

# CITY OF KINGSTON

## Office of Housing Initiatives

Bartek Starodaj, Director



Steven T. Noble, Mayor

February 25, 2022

Ald. At Large Andrea Shaut, President  
City of Kingston Common Council  
City Hall - 420 Broadway  
Kingston, NY 12401

Re: Kingston Forward (Citywide Comprehensive Zoning Re-write)

Dear President Shaut,

As you are aware, the City is currently undergoing a citywide rezoning process. The new Form-based Code will seek to encourage future redevelopment in an organized manner and further the goals and vision that continue to be gathered as part of a citywide public outreach process.

Pursuant to 6 NYCRR Part 617, the State Environmental Quality Review Act (SEQRA), the City, through our consultants, will be preparing a Generic Environmental Impact Statement (GEIS) to evaluate potential adverse environmental impacts associated with Adoption of a new Zoning Code (the "Action"). Under SEQRA, the City of Kingston Common Council will be expected to take the following steps:

1. Confirm that the Action is classified as Type I under Section 617.4 (b) (1) of SEQRA;
2. Declare Lead Agency Status as the only Involved Agency;
3. Issue a Positive Declaration of Environmental Significance; and
4. Schedule a Public Scoping Session.

To assist you in the process, I have included the following attachments to this letter:

- A completed DRAFT Full Environmental Assessment Form (FEAF), Parts 1, 2 and 3; and
- A DRAFT Scoping Session Outline.

If you have any questions, please do not hesitate to contact me. I ask that you please forward this communication to the next regularly scheduled Laws and Rules Committee for consideration and discussion.

Respectfully submitted,  
Bartek Starodaj  
Director of Housing Initiatives

Cc: Steve T. Noble, Mayor  
S. Cahill, Planning Director  
E. Tinti, City Clerk  
Ald. R. Worthington, W4, Chair L&R's  
B. Graves-Poller, Corporation Counsel

# CITY OF KINGSTON

## Office of Housing Initiatives

Bartek Starodaj, Director



Steven T. Noble, Mayor

**March 10, 2022**

**Re: Kingston Forward Community Outreach Strategies**

The City of Kingston plans to replace its existing zoning with a Form Based Code (FBC). A Form-Based Code focuses primarily on the physical form of development and can be used to implement a desired community vision. Form-Based Codes make development more predictable, promote better design, and are simpler, so it is easier for people to use the code and understand what it allows. The rezoning effort is a critical opportunity to define the form and character of the city, to shape future growth and preservation by setting clearly defined standards, and to engage the entirety of Kingston in a conversation about the future of the City.

The City and Dover Kohl will be releasing a draft Form-Based Code early spring 2022. Once it is ready, the draft Form-Based code will be published on [Engage Kingston](#).

The following are *planned* outreach events to solicit feedback from the public on this draft for spring 2022:

Method	Date	Goal	Next Steps	Involved Parties
-Contact all previous stakeholders from November and February Events	-Upon release of draft code	-Ensure we build on existing work and outreach completed	-Most contact information has already been captured	CoK Housing
-Postcard to drop off throughout the City	-Upon release of draft code	-Ensure that an easily digestible summary of the rezoning process is distributed throughout the City that highlights how community members can get involved	-Draft and design	Dover Kohl (design) CoK Housing (distribution and printing)
City of Kingston's SWIFT 911 system	-Upon release of draft code and meeting dates are set	-Send a text or voice message to all city residents subscribed to the City's SWIFT 911 system informing them of the rezoning process and that a draft is available	-Draft message	CoK Housing CoK Communications
-Zoning draft explainer	-Publish alongside	-Connect the basics and goals of the draft to the community	-Draft	CoK in collaboration with Dover Kohl

# CITY OF KINGSTON

## Office of Housing Initiatives

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Steven T. Noble, Mayor

	the draft code	input that has been received thus far		
-Press Outreach/PR	-Upon release of the draft code	-Use press to reach a greater portion of the CoK population in advance of next phase of community engagement	-Draft press release -CoK communications maintains a press list. However, will also do direct outreach to ensure that local press give this proper attention	CoK Housing CoK Communications
-Meetings <ul style="list-style-type: none"> <li>• Neighborhood meetings (in-person). These could be drop in style. Different tables will explain various parts of the proposal.</li> <li>• Citywide meeting (hybrid if possible) with polling</li> <li>• Additional walking tours, rescheduled Albany and Waterfront</li> </ul>	- TBD...non-holiday weekend in April or early May	-Provide Dover Kohl with the information needed to make any revisions to the code based on feedback received  -Build an inclusive & diverse political coalition to ensure that the strategy is implemented by elected officials.	-Schedule outreach days	CoK Housing and community groups CoK Communications CoK Mayor's Office Dover Kohl Common Council (Ward Meetings)
-Partnerships <ul style="list-style-type: none"> <li>• Establish partnerships with local organizations to reach diverse subset of the population,</li> </ul>	Rolling basis once code is released	-Build an inclusive & diverse political coalition to ensure that the strategy is implemented by elected officials.		CoK Housing

# CITY OF KINGSTON

## Office of Housing Initiatives

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Steven T. Noble, Mayor

<p>schedule additional meetings as necessary with these groups</p> <ul style="list-style-type: none"> <li>• Present during or table at existing events, e.g., farmer's market</li> </ul>				
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The following is a summary of the outreach **completed** thus far for the Kingston Forward Project to inform the draft that is currently being drafted:

<b>Method</b>	<b>Dates</b>	<b>Details</b>	<b>Responses/Participation</b>
Virtual Citywide survey	October/November 2021	Survey asked questions about the city's built environment, quality of life, housing, and transportation.	307
Kick-off sessions (held virtually and in-person)	November 4 & 5, 2021	Both sessions began with a presentation explaining the purpose of the project, results from the initial analysis, and some of the input the planning team had been hearing to date. After the presentation, participants were separated into small groups to discuss ideas with a facilitator from the planning team. Facilitators asked participants questions about Kingston and its neighborhoods to identify areas of opportunity and concerns.	Approximately 80

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Walking Tours – Midtown, Uptown, Wilbur, Ponckhockie, Rondout	November 7 & 8, 2021	The tours were an opportunity for the planning team and community participants to walk together, to learn more about each neighborhood and how it has evolved over time, and for community members to share their vision for the future	Approximately 80 across five walking tours
Open neighborhood studio hours – City Hall, Rondout Community Center, Kingston Library, Old Dutch Church	November 6-9, 2021	During open design sessions, community participants could drop in and get up to speed on the work being done and provide input on issues such as affordable housing, walkability, and historic preservation.	Approximately 30
Stakeholder meetings	November 8 & 9, 2021	Meetings were organized into an assortment of topics: housing, transportation, environment, business & economic development, preservation, institutions & non-profits, community stakeholders, and arts & culture.	Approximately 50 across eight stakeholder meetings
Work-in-progress presentation – in person & virtual at City Hall	November 10, 2021	The presentation synthesized some of the big ideas and feedback heard from the community thus far	Approximately 110
Virtual Meeting – Hurley/Albany Avenues	February 23, 2022	Session focused on potential development scenarios and implications for the zoning code for Albany and Hurley Avenues	Approximately 30
Virtual Meeting – Waterfront	February 24, 2022	Session focused on potential development scenarios and implications for the zoning	Approximately 40

# CITY OF KINGSTON

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		code for the waterfront along E Strand	
Online survey – Hurley/Albany Avenues and Waterfront	February 4 – March 9, 2022	Survey asked questions on potential changes to the zoning code for each focus area	71 (waterfront) 60 (Hurley/Albany Avenues)

For more information about community outreach completed thus far, please see [this](#) summary.

RESOLUTION \_\_\_ of 2022

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, DETERMINING THAT THE KINGSTON FORWARD REZONING PROJECT IS A TYPE I ACTION AND THAT THE COMMON COUNCIL ACT AS LEAD AGENCY IN THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) PROCESS PURSUANT TO 6 NYCRR PART 617**

Sponsored by: Laws & Rules Committee Aldermen: Alderman Worthington, Hill, Frankel, Scott-Childress, Davis, Olivieri

**WHEREAS**, the City of Kingston Common Council is undertaking a project to rewrite the City's zoning code, as form based zoning, to describe the desired form and character for future improvements and preservation throughout the City called Kingston Forward ("the Project"); and

**WHEREAS**, a new zoning code will aid City-scale growth and advance goals for mixed-uses, affordable housing, walkable streets, preservation and enhancement of community character, economic growth, compatible infrastructure and long-term sustainability; and

**WHEREAS**, a new zoning code will prescribe details of new building by addressing factors like: relationships of buildings to streets and open space, height and massing of buildings, and architecture and street design details and guide the physical form of all future development; and

**WHEREAS**, the Kingston Common Council approved Resolution 67 of 2021 authorizing the Mayor to execute an agreement with Dover Kohl to create the new form-based code for the City of Kingston and ensure that robust citizen involvement is part of the code creation process; and

**WHEREAS**, the City's Consultants have prepared a Full Environmental Assessment Form, Parts 1, 2 and 3; for the review and consideration of the Common Council; and

**WHEREAS**, upon consideration of various criteria set forth under SEQRA, the Common Council of the City of Kingston believes the Project is a Type 1 Action under the criteria §617.4 (b) (1); and

**WHEREAS**, upon consideration of various criteria set forth in §617.6 (b) (1) of SEQRA, the Common Council of the City of Kingston believes that it should be designated lead agency on the project and has determined that there are no other agencies identified as being potentially involved.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:**

**SECTION 1.** That under 6 NYCRR Section 617.6 (b) (1) the City of Kingston Common council hereby declares itself Lead Agency on the Project, for purposes of conducting the environmental review pursuant to SEQRA.

**SECTION 2:** That, as Lead Agency, the City of Kingston Common Council hereby determines that the Kingston Forward project is a Type I Action in accordance with 6 NYCRR Section 617.4 (b) (1), classified as "the adoption of a municipality's land use plan, the adoption

by any agency of a comprehensive resource management plan or the initial adoption of a municipality's comprehensive zoning regulations.

**SECTION 3.** That this resolution shall take effect immediately.

Submitted to the Mayor this \_\_\_\_\_ day  
of \_\_\_\_\_ 2022

Approved by the Mayor this \_\_\_\_\_ day  
of \_\_\_\_\_ 2022

\_\_\_\_\_  
Elisa Tinti, City Clerk

\_\_\_\_\_  
Steven T. Noble, Mayor

Adopted by Council on \_\_\_\_\_, 2022



THE CITY OF KINGSTON COMMON COUNCIL

LAWS & RULES  
COMMITTEE REPORT

DEPARTMENT: HOUSING

DATE: March 16, 2022

Description: **RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, DETERMINING THAT THE KINGSTON FORWARD REZONING PROJECT IS A TYPE I ACTION AND THAT THE COMMON COUNCIL ACT AS LEAD AGENCY IN THE STATE ENVIORNMENTAL QUALITY REVIEW ACT (SEQRA) PROCESS PURSUANT TO 6 NYCRR PART 617**

Motion by \_\_\_\_\_

Seconded by \_\_\_\_\_

Action Required:

SEQRA Decision:  
Type I Action \_\_\_\_\_  
Type II Action \_\_\_\_\_  
Unlisted Action \_\_\_\_\_

Negative Declaration of Environmental Significance: \_\_\_\_\_

Conditioned Negative Declaration: \_\_\_\_\_

Seek Lead Agency Status: \_\_\_\_\_

Positive Declaration of Environmental Significance: \_\_\_\_\_

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Rita Worthington, Ward 4, Chairman		
Barbara Hill, Ward 1		
Carl Frankel, Ward 2		
Rennie Scott-Childress, Ward 3		
Michael Olivieri, Ward 7		

RESOLUTION \_\_\_ of 2022

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, ISSUING A POSITIVE DECLARATION IN CONNECTION WITH THE KINGSTON FORWARD REZONING PROJECT UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) PROCESS PURSUANT TO 6 NYCRR PART 617 AND SCHEDULING A PUBLIC SCOPING SESSION**

Sponsored by: Laws & Rules Committee Aldermen: Alderman Worthington, Hill, Frankel, Scott-Childress, Davis, Olivieri

**WHEREAS**, the City of Kingston Common Council is undertaking a project to rewrite the City's zoning code, as form based zoning, to describe the desired form and character for future improvements and preservation throughout the City called Kingston Forward (the "Project"); and

**WHEREAS**, by Resolution \_\_\_\_ of 2022, the Common Council declared themselves Lead Agency in the environmental review of the Project and determined that the Project is a Type I Action under SEQRA; and

**WHEREAS**, the Common Council has determined that the proposed Project may result in a potential significant adverse impact and therefore requires a Positive Declaration; and

**WHEREAS**, the Common Council must following the Scoping process outlined under Part 617.8 of SEQRA to identify the issues that must be addressed in the Draft Generic Environmental Impact Statement ("DGEIS");

**WHEREAS**, the City's consultants have prepared Draft Scoping Document to identify the potential significant adverse impacts for purposes of allowing for public review and comment, prior to issuing a Final Written Scope.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:**

**SECTION 1:** Pursuant to Part 617 of the implementing regulations pertaining to SEQRA, the Kingston Common Council hereby renders a Determination of Positive Environmental Significance.

**SECTION 2:** That the Common Council shall host a public scoping session on April 21, 2022. The Draft Scoping Document shall be made available on April 5, 2022. A public comment period shall open on April 5, 2022 and shall run for no less than ten (10) calendar days after the public scoping session to collect any comment for use in preparation of a Final Written Scope.

**SECTION 3:** That the Office of Housing Initiatives is hereby directed to file the Positive Declaration with the Environmental News Bulletin, and circulate the Draft Scope Document for public review and comment.

**SECTION 4:** That this resolution shall take effect immediately.

Submitted to the Mayor this \_\_\_\_\_ day  
of \_\_\_\_\_ 2022

Approved by the Mayor this \_\_\_\_\_ day  
of \_\_\_\_\_ 2022

\_\_\_\_\_  
Elisa Tinti, City Clerk

\_\_\_\_\_  
Steven T. Noble, Mayor

Adopted by Council on \_\_\_\_\_, 2022

THE CITY OF KINGSTON COMMON COUNCIL

LAWS & RULES  
COMMITTEE REPORT

DEPARTMENT: HOUSING

DATE: March 16, 2022

Description

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,  
ISSUING A POSITIVE DECLARATION IN CONNECTION WITH THE KINGSTON FORWARD  
REZONING PROJECT UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT  
(SEQRA) PROCESS PURSUANT TO 6 NYCRR PART 617 AND SCHEDULING A PUBLIC  
SCOPING SESSION**

Motion by \_\_\_\_\_

Seconded by \_\_\_\_\_

Action Required:

SEQRA Decision:

Type I Action \_\_\_\_\_

Type II Action \_\_\_\_\_

Unlisted Action \_\_\_\_\_

Negative Declaration of Environmental Significance: \_\_\_\_\_

Conditioned Negative Declaration: \_\_\_\_\_

Seek Lead Agency Status: \_\_\_\_\_

Positive Declaration of Environmental Significance: \_\_\_\_\_

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Rita Worthington, Ward 4, Chairman		
Barbara Hill, Ward 1		
Carl Frankel, Ward 2		
Rennie Scott-Childress, Ward 3		
Michael Olivieri, Ward 7		

- PRELIMINARY DRAFT -

## STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)

### DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT DRAFT SCOPING DOCUMENT

Prepared for:  
**KINGSTON FORWARD: FORM-BASED CODE REZONING  
CITY OF KINGSTON, NY**

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<b>Name of Action:</b>	Kingston Forward: Form-Based Code Rezoning
<b>Location of Action:</b>	City of Kingston, Ulster County, New York
<b>SEQR Status:</b>	Type 1
<b>Lead Agency:</b>	City of Kingston Common Council City Hall 420 Broadway Kingston, NY 12401
<b>Lead Agency Contact:</b>	Bartek Starodaj, Director of Housing Initiatives City Hall 420 Broadway Kingston, NY 12401 845-334-3962
<b>Date of Draft Scoping Document:</b>	April 5, 2022
<b>Public Scoping Session To Be Held:</b>	April 21, 2022
<b>Public Comments Must Be Submitted By:</b>	May 2, 2022

#### PROJECT CONSULTANTS:

**Dover, Kohl & Partners**  
**Laberge Group**  
**Hall Planning & Engineering**  
**GRIDICS**

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## OVERVIEW

This Draft Scoping Document outlines how the project sponsor and designated Lead Agency, the City of Kingston Common Council, will prepare a Draft Generic Environmental Statement (DGEIS) that comprehensively evaluates a new Form-Based Code (FBC) rezoning for the City of Kingston. This document identifies the Action, environmental topics that will be analyzed, it defines the organization and level of analysis that must be presented in the Draft GEIS, and the associated source information.

The proposed FBC is intended to replace the existing zoning standards, which are auto-oriented and conducive to sprawl, with new zoning standards that guide the physical form of development. The FBC focuses primarily on guiding the physical pattern of land use as a means to implement the community vision for growth. Form-Based Codes that are graphically rich are organized to make development more predictable and provide for better design outcomes.

The City of Kingston Common Council on April 5, 2022 declared itself Lead Agency and acknowledged that the Form-Based Code that will regulate land use throughout the City is a Type I Action, and determined that a Draft GEIS was appropriate to provide for the environment review of this action.

### Proposed Action Description

The City of Kingston's existing zoning ordinance dates from the 1960's. It has been amended in pieces and it can be confusing and unclear. The existing zoning does not align well with Kingston's historic building tradition, whereby buildings were established prior to the current zoning standards which are auto-oriented and conducive to sprawl. Moreover, there is a problem in that other aspects of the existing zoning are organized in a way that it is not aligned to meet current community needs and values. Therefore, a new Chapter 405 Form Based Code is proposed to replace the existing zoning standards of the City of Kingston in order to guide the physical form of development.

The FBC will prescribe details of development by addressing factors such as:

- Relationships of buildings to streets and open space;
- Height and massing and groupings of buildings;
- Architectural design; and
- Layouts of complete multimodal streets with quality designs and that fit with land use.

Included in the FBC will be specific regulations and a corresponding spatial Regulating Plan map that will prescribe the Transect/ Special District assignments. The FBC-centered zoning is also intended to aid City-scale growth and advance goals for mixed-uses, affordable housing, walkable streets, preservation and enhancement of community character, economic growth, compatible infrastructure and long-term sustainability.

The location of this proposed action is the whole of City of Kingston, Ulster County, NY.

## State Environmental Quality Review Act (SEQRA) Process

As part of commencing the environmental impact review process for the Project, the City conducted a series of procedural steps in accordance with SEQRA and its implementing regulations. On April 5, 2022 the City Common Council:

- Completed the Part 1, Part 2 and Part 3 of a Full Environmental Assessment Form (EAF).
- Determined the proposed action was a legislative action and the City Common Council was declared Lead Agency.
- Classified this Project as a Type 1 Action in accordance with SEQRA regulations NYCRR 617.4 (b)(2) which identifies the adoption of the Form Based Code (FBC), which is a type of zoning, with prescribed land use components and/or recommendations for zoning changes to 25 or more acres as a Type 1 action.
- Further reviewed the Full EAF as part of making a SEQRA Determination of Significance. Accordingly, the City Common Council, approved the EAF and determined and issued a Positive Declaration. This Positive Declaration specifically determined that a Generic Environmental Impact Statement (GEIS) is required for the proposed FBC.
- Issued a Draft Scoping Document and set the date for a Public Scoping Session (meeting) on April 21, 2022 in Kingston City Hall (and over publicly accessible Zoom teleconferencing software).
- Established that public comments on the Draft Scoping Document will be accepted until May 2, 2022.

This Final Scoping Document will be distributed to all Involved and Interested entities. It is now the responsibility of the Lead Agency to oversee GEIS completion. While no agency other than the City of Kingston Common Council is able to approve or directly undertake this Action, through the coordinated review process multiple parties will have an opportunity to comment on the Action. This includes Ulster County Planning which, per NY State General Municipal Law §239-m, will be formally referred a submission on the GEIS and Form Based Code Zoning Amendments.

A notice of the Public Scoping Session will be distributed to potentially involved and interested agencies and adjacent jurisdictions. A notice for Positive Declaration, the release of the Draft Scoping Document, plus intent to hold a scoping session and receive comments on the Draft Scoping Document will also be published in the Environmental Notice Bulletin (ENB) and the local newspaper. Any comments received during the scoping meeting and in writing (through May 2, 2022) that are relevant to the preparation of the DGEIS will be summarized.

The purpose of this Draft Scoping Document is to define environmental issues that will be addressed in the Draft GEIS. Following public review and comment and coordination with interested agencies, the Lead Agency will prepare and adopt a Final Scoping Document on which the Draft GEIS will be based. The Final Scoping Document will lay out the necessary information that must be assembled and analyzed in the Draft GEIS in order to evaluate potential impacts, alternatives, and mitigation measures. The Draft GEIS will contain all requisite content, including as per provisions of SEQRA NYCRR 617.8 through 617.10. This will include a cover sheet; table of contents; and an executive summary.



## Involved & Interested Agencies

The agency that is able to approve and adopt the FBC is the City of Kingston Common Council. Other potentially involved agencies may have influence upon the adoption of the FBC and/or which may have a future permit, approval and/or funding role regarding implementation of actions arising in conjunction with the FBC, which include:

- City of Kingston Planning Board
- City of Kingston Heritage Area Commission
- Ulster County Planning Board
- New York State Department of State
- City of Kingston Zoning Board of Appeals
- Ulster County Department of Public Works
- Ulster County Industrial Development Agency
- Ulster County Transportation Council
- New York State Department of Environmental Conservation
- City of Kingston Board of Water Commissioners
- City of Kingston Local Development Corporation
- Hudson Valley River Greenway
- New York State Department of Transportation
- New York State Office of Parks, Recreation and Historic Preservation – State Historic Preservation Office (SHPO).

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### Executive Summary

### 1.0 Overview of Purpose

### 2.0 Description of Proposed Action

### 3.0 Procedural History

### 4.0 Existing Conditions, Potential Impacts & Mitigation

For each subject proposed to be addressed in the Draft GEIS, there will be reasonably detailed descriptions of baseline existing conditions, the types of impacts that may arise, and the identification of mitigation measures that have been initially identified to reduce or eliminate potential for adverse environmental effects from future development.

#### 4.1 Geology, Soils & Topography

**Existing Conditions:** The Draft GEIS will portray a map that depicts patterns of slope and it will discuss attributes of soils and geology as these may relate to future site preparation/ development. Portions of the City Code regulating building on higher slopes will also be described.

**Potential Impact:** FBC implementation could result in impacts to geology, soils, and topography (e.g., construction could increase the extent of impervious surfaces, building below grade could interface with ground water levels, or land use occurring on steeper slopes could result in potentially more impactful cuts and fills or influence down-gradient runoff).

**Anticipated Information Necessary to Address the Impact:** FBC transect standards applicable in locations of steeper slopes will be presented in a large-scale map to aid assessment of aggregate potential for land use change in these spots. There will also be presentation of Administrative Standards applicable to characterizing site conditions as well as transect regulating standards that may influence future land use in locations with steeper slopes.

**Initial Identification of Mitigation Measures:** There will be evaluation of the extent that best practices are applied in the FBC to help avoid or minimize potential for undesirable impacts to arise in conjunction with development that occurs in locations with steeper slopes, or due to the water table, or due to changes in impervious cover.

#### **4.2 Plants & Animals Resources**

**Existing Conditions:** Characterization of the City natural resource environment will be derived from the 2020 Open Space Plan and its attendant Natural Resource Inventory (OSP/NRI). The Draft GEIS will describe general habitats and locations with higher known biodiversity.

**Potential Impact:** This will analyze how building under the FBC may generate potential to change the extent or composition of flora and fauna, levels of tree/ forest cover, or conceivably enable encroachment upon natural resources and habitats, that constitute buffers or involve banks or are by the edges of streams, wetlands or other open space and habitat areas that are preferable conserved.

**Anticipated Information Necessary to Address the Impact:** Using data in the OSP/ NRI will enable discussion of the potential for the FBC to allow growth in relation to wetlands, including those that are NYSDEC-defined 12.4 acres or more and associated Buffers; regulated streams, or other higher priority. Information for this discussion may also be derived from NYSDEC's Environmental Resource Mapper, and data available through the NYS GIS Clearinghouse, plus there will be formal consultations with the NYSDEC and the US Fish & Wildlife Service to identify the potential presence of important habitats or particular protected species.

**Initial Identification of Mitigation Measures:** The FBC regulating standards will be assessed for the degree that these generically prompt threshold developments to practicably avoid sensitive resources. Moreover, there will be consideration of whether new building that could happen under the FBC could generate any different potential impacts to ecology and species compared with what would be possible under existing zoning. The environmental review documentation will identify and discuss how future site-specific development may be structured to apply best practices and minimize potential for undesirable severe impacts to habitats to arise during construction and based on designs.

#### **4.3 Water Resources**

**Existing Conditions:** A brief description will characterize the water environment in the city, inclusive of: streams, surface waters, wetlands, floodplains, Federal Emergency Management Agency Special Flood Hazard Areas including 500-year Floodplain (zones C & X), and any regulated edges of such features.

**Potential Impact:** This will discuss how the FBC and the submission of applications and the administration of development review coming under it may provide for the identification/ characterization of natural elements of sites that may be preferably conserved, or how it may encourage infill and adaptive reuse on already built and disturbed areas to protect water resources. It will also evaluate potential for new construction to affect water bodies within a designated coastal zone.

**Anticipated Information Necessary to Address the Impact:** The FBC administrative protocols will be analyzed. Secondary source map information and data tables will be used to depict the locations and quantify the potential for impacts from development occurring per the FBC in the coastal zone.

**Initial Identification of Mitigation Measures:** Applicable Local and State coastal consistently principals will be reviewed under the FBC to aid coastal area and resource management.

#### 4.4 Open Space & Recreation

**Existing Conditions:** This part will describe, through reference to the community's adopted 2020 Open Space Plan and its 2015 Parks & Recreation Master Plan, an inventory of public lands dedicated for open space or parks use. It may rely on the same sources to describe the mix of these resources and parks may be shown on a basic map included in this section.

**Potential Impact:** There will be analysis of how future growth under the FBC relates to and may impact the demands for public parks and open space. This may include relationship of growth to different types of recreation assets.

**Anticipated Information Necessary to Address the Impact:** Data and maps will depict parks and Kingston Greenline footprints as well as distances of  $\frac{1}{4}$  to  $\frac{1}{2}$  mile around them. Civic/ Civic Support use and other recreation standards presented in the FBC will be described, including: open space and trail design standards; open space types and required dimensions; and how objectives for open space and greenway development vary by transect.

**Initial Identification of Mitigation Measures:** The enhancement and development of parks and green spaces and advances in walkability are goals embodied in the FBC. The Draft GEIS will assess how the FBC provides for space set asides and development of recreation options. Likewise, recommendations in the Open Space Plan and Parks & Recreation Master Plan will be evaluated for the extent that the FBC will address and forward identified community objectives.

#### 4.5 Land Use & Zoning

**Existing Conditions:** Existing zoning and land development regulations will be described. This will cover procedural thresholds and process requirements, and examine permitted uses and the general overall development potential in each existing zoning district.

**Potential Impact:** Building potential under existing zoning will be compared with a generic examination of growth possible under the proposed FBC. The examination will address how development may vary from what is possible under existing zoning by examining the prescriptions within the regulating plans and transects standards, including by reviewing the applicable building layout criteria, maximum and minimum scale, setbacks, and building placement requirements.

**Anticipated Information Necessary to Address the Impact:** The FBC focuses on generating a desired physical form of development (more than it regulates land use). The FBC will present rules for creating and replicating context. Design and impact standards will be assessed for how they guide building placement, massing, and scale, and cause or reinforce placemaking. The FBC will also be analyzed for how it is organized to advance form and pattern objectives in particular transects. The regulating plan map's transect spatial arrangements will be analyzed as will the detailed transect standards in the FBC. There will be analysis of general standards, covering parking and signage. There will be reviews of: Building Frontage Types; Build-to-Zones; Frontage/ Property Line requirements; Lot standards; Front, Side and Rear Setbacks; Building First and Upper Floor Heights; and building width requirements.

**Initial Identification of Mitigation Measures:** Definitions and standards will be compared for how these enable, frame, or constrain building and site development and influence building form and patterns of land use. There will be a review of how requirements may affect regulatory process and address goals and issues. There will be an assessment of how the FBC provides for mixed-use, compact, and efficient patterns of building. Comparisons of the potential development possible will be used to examine how policy standards are intended to influence the form and density of building in each transect, generate or replicate context, or overcome sprawl, advance placemaking, and generate desired onsite building and space relationships.

#### **4.6 Historic & Archeological Resources**

**Existing Conditions:** A summary of the City's existing historic and archeologic resources will be derived from existing resources. Utilized, will be information from the local Landmark Preservation Commission on Landmarked properties; Archaeological Sensitive Areas per NYS Cultural Resource Information System (CRIS); National Landmark Districts that are listed on the National Register of Historic Places, as well as National Landmarks, State Register of Historic Places listings, plus buildings potentially eligible for listing on the State Register of Historic Places; and documentation on the City's New York State Urban Heritage Area.

**Potential Impact:** The re-zoning aims to create zoning standards that better fit the City's historic settlement patterns to encourage historic preservation, reuse, and compatible infill and investment. Standards will be developed enhance building-to-street relationships and historic qualities. The Draft GEIS will examine the potential impacts to sites containing in-ground cultural resources, as well as the ability of future land uses to potentially alter buildings and structures that may be designated as historic resources or which may have potential to be designated historic or cultural resources. Future land use activity that would not adhere to review protocols, defined standards, and practice prescriptions could disrupt in-ground resources, potentially alter settings or site integrity, and would be inconsistent with Federal, NYS and Local Historic Preservation Law.

**Anticipated Information Necessary to Address the Impact:** A letter to NY State Office of Parks, Recreation & Historic Preservation will ascertain identified and potentially listed districts and properties and Archaeological Sensitive Areas. There will also be goals excerpted from readily obtained locally adopted preservation plans. A formal cultural resource investigation, or citywide Phase 1A survey, will not be conducted. Rather there will be discussion of thresholds for when analytical investigation like a Phase 1A/ Phase 1B study may be warranted, or when a historic property or potential historic property written resource analysis performed by a qualified professional, may be called for as part of subsequent applications for site-specific development that may surpass identified thresholds. This way, the analysis can identify and discuss potential resource areas and buffers, studies, inventories, and reasonably assimilate data that can aid in screenings for the potential presence of historic and pre-historic sites and buffers, identify potential sensitivity of resources, and establish process for defining potential historic and cultural resources, and their general significance, to identify whether certain types of analysis may be

warranted during subsequent site-specific development.

**Initial Identification of Mitigation Measures:** The FBC will maintain and support existing historic districts and designations. The FBC will provide standards that guide growth to enable new development to be in character with the traditional urban building form. Future structures will be guided in their development to compliment placemaking and aid the conservation of historic and cultural resources. The Draft GEIS will review existing or proposed procedures for screenings and when an assessment or analysis of the potential future impact of development is appropriate on a site-specific basis. It will identify possible forms of mitigation existing in City policy and new prescriptions, inclusive of any special requirements. It will identify resource studies or best practices as a basis for regulating property development to avoid potentially adversely degraded. The FBC design standards and proposed regulating plans will be analyzed for how standards could impact historic and architectural resources.

#### 4.7 Socioeconomics

**Existing Conditions:** A basic and concise description of local population, housing, and the economic base will be assembled to describe the social and economic setting and potential for change in it. The snapshot will rely on secondary sources to document features of population and change and it will discuss the housing mix and factors affecting housing needs, affordability, and market conditions, as well as the features of the local economy and labor conditions.

**Potential Impact:** This will consider how housing demand, affordability and economic factors may change with FBC implementation. Since national and regional economy and conditions influence the local environment, there may be anecdotal and qualitative analysis of possible impacts.

**Anticipated Information Necessary to Address the Impact:** Data sources covering housing conditions may often source from the County, such as contained in the 2021 Ulster County Housing Action Plan. There would also be reliance on State and Federal Sources for population, housing, income and employment data, particularly using US Census-derived sources like the 10-year counts and what is available in the American Community Survey.

**Initial Identification of Mitigation Measures:** Analysis can address how development under new zoning may influence housing types, mix, overall supply and affordability. There can also be examination of how goals and objectives in community and economic development in various community plans and policies may be advanced through FBC implementation.

#### 4.8 Multimodal Transportation & Parking

**Existing Conditions:** Multimodal transportation system conditions will be described to generate a context for evaluating changes in future conditions. There will be a basic description of the network with a limited description of the roadways and hierarchy, with identification of Arterial and Collector Streets, descriptions of block perimeters, intersection density, and general grid characteristics. It will also characterize pedestrian, bicycle, and transit usage, mix, and environment features. This will include descriptions of general transport safety, as this relates to walkers and bicyclists. There will also be definition of existing City Code policies influencing the establishment of parking, or the layout or modification of public streets, or onsite circulation system arrangements.

**Potential Impact:** There will be discussion regarding how transportation components of the FBC will provide for walking, biking, driving, and using transit. This will include qualitative discussion of the how the potential spatial pattern and future level of growth may influence various modes, as the rezoning could generate substantial increases in activity in modes of transport, above present levels, or in a way that generates new demand for transportation

facilities, or services, which could alter traffic and the patterns of movement of people and goods within the city. There will be an examination of how changes in the FBC could influence changes in the transport safety environment. This shall include describing prescribed street types and intersection characteristics and treatments, site-level layouts, parking standards, and influences on vehicle speeds, as well as how the grid may develop and evolve, including with the development of a system of non-motorized trails.

**Anticipated Information Necessary to Address the Impact:** There will not be a transportation study generated, but there may be citation of prior City or regional plans, plus extraction some data and descriptions from City plans or studies by the Ulster County Transportation Council (UCTC), inclusive of the Draft City of Kingston Bicycle & Pedestrian Master Plan, provided that a public release of that document is made available prior to the final adoption of a Scoping Document. Traffic safety data from the City and UCTC will be relied on to qualitatively examine crash rates and severity and the potential for change. The FBC policy prescriptions for street and onsite multimodal transport system design, as well as the provision of parking, will be analyzed for how walkability and bicycle-ability is brought forth through prescriptions for block sizes, requirements for street modification, establishment of curb cuts, in terms of providing for walking and universal accessibility, transit use, plus in terms of how there is provision of onsite vehicular and bicycle parking, integration of transit access, opportunity for electric vehicle charging, and the provision for drop-offs and deliveries.

**Initial Identification of Mitigation Measures:** There will be identification of whether and how prescriptions for transportation development in the comprehensive plan, or other City policies, will be advanced. There will also be identification of potential to achieve specific improvements in transport infrastructure called for in the FBC's text, numeric and graphic standards. Discussion will examine how lower vehicle speeds and more complete streets can be achieved, with better walking and bicycling access. The discussion of multimodal change will analyze proposals that will influence the grid layout and intersection density and the pattern and features present in individual streets and intersections as well as how the design of transport elements at the property level will influence multi-modalism, safety, accessibility and land use.

#### **4.9 Consistency with Community Character**

**Existing Conditions:** Natural and manmade features contribute to the Kingston community's sense of place. These include visual aspects, like landscape, buildings and structures. It also includes the natural and civic environment, and even services. There will be a concise synopsis of goals and objectives in various local plans that aim sustain or enhance character. There also will be discussion of ways lighting is regulated now to enable comparison with any new efforts to manage it.

**Potential Impact:** There will be analysis of ways the FBC provides for changes in land use, density, services, and aesthetics through examination of code criteria/ standards. One main focus will be on the role of form and design, yet, it will also address any new lighting thresholds.

**Anticipated Information Necessary to Address the Impact:** Analysis on whether and how the FBC will be consistent with or impact architectural and landscape character and building form and scale will rely on the proposed standards, plus there can be comparison, often qualitative, with how such standards may influence community goals and objectives. There will be consideration of how and where growth could occur compared with that possible under existing zoning in order to evaluate the character effects upon public resources such as parks, or the potential for displacement of low-, moderate- or middle-income persons/ households.

**Initial Identification of Mitigation Measures:** There will be examination of building and façade requirements and

how design standards are proposed to generate sense of place and compatible character, including through architectural arrangements involving window, door, wall texture, wall variegation, and building arrangements (like for steps, doorways, porches, canopies, cornices, courts and forecourts). There likewise will be discussion of proposed streetscape design criteria, regulation of signage, stipulations for open space and other space set asides and providing for onsite landscaping.

#### **4.10 Energy Use, Air Resources & Noise**

**Existing Conditions:** Relying on data in City plans, a summary of land use, building, transport and built-environment factors influence on community-level use of energy, air quality and noise will be provided. This may include brief descriptions of power systems, infrastructure, and policies and programs that may influence these environmental features and which might relate to standards or actions in the FBC.

**Potential Impact:** There will be basic analysis of whether and how community-wide or per capita energy use, air emissions and general noise conditions may change under the FBC rezoning.

**Anticipated Information Necessary to Address the Impact:** City climate plans, the open space plan, and sources like the Mid-Hudson Region Sustainability Plan, could be consulted for data, like on energy consumption, and goals and objectives for tree planting and will enable assessment of how the FBC standards may provide for designed changes in land use, building, transport and the built environment.

**Initial Identification of Mitigation Measures:** Discussions will evaluate how land use change could impact energy distribution and consumption. There will be examination of how code strategies proposed will influence reduced energy demand/ consumption, through its stipulations that cause or incentivize more efficient land use, multimodal transport and vehicle electrification, high efficiency construction, or other undefined actions like promotion or use of EnergyStar and/or USGBC LEED rating standards and criteria.

#### **4.11 Community Services & Infrastructure**

**Existing Conditions:** This will generally describe extent and capacity of existing infrastructure services (water, sewer, wastewater treatment and stormwater).

**Potential Impact:** There will be examination of public service impacts in Kingston that may be caused by changes in the future land use enabled by the FBC development program. It will examine how the FBC may cause development authorization to connect with or modernize aspects of infrastructure. There will not be new primary studies, but rather the focus is on accessing readily available descriptions to show service availability, infrastructure conditions, and generically assess how new growth could impact respective services.

**Anticipated Information Necessary to Address the Impact:** Secondary source engineering and mapped data, as available, will depict services locations and respective capacities. Existing codes and any new FBC policies influencing access, use, and improvement of infrastructure will be discussed for how these requirements may provide for compliance in order for connections to be made, like with sewers.

**Initial Identification of Mitigation Measures:** There will be FBC-influenced growth may relate to Inflow and Infiltration (I&I) in City sewers and stipulate mitigation to plan, design, or construct upgrades which can help reduce I&I and conserve system capacity. Likewise, there may be prescriptions for water conservation measures in development to promote as low as practicable demand and conveyance system flows. Finally, there will be examination of best practices that can be applied for conserving resources and managing infrastructure facilities.

#### 4.12 Consistency with Community Plans

**Existing Conditions:** This will discuss major goals and land use objectives in the 2020 Comprehensive Plan. There will also be identification of major local subject specific plans, including the City Local Waterfront Revitalization Plan (LWRP), plus its aligned implementation documents.

**Potential Impact:** This part will address potential for the FBC to advance goals and plan objectives. This will include how it relates to placemaking, housing supply, community and economic development, waterfront consistency, and physical form and the appearance of potential new development.

**Anticipated Information Necessary to Address the Impact:** Content relied on will comprise existing plans and policy standards and the FBC standards. There will also be data compiled in order to fill-in a Coastal Assessment Form as per City Code Chapter 398.

**Initial Identification of Mitigation Measures:** This will examine whether tactics should be added to the FBC to aid multi-modalism and traffic calming, reinforcement of sense of place, housing choices and economic development.

### 5.0 Project Alternatives

The following alternative approaches and variations will be discussed:

#### 5.1 No Action

This standard basis for comparisons will address the potential impacts of growth under current zoning.

#### 5.2 Higher Densities in T4 & T5 Transects

This scenario will assess impacts that could arise if there are higher building construction allowances with one additional story more in T4 and T5 than is in the baseline FBC. It will discuss altered supplemental transect district dimensional criteria involving variables like lot coverage, other Lot Standards, or Building Form dimensional changes.

### 6.0 Summary of Impacts & Mitigation

#### 6.1 Overview

This part of the Draft GEIS will review and reiterate the findings of the above categorical analysis plus it will discuss other types of effects that must be addressed as follows per the SEQRA rules for preparing an environmental impact statement.

#### 6.2 Growth Inducing Impacts

This part will assess potential for economic or other direct or indirect changes that may occur due to land development enabled under this Action. It will review the possibility of new or disproportional demands for government services and the possibility of less housing affordability and the need for and ways to attenuate potential issues.

#### 6.3 Cumulative Impact

This will consider potential for impacts to be experienced due to additive or synergistic effects. It will consider how



background traffic, demand for public services, economic, or environmental conditions could combine with effects arising due to the zoning change to cause adverse effects and it will discuss ways to minimize or avoid any such impacts.

#### **6.4 Irreversible & Irretrievable Resource Commitments**

This will address resource commitments due to the Action that cannot be avoided.

#### **6.5 Identified Unavoidable Adverse Impacts**

This covers potential for severe impacts to arise due to Action implementation.

#### **6.6 Program Implementation**

This will summarize growth impacts expected as part of FBC implementation. It identifies mitigation, thresholds and addresses whether and how land development carried out in conformance with the adopted FBC, Draft GEIS, Final GEIS, and Findings Statement may require limited SEQRA review.

#### **Draft GEIS Appendices**

This section identifies information planned for inclusion in an Appendix rather than the main body of the Draft GEIS. These may contain data and information used in preparing the Draft GEIS, or project documentation. Additional studies or process documentation may be included in the Appendix. Documents anticipated for inclusion in the Appendix are:

- Form Based Code
- Draft Scope and appurtenant information
- Final Adopted Scope
- Documentation of ‘public participation’, such as from the 2021 Charrette, or various other aspects from outreach and public comments.

**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 applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Kingston Forward - Form-Based Code Rezoning		
Project Location (describe, and attach a general location map): City of Kingston, Ulster County, NY (Whole City) - See 'City of Kingston Base Map'		
Brief Description of Proposed Action (include purpose or need): A new Chapter 405 Form Based Code (FBC) will replace existing Euclidean land use zoning standards in order to guide the physical form of development. The FBC will prescribe details of new building by addressing factors like: relationships of buildings to streets and open space, height and massing of buildings, and architecture and street design details. The following FBC Articles will be used to generate a Regulating Plan and the specific requirements for each new zone: I. Overview & Definitions; II. Regulating Plans; III. Transect Standards; IV. General Standards; V. Street Design Standards; VI. Public Open Space & Trails; VII. Large Site Standards; and VIII. Administration. As for purpose and rationale, existing zoning dates to the 1960s. It has been amended in piecemeal fashion and aspects are unclear. Existing zoning does not align with Kingston's historic context and building character and many existing buildings could not be built today under the existing zoning rules for minimum lot size, building height, permitted mix of uses, etc. Thus, the zoning rules re-write is intended to aid City-scale growth and advance goals for mixed-uses, affordable housing, walkable streets, preservation and enhancement of community character, economic growth, compatible infrastructure and long-term sustainability.		
Name of Applicant/Sponsor: City of Kingston Common Council		Telephone: (845) 331-0080 E-Mail: cityclerk@kingston-ny.gov
Address: City Hall - City Clerk's Office: 420 Broadway		
City/PO: Kingston	State: NY	Zip Code: 12401
Project Contact (if not same as sponsor; give name and title/role): Bartek Starodaj, Director of Housing, City of Kingston		Telephone: (845) 339-3928 E-Mail: bstarodaj@kingston-ny.gov
Address: City Hall - 420 Broadway		
City/PO: Kingston	State: NY	Zip Code: 12401
Property Owner (if not same as sponsor): Varies - This is a citywide rezoning encompassing properties within the municipal borders.		Telephone: E-Mail:
Address:		
City/PO:	State:	Zip Code:

**B. Government Approvals**

<b>B. Government Approvals, Funding, or Sponsorship.</b> ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
<b>Government Entity</b>	<b>If Yes: Identify Agency and Approval(s) Required</b>	<b>Application Date (Actual or projected)</b>
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Common Council FBC Approval per §405-70 'Authority to amend' of Zoning.	March 1, 2022
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Referral to City Planning Board per §405-73 'Referrals' of Zoning.	July 5, 2022 (Projected)
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Refer: Historic Landmarks Preservation Comm. (§405-73); Heritage Area Comm. (Ch 398-11)	July 5, 2022 (Projected)
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Referral to County Planning Board per 203-GML	July 5, 2022 (Projected)
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" 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**

<b>C.1. Planning and zoning actions.</b>	
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>If Yes, complete sections C, F and G.</li> <li>If No, proceed to question C.2 and complete all remaining sections and questions in Part 1</li> </ul>	
<b>C.2. Adopted land use plans.</b>	
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 checked="" type="checkbox"/> Yes <input 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): Remediation Sites:356056, Remediation Sites:C356035, Remediation Sites:C356036, Remediation Sites:C356037, Remediation Sites:C356032A, Remediation Sites:V00617, Remediation Sites:356052, Remediation Sites:356040, Remediation Sites:C356017, Remediation Sites:356030, Remediation Sites:356017, Remediation Sites:V00171, Remediation Sites:356060, Remediation Sites:356061, Remediation Sites:C356054, Remediation Site... <u>The City has a Local Waterfront Revitalization Area; the NYS Urban Heritage Area overlays part of the City; the City is in the Hudson River Valley Greenway</u>	
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s): The City of Kingston, New York - Open Space Plan, June 25, 2019. _____ _____	

**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?  
This Citywide project will address existing base zoning districts listed in Zoning Article III Zoning Districts & Map, inclusive of identified Overlay districts.

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? The Form-Based Code will present new proposed transect zones.

**C.4. Existing community services.**

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

b. What police or other public protection forces serve the project site?  
City of Kingston Police; Ulster County Sheriff; and NY State Police.

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

d. What parks serve the project site?  
Multiple parks, recreation facilities and open spaces serve the community as identified in the adopted 2013 Parks & Recreation Master Plan and the City of Kingston, New York - Open Space Plan, June 25, 2019.

**D. Project Details** NOTE: This action comprises adopting a local law, so content in D. & E. is auto-generated by the EAF Mapper.

**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)?  
\_\_\_\_\_

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ acres  
b. Total acreage to be physically disturbed? \_\_\_\_\_ acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ 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 the proposed action be constructed in multiple phases?  Yes  No  
i. If No, anticipated period of construction: \_\_\_\_\_ 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 \_\_\_\_\_

ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length

iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ 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 the proposed action cause or result in disturbance to bottom sediments?  Yes  No  
 If Yes, describe: \_\_\_\_\_

iv. Will the 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: \_\_\_\_\_

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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), what is the 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

- Do existing sewer lines serve the project site?  Yes  No
- Will a line extension within an existing district be necessary to serve the project?  Yes  No

 If Yes:
 

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:
 

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- What is the receiving water for the wastewater discharge? \_\_\_\_\_

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):  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_

---

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?  Yes  No  
 If Yes:
 

- 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)
- ii. Describe types of new point sources. \_\_\_\_\_
- 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)?  
 \_\_\_\_\_  
 \_\_\_\_\_
  - If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
 \_\_\_\_\_
  - Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

---

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?  Yes  No  
 If Yes, identify:
 

- i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_
- ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_
- iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 \_\_\_\_\_

---

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?  Yes  No  
 If Yes:
 

- 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)  Yes  No
- ii. In addition to emissions as calculated in the application, the project will generate:
  - \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)
  - \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
  - \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
  - \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
  - \_\_\_\_\_ 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 truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_

---

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: \_\_\_\_\_

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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: \_\_\_\_\_

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

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

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

<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>
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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 the 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:  
 \_\_\_\_\_  
 \_\_\_\_\_

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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 the proposed storage facilities: \_\_\_\_\_  
 \_\_\_\_\_

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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): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

---

t. Will the 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** NOTE: The action covers adopting a local law, so content in D. & E. is auto-generated by EAF Mapper.

**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): \_\_\_\_\_

ii. If mix of uses, generally describe: \_\_\_\_\_

\_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

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: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_  
\_\_\_\_\_

iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_  
\_\_\_\_\_

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): 356056, C356035, C356036, C...  
 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): 356056, C356035, C356036, C356037, C356032A, V0...  
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: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_

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**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ 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: \_\_\_\_\_ %  
 \_\_\_\_\_ %  
 \_\_\_\_\_ %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ % of site  
 Moderately Well Drained: \_\_\_\_\_ % of site  
 Poorly Drained: \_\_\_\_\_ % of site

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

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: Hasbrouck Park Road - Ponck Hockie \_\_\_\_\_

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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 861-110, 855.4-5, 861-3, 861-104, 855.4-1, 862-... Classification D, C, B(T), A
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name Federal Waters, NYS Wetland, Federal Waters, Fe... Approximate Size NYS Wetland (in a...)
- Wetland No. (if regulated by DEC) KE-4, KE-8

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: \_\_\_\_\_  
 Name - Pollutants - Uses: Hudson River (Class A) – Priority Organics – Fish Consumption, Name - Pollutants - Uses: Hudson River –...

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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: Principal Aquifer \_\_\_\_\_

m. Identify the predominant wildlife species that occupy or use the project site: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

n. Does the project site contain a designated significant natural community?  Yes  No  
 If Yes:  
 i. Describe the habitat/community (composition, function, and basis for designation): \_\_\_\_\_  
 Tidal River, Freshwater Intertidal Shore, Freshwater Tidal Marsh  
 ii. Source(s) of description or evaluation: \_\_\_\_\_  
 iii. Extent of community/habitat:  
 • Currently: \_\_\_\_\_ 74248.64, 6.0, 30.0 acres  
 • Following completion of project as proposed: \_\_\_\_\_ acres  
 • Gain or loss (indicate + or -): \_\_\_\_\_ acres

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?  Yes  No  
 If Yes:  
 i. Species and listing (endangered or threatened): \_\_\_\_\_  
 Atlantic Sturgeon, Shortnose Sturgeon, Northern Long-eared Bat, Bald Eagle, Indiana Bat, Spongy-Leaved Arrowhead, Frank's Sedge...

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?  Yes  No  
 If Yes:  
 i. Species and listing: \_\_\_\_\_  
 Estuary Beggar Ticks, Heart-leaved Plantain, Eastern Small-footed Myotis

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  Yes  No  
 If yes, give a brief description of how the proposed action may affect that use: \_\_\_\_\_  
 \_\_\_\_\_

**E.3. Designated Public Resources On or Near Project Site**

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?  Yes  No  
 If Yes, provide county plus district name/number: ULST004

b. Are agricultural lands consisting of highly productive soils present?  Yes  No  
 i. If Yes: acreage(s) on project site? \_\_\_\_\_  
 ii. Source(s) of soil rating(s): \_\_\_\_\_

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  Yes  No  
 If Yes:  
 i. Nature of the natural landmark:  Biological Community  Geological Feature  
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: \_\_\_\_\_  
 \_\_\_\_\_

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  Yes  No  
 If Yes:  
 i. CEA name: \_\_\_\_\_  
 ii. Basis for designation: \_\_\_\_\_  
 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 the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?</p> <p>If Yes:</p> <p>i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site    <input type="checkbox"/> Historic Building or District</p> <p>ii. Name: Eligible property: NYARNG Kingston Armory, Eligible property: Residence, Eligible property: First Baptist Church, Eligib...</p> <p>iii. Brief description of attributes on which listing is based: _____</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>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?</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>g. Have additional archaeological or historic site(s) or resources been identified on the project site?</p> <p>If Yes:</p> <p>i. Describe possible resource(s): _____</p> <p>ii. Basis for identification: _____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?</p> <p>If Yes:</p> <p>i. Identify resource: _____</p> <p>ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____</p> <p>iii. Distance between project and resource: _____ miles.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?</p> <p>If Yes:</p> <p>i. Identify the name of the river and its designation: _____</p> <p>ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  <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.

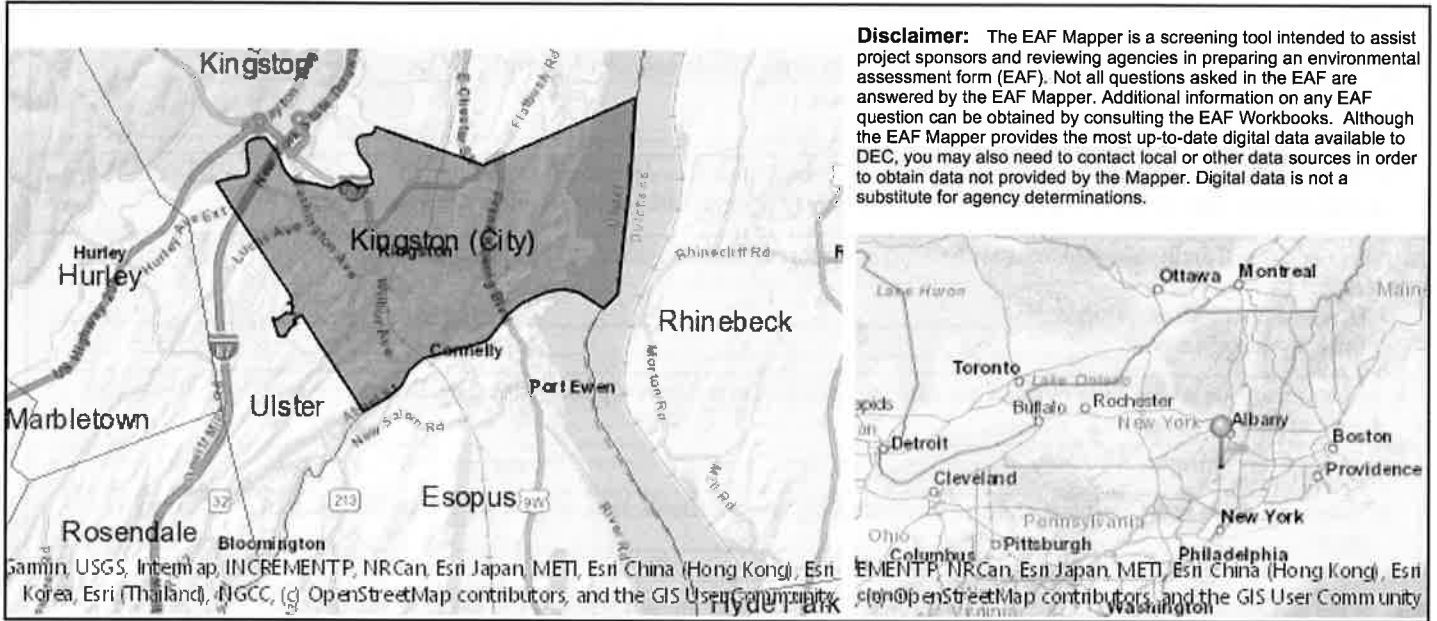
**G. Verification**

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

Applicant/Sponsor Name \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Title \_\_\_\_\_

**PRINT FORM**



B.i.i [Coastal or Waterfront Area]	Yes
B.i.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	Remediation Sites:356056, Remediation Sites:C356035, Remediation Sites:C356036, Remediation Sites:C356037, Remediation Sites:C356032A, Remediation Sites:V00617, Remediation Sites:356052, Remediation Sites:356040, Remediation Sites:C356017, Remediation Sites:356030, Remediation Sites:356017, Remediation Sites:V00171, Remediation Sites:356060, Remediation Sites:356061, Remediation Sites:C356054, Remediation Sites:C356057, Remediation Sites:356057, Remediation Sites:546031, NYS Heritage Areas:Kingston
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Yes - Digital mapping data for Spills Incidents are not available for this location. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Yes
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Yes
E.1.h.i [DEC Spills or Remediation Site - DEC ID Number]	356056, C356035, C356036, C356037, C356032A, V00617, 356052, 356040, C356017, 356030, V00171, 356060, 356061, C356054, C356057, 546031
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	356056, C356035, C356036, C356037, C356032A, V00617, 356052, 356040, C356017, 356030, V00171, 356060, 356061, C356054, C356057, C356059, V00601, 546031
E.2.g [Unique Geologic Features]	Yes
E.2.g [Unique Geologic Features]	Hasbrouck Park Road - Ponck Hockie
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes

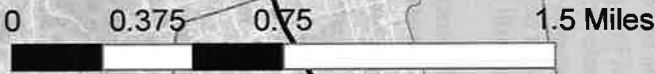
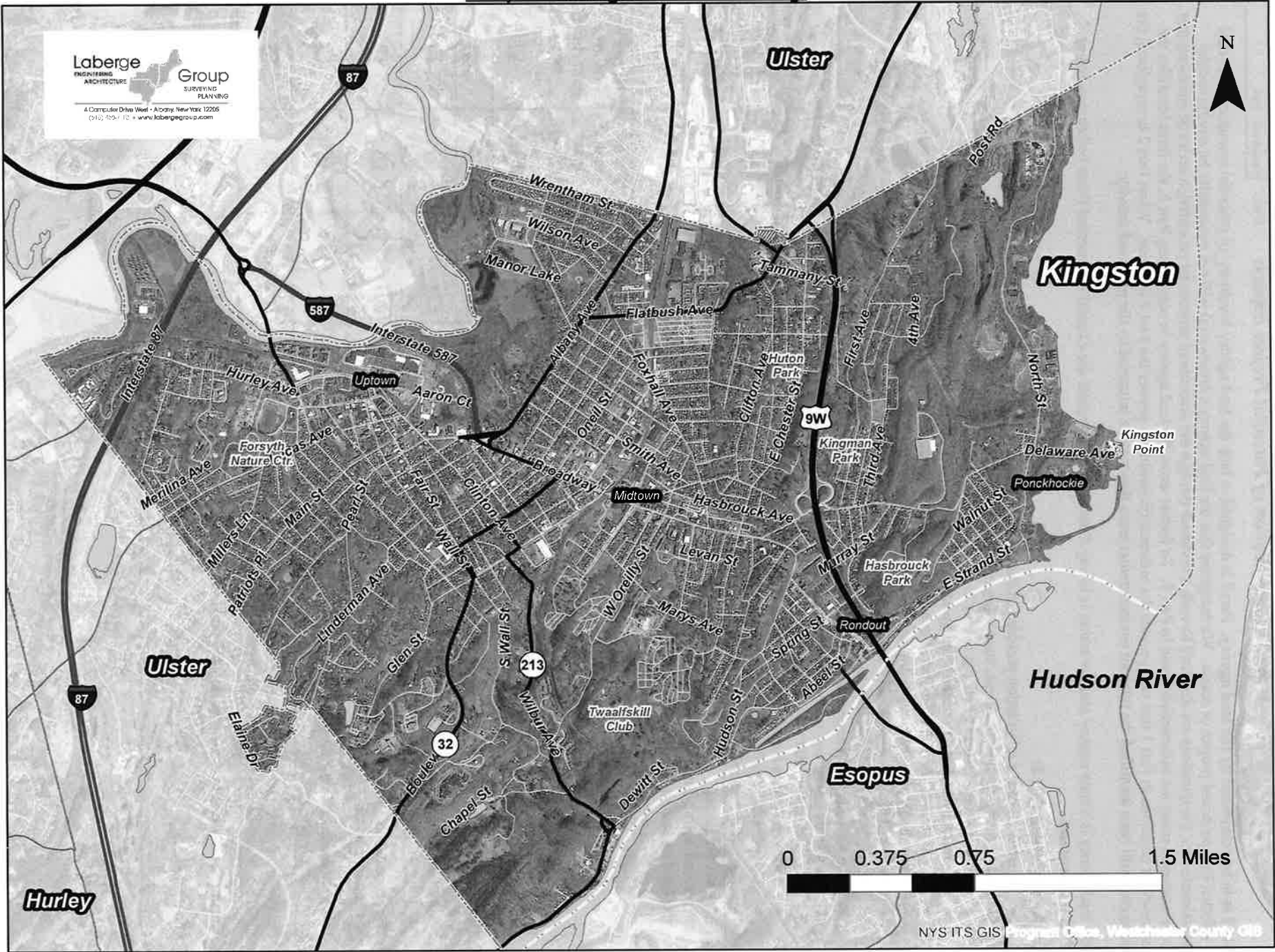
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	861-110, 855.4-5, 861-3, 861-104, 855.4-1, 862-506, 858-3, 855.4-4, 858-2, 861-2
E.2.h.iv [Surface Water Features - Stream Classification]	D, C, B(T), A
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters, NYS Wetland
E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres):43.4, NYS Wetland (in acres):22.0
E.2.h.iv [Surface Water Features - DEC Wetlands Number]	KE-4, KE-8
E.2.h.v [Impaired Water Bodies]	Yes
E.2.h.v [Impaired Water Bodies - Name and Basis for Listing]	Name - Pollutants - Uses:Hudson River (Class A) – Priority Organics – Fish Consumption, Name - Pollutants - Uses:Hudson River – Priority Organics – Fish Consumption
E.2.i. [Floodway]	Yes
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	Yes
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	Yes
E.2.n.i [Natural Communities - Name]	Tidal River, Freshwater Intertidal Shore, Freshwater Tidal Marsh
E.2.n.i [Natural Communities - Acres]	74248.64, 6.0, 30.0
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Atlantic Sturgeon, Shortnose Sturgeon, Northern Long-eared Bat, Bald Eagle, Indiana Bat, Spongy-Leaved Arrowhead, Frank's Sedge, Least Bittern, Davis' Sedge, Provancher's Fleabane
E.2.p. [Rare Plants or Animals]	Yes
E.2.p. [Rare Plants or Animals - Name]	Estuary Beggar Ticks, Heart-leaved Plantain, Eastern Small-footed Myotis
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	ULST004
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.



E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	<p>Eligible property:NYARNG Kingston Armory, Eligible property:Residence, Eligible property:First Baptist Church, Eligible property:Hutton Brickyard Building #1, Eligible property:Hutton Brickyard Building #9, Eligible property:Hutton Brickyard Building #8, Eligible property:Hutton Brickyard Building #2, Eligible property:Hutton Brickyard Building #3, Eligible property:Hutton Brickyard Pavilion Building #7, Eligible property:Kingston High School - Salzmans Building, Eligible property:Hutton Brickyard Building #5, Eligible property:Hutton Brickyard Building #6, Eligible property:Hutton Brickyard Building #4, Eligible property:Kingston High School - Main Building, Eligible property:Mule barn, Eligible property:Hudson Cement Company, Eligible property:CORNELL STEAMBOAT CO BOILER SHOP, Eligible property:41 Pearl Street, Eligible property:CORNELL SHOPS BUILDING, Eligible property:Midtown Neighbor Center (AKA Andy Murphy Midtown Neighborhood Center), Eligible property:3-story 4x12 bay brick commercial bldg w/storefront, Eligible property:ULSTER COUNTY YWCA, Eligible property:93 St. James St., Kingston NY, Eligible property:William H. and Mary M. Romeyn House, Eligible property:BRIGHAM SCHOOL (demolished 2000), Eligible property:Solomon Burger House, Eligible property:GOTHIC REVIVAL HOUSE/John Pettit House, Eligible property:KINGSTON &amp; RONDOUT TROLLEY SHED, Eligible property:Kate Walton Field House/Kingston High School, Eligible property:Myron J. Michael Bldg/Kingston HS, Eligible property:Kingston High School - Whiston-Tobin Building, Eligible property:2-story/front-gabled late 19th c residence w/wrap around porch, Eligible property:Union Free School (Former), Eligible property:John F. Kennedy Elementary School, Eligible property:Cioni Administration Building/Kingston High School, Eligible property:Hayes Machine Company/Kingston Cooperage Factory, Eligible property:former Governor Clinton Hotel, Eligible property:Academy Green, Eligible property:commercial, stone, Old Dutch Church Parsonage, Fitch Bluestone Company Office, Kingston City Hall, Community Theatre, Kenyon House, Boice House, Chichester House, VanSteenburgh, Tobias, House, Burger-Matthews House, John H. &amp; Sarah Trumbull House, Pilgrim Furniture Company Factory, Fuller Shirt Company Factory, Kingston-Port Ewen Suspension Bridge, Chestnut Street Historic District, Rondout-West Strand Historic District, Ponckhockie Union Chapel, CATAWISSA (Coastal Tugboat), Kingston City Library (Carnegie Library), Yoemans, Moses, Cornell Steamboat Company Machine Shop Building, Brooklyn &amp; Queens Transit Trolley No. 1000, Kingston/Rondout 2 Lighthouse, K. WHITTELSEY (Tugboat), Kingston Stockade District, Senate House, Second Reformed Dutch Church of Kingston, Kirkland Hotel, Smith, John, Albany Avenue, Building at 109, Sharp Burial Ground, Ten Broeck, Jacob, Stone House, House at 184, House at 322, House at 356, House at 313 Hutton House, First Reformed Protestant Dutch Church of Kingston, Forsyth, James and Mary, Palen, Frank A., Clinton Avenue Historic District, United States Lace Curtain Mills, Cordts Mansion, Kingston City Almshouse, Sixteen Miles Historic District, Hudson River Historic District</p>
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

# City of Kingston Base Map

**Laberge Group**  
ENGINEERING ARCHITECTURE SURVEYING PLANNING  
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(518) 435-7122 • www.labergengroup.com



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

Agency Use Only [If applicable]

Project: Kingston Forward - Form-Based Code Re...

Date: February 22, 2022

**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.

<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, <span style="float: right;"><input type="checkbox"/> NO <input checked="" type="checkbox"/> YES</span> 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>			
	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 type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input checked="" 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: _____ _____		<input 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: Karst geology mined over a century ago created some caves; yet, some are already protected, like at Hasbrouk Park (no or small impact contemplated).	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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>4. Impact on groundwater</b> 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. (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>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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"/>

<b>5. Impact on Flooding</b> The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in development in a designated floodway.	E2i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input checked="" 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 checked="" type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>6. Impacts on Air</b>			
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
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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 <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) 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"/>

<b>7. Impact on Plants and Animals</b>			
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
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>8. Impact on Agricultural Resources</b>			
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>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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"/>

<b>9. Impact on Aesthetic Resources</b> 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
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" 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 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>10. Impact on Historic and Archeological Resources</b> 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
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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: _____ _____		<input 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>

<b>11. Impact on Open Space and Recreation</b>			
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 type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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 checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>12. Impact on Critical Environmental Areas</b>			
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
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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.  NO  YES  
 (See Part 1. D.2.j)  
 If "Yes", answer questions a - f. If "No", go to Section 14.

	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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input checked="" 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 checked="" type="checkbox"/>
f. Other impacts: <u>The growth enabled impacts achievement of complete streets and transport choice.</u>		<input type="checkbox"/>	<input checked="" type="checkbox"/>

**14. Impact on Energy**  
 The proposed action may cause an increase in the use of any form of energy.  NO  YES  
 (See Part 1. D.2.k)  
 If "Yes", answer questions a - e. If "No", go to Section 15.

	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 checked="" 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 checked="" type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>
e. Other Impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**15. Impact on Noise, Odor, and Light**  
 The proposed action may result in an increase in noise, odors, or outdoor lighting.  NO  YES  
 (See Part 1. D.2.m., n., and o.)  
 If "Yes", answer questions a - f. If "No", go to Section 16.

	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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

<b>16. Impact on Human Health</b> 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.) <i>If "Yes", answer questions a - m. If "No", go to Section 17.</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 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: _____ _____			

<b>17. Consistency with Community Plans</b> 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 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'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 checked="" 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 checked="" type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>18. Consistency with Community Character</b> 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 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 replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input checked="" 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 checked="" 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 checked="" type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**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.

The City of Kingston plans to replace its existing zoning with a Form Based Code (FBC). A Form-Based Code focuses primarily on the physical form of development (rather than land use) and can be used to implement a desired community vision. Land uses are still regulated, but more flexibility on use is built into the code, and the rules are based on context – the type of place or environment you are trying to create. Form-Based Codes make development more predictable, promote better design, and are simpler, so it is easier for people to use the code and understand what it allows.

The existing City zoning ordinance dates from the 1960s; it has been amended in a piecemeal fashion over the years and it can be confusing and unclear. The existing zoning does not align with Kingston's historic town-building tradition; for example, many existing buildings would not be allowed to be built today under rules for minimum parking, minimum lot size, building height and permitted mix of uses. The intent of the zoning re-write is to create standards that better fit the City's historic settlement patterns, to encourage historic preservation and building reuse as well as compatible infill and investment, and to include new standards that further community goals identified through a public planning process such as the design of walkable streets, sustainability and affordable housing.

This Part 3 assessment is formulated to help the reviewing agency define whether potential impacts that may arise in conjunction with the Form-Based Code (FBC) policy changes are significant and whether such potential impacts may be mitigated by aspects that will be proposed under this project. Best practices and design standards will be included in the FBC to help avoid or minimize the potential for undesirable impacts to arise in conjunction with new development that occurs under the zoning policy changes.

The following assessment of each major potential impact that could arise is generated by considering the project's setting, the probability of an impact occurring, as well as its duration, irreversibility, geographic scope and magnitude, and the potential for short-term, long-term and cumulative impacts. As noted, there will be design standards and techniques included as part of the FBC to avoid or minimize impacts, but this assessment focuses on explaining how the reviewing agency has determined that the impacts may or may not be large or significant.

The following listing identifies types or categories of potentially significant environmental concern that should be analyzed in a Generic Environmental Impact Statement (GEIS). These factors will be analyzed in terms of environmental consequences that may occur as a result of city-wide rezoning.

• While the FBC will guide development to aid resource conservation and reinforce traditional building patterns and context, it is possible that FBC implementation could result in some larger impacts to geology, soils, and topography (e.g. construction could increase the extent of impervious surfaces or building below grade could interface with ground water levels).

Continued on Attached page 2 "Reasons Supporting This Determination"

**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

**Page 2 of 2: Reasons Supporting this Determination (Kingston Forward – Form-Based Code rezoning)**

- The FBC will provide for open space and natural features preservation during property development. Specifically, it aims to facilitate identification of natural elements of sites and areas that are preferably conserved, and it encourages infill development and adaptive reuse on already built and disturbed areas so as to best protect natural areas and resources. However, the proposed zoning action could result in a large number of new land uses and infill development in different parts of the City. This may conceivably alter drainage patterns or enable construction that could potentially impact hydrology and the qualities of wetlands and associated surface waters. It is important to note, existing policies with regards to environmental protection (such as limits for building within wetlands or flood hazard areas and stormwater management policy) will remain in effect and act in conjunction with the FBC.
- FBC implementation will provide for context analysis that will identify potential natural resources and habitats that should be conserved and it will prompt threshold developments to practicably avoid such resources. Yet, land development could create some potential for impacts to particular species, whereby new building that could not happen under existing zoning may impact ecology, such as by generating stress upon possible habitats. Therefore, the environmental review documentation will identify how site-specific development may be structured to apply best practices and minimize potential for undesirable severe impacts to habitats to arise during construction and based on designs.
- The proposed action may affect water bodies within a designated coastal zone. The impact of new regulations and permitted uses on natural and open space resources will be examined.
- The FBC seeks to counteract the potential for sprawl and inefficient land use which can potentially effect facets of the natural and human environment. The environmental review will evaluate the extent of how potential changes in building arrangements, development, and the structured evolution of streetscapes may influence walkability, resource consumption like overall demand for energy, and the extent there will be compact and transit-oriented growth.
- There is potential that the new FBC building standards will alter patterns and the form of development. Rezoning is intended to be in concert with officially approved or adopted plans, however, there may be elements that are new, updated or inconsistent that will require evaluation.
- The FBC will maintain and support existing historic districts and designations and provide standards that guide growth so that new development is in character with the traditional urban building form, and so that the design and appearance of and changes to structures compliment placemaking and the conservation of historic and cultural resources. FBC design standards and proposed regulating plans will be analyzed for how standards could impact important historic and architectural resources, such as by altering settings or the integrity of resources, in an existing or potential National or State Register Historic District, or involving property that may be listed on, or eligible for listing on, the National or State Register of Historical Places.
- The transportation components of the FBC will provide opportunities for a multimodal approach that provides for walking, biking, driving, and using transit. The rezoning could generate substantial increases in activity in various modes of transport, above present levels, or in a way that generates new demand for transportation facilities, or services, which could alter traffic and the patterns of movement of people and goods within the city.
- The rezoning may generate a potential increase in the demand for City services. Spatial patterns that may affect service demand will be analyzed; however by reducing barriers to development on existing disturbed areas rather than encouraging new greenfield development, it is anticipated the FBC will reduce impact.

End of text narrative

Upon review of the information recorded on this EAF, as noted, plus this additional support information

Refer to prior page.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the City of Kingston Common 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 617.7(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: FBC Zoning

Name of Lead Agency: City of Kingston Common Council

Name of Responsible Officer in Lead Agency: Steve Noble

Title of Responsible Officer: Mayor

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

**For Further Information:**

Contact Person: Laberge Group (David Gilmour, AICP - Senior Planner)

Address: 4 Computer Drive West, Albany, NY 12205.

Telephone Number: (518) 458-7112

E-mail: dgilmour@labergegroup.com

**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>