

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

Date of Adoption: _____

Implementing Regulations: 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.

Determination: The Town of Wappinger Planning Board, as Lead Agency, 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: Hudson Valley Lighting

SEQRA Status: Type 1 Action

Conditioned Negative Declaration: No

Location: The subject property is a 67-acre lot located at 151 Airport Drive, is designated as tax lot 6259-02-841673 on the Town of Wappinger tax maps and is located within the AI Airport Industry District (the "Subject Property" or "Site").

Description of Action: The Applicant seeks to expand the existing warehouse on the Subject Property with an additional 142,500 square feet of floor area, bringing the total warehouse size to 386,893 square feet (the "Project" or "Proposed Action").

Reasons Supporting This Determination:

Specifically with respect to the Proposed Action:

- 1. The Proposed Action will not have a significant adverse environmental impact with respect to the construction on, or physical alteration of, the land surface of any properties.**

The Proposed Action involves approximately 10.6 acres of ground disturbance proposed to accommodate the expansion to both the warehouse area and parking areas. The Applicant has provided a detailed Soil Erosion and Sediment Control Plan to minimize and control erosion at the time of construction and a significant portion of required parking demand (187

out of 387 required spaced) are proposed to be landbanked spaces to reduce the area of disturbance.

2. The Proposed Action will not have a significant adverse environmental impact with respect to any unique or unusual landforms.

There are no unique or unusual landforms present in the area of the Proposed Action, and the area of the Proposed Action is not adjacent to any geological feature listed as a registered National Natural Landmark.

3. The Proposed Action will not have a significant adverse environmental impact on any wetlands or other surface water bodies.

The Site and adjacent sites contain New York State DEC and Army Corp. of Engineers regulated wetlands and a class B and a class C stream with a surrounding 100-year flood plain. A portion of the Proposed Action, 0.65 acres, would take place in the wetland 100' regulated buffer. The Site Plan has been designed to keep the disturbance to the neighboring wetlands and water course area as small as possible, with the additional parking proposed on the far side of the property and as much landbanked parking as is practical and permissible. Due to the orientation of the existing building, an expansion to the warehouse with accompanying circulation and loading docks requires an encroachment into the 100' wetland buffer. The Applicant has submitted a Storm Water Pollution Protection Plan report detailing how they intend to minimize and mitigate the impacts associated with the proposed disturbances.

4. The Proposed Action will not have a significant adverse environmental impact with respect to new or additional use of ground water, and will not have a significant adverse environmental impact with respect to the introduction of contaminants to ground water or an aquifer.

The Proposed Action will expand the existing use on the Site (warehouse). The Site currently uses and will continue to use a private well and there would be an increase in the demand on ground water. The total anticipated water usage with the Proposed Action would be 450 gallons per day and would not amount to a significant adverse impact on the availability of ground water. The Proposed Action would be an expansion of the existing warehouse use and would increase the existing potential for minor contaminants to surrounding ground water associated with parking and loading dock areas, however, it is not expected that this minor increase would amount to a significant adverse environmental impact with respect to the introduction of contaminants to ground water.

5. The Proposed Action will not have a significant adverse environmental impact with respect to the development of lands subject to flooding.

A portion of the Project Site is located within the 100-year flood plain, the proposed improvements are located outside the 100-year flood plain. Therefore, the Proposed Action is not anticipated to have a significant adverse environmental impact.

6. The Proposed Action will not have a significant adverse environmental impact on any State regulated air emission source.

There is no State-regulated air emission source associated with the Proposed Action. The Project does not require Federal or State air emission permits and will not emit one or more greenhouse gases at or above the following levels:

- a. More than 1,000 tons/year of carbon dioxide (CO₂)
- b. More than 3.5 tons/year of nitrous oxide (N₂O)
- c. More than 1,000 tons/year of carbon equivalent of perfluorocarbons (PFCs)
- d. More than 0.045 tons/year of sulfur hexafluoride (SF₆)
- e. More than 1,000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions
- f. More than 43 tons/year or more of methane (CH₄)

The Proposed Action will not 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, or reach 50% of any of these thresholds.

The Proposed Action will not require a State air registration, or produce an emissions rate of total contaminants that exceed 5 lbs. per hour, or include a heat source capable of producing more than 10 million BTUs per hour, or reach 50% of any of these thresholds. Also, the Proposed Action will not result in the combustion or thermal treatment of more than one ton of refuse per hour.

7. The Proposed Action will not have a significant adverse environmental impact with respect to the loss of flora or fauna.

According to the New York State Department of Environmental Conservation Environmental Resource Mapper, the project site may provide habitat for Endangered or Threatened Species, specifically, the Indiana Bat. There is minor tree clearing proposed to allow for the Proposed Action. Approximately 13 trees sized between 8" and 13" DBH and 3 trees sized between 24" and 36" DBH are proposed to be removed. Winter tree clearing between November 1 to March 31 would mitigate potential negative effects to the Indiana Bat.

8. The Proposed Action will not have a significant adverse environmental impact on agricultural resources.

The Site is not located within an Agricultural District. The Proposed Action is not anticipated to have a significant adverse environmental impact on agricultural resources.

9. The Proposed Action will not have a significant adverse environmental impact on any scenic or aesthetic resources.

The Proposed Action will not result in the obstruction, elimination or significant screening of scenic views, or be visible from any publicly accessible vantage points either seasonally nor year-around.

10. The Proposed Action will not have a significant adverse environmental impact on any historic or archaeological resources.

The Proposed Action is not anticipated to have a significant adverse environmental impact on historic or archaeological resources. The Proposed Action is identified as being in an area designated as sensitive for archeological sites, but no historic or archeological sites have been identified on the Project Site. Approximately 10.6 acres of ground disturbance will occur to accommodate the Proposed Action. These areas are largely either currently developed or have been previously developed and/or disturbed in recent history which typically eliminates archeological significance.

11. The Proposed Action will not have a significant adverse environmental impact with respect to the loss of recreational opportunities or with respect to a reduction of an open space resource designated in any adopted municipal open space plan.

The area of the Proposed Action is not designated as open space by the Town of Wappinger. The Proposed Action will not result in the loss of a current or future recreational resource, eliminate significant open space, or result in loss of an area now used informally by the community as an open space resource.

12. The Proposed Action will not have a significant adverse environmental impact on a Critical Environmental Area (CEA).

There are no Critical Environmental Areas in or adjacent to the area of the Proposed Action.

13. The Proposed Action will not have a significant adverse environmental impact on existing transportation systems.

The Proposed Action will not have a significant adverse impact on existing transportation systems. The existing Airport Drive was designed for industrial use and can accommodate the increase in traffic expected with the Proposed Action.

- 14. The Proposed Action will not have a significant adverse environmental impact as a result of an increase in the use of any form of energy.**

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

- 15. The Proposed Action will not have a significant adverse environmental impact as a result of an increase in noise, odors or outdoor lighting.**

Noise impacts associated with the Proposed Action will be limited to temporary impacts generated during construction. The impacts associated with noise during construction will be mitigated by limiting construction activities to the hours between 7:00 a.m. and 4:00 p.m. (Monday through Saturday) and no construction proposed Sundays and Holidays. The construction of the Proposed Action will be subject to compliance with the Town's noise regulations. There is no blasting expected with construction of the Proposed Action. Should any blasting become necessary, it will occur in full compliance with Federal, State, County and Town laws.

The Proposed Action is not anticipated to generate any noxious odors and will be subject to the Town's lighting regulations. The Applicant is committed to developing a lighting plan for the project that will minimize the impacts of outdoor lighting on the local ecology to the greatest extent practicable.

- 16. The Proposed Action will not have a significant adverse environmental impact on human health from exposure to new or existing sources of contaminants.**

The Site does not include, or is not subject to components which could be considered impacts to public health such as site remediation, institution controls, solid waste facilities, etc.

- 17. The Proposed Action will not have a significant adverse environmental impact as a result of being inconsistent with adopted land use plans.**

The project site is zoned Airport Industrial (AI) Zoning District and the Proposed Action is an expansion of an existing land use. The Proposed Action will not have a significant adverse impact as a result of being inconsistent with adopted land use plans.

- 18. The Proposed Action will not have a significant adverse environmental impact as a result of being inconsistent with the existing community character.**

The Proposed Action is not expected to affect community character. The Proposed Action would expand the existing facilities which are in keeping with the surrounding community character.

19. The Proposed Action will not have a significant adverse environmental impact on the supply of housing in the Town.

The Proposed Action will not have a negative impact on the supply of housing in the Town. The Proposed Action is an expansion of an existing use and as the zoning district does not allow for residential development, the Proposed Action would not prevent any potential residential development.

Based upon this information and the information in the Full Environmental Assessment Form, the Planning Board finds that the Proposed Action will not have any significant adverse impacts upon the environment. This Negative Declaration indicates that no environmental impact statement need be prepared and that the SEQRA process is complete.

Lead Agency: Town of Wappinger Planning Board
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