: <u>Tree clearing along south and east side of Landfill to reduce shadowing.</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: <u>None</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation			
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b, E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c, E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas			
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation The proposed action may result in a change to existing transportation systems. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.j) <i>If "Yes", answer questions a - f. If "No", go to Section 14.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy The proposed action may cause an increase in the use of any form of energy. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.k) <i>If "Yes", answer questions a - e. If "No", go to Section 15.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

15. Impact on Noise, Odor, and Light The proposed action may result in an increase in noise, odors, or outdoor lighting. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.m., n., and o.) <i>If "Yes", answer questions a - f. If "No", go to Section 16.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health			
The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)			
<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES			
<i>If "Yes", answer questions a - m. If "No", go to Section 17.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

Project: Date:

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
The City provided by the applicant and the NYSDEC.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
City of Beacon City Council _____ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Passive Solar Installation at the Closed City of Beacon Landfill

Name of Lead Agency: City of Beacon

Name of Responsible Officer in Lead Agency: Anthony Ruggiero

Title of Responsible Officer: City Administrator

Signature of Responsible Officer in Lead Agency: _____ Date: _____

Signature of Preparer (if different from Responsible Officer) _____ Date: _____

For Further Information:

Contact Person: Anthony Ruggiero

Address: City of Beacon, One Municipal Plaza, Beacon, NY 12508

Telephone Number: 845-838-5002

E-mail: aruggiero@cityofbeacon.org

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

PRINT FULL FORM

**City of Beacon Council Agenda
5/16/2016**

Title:

Matters leading to the appointment, employment, promotion, discipline, suspension, dismissal or removal of a particular person or corporation

Subject:

Background: