

FINAL SCOPING DOCUMENT
for
DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)
Central Firehouse
(Main Street and South Broad Street)

CITY OF PEEKSKILL, WESTCHESTER COUNTY, NEW YORK

Proposed Action: Proposed Central Fire House at Main Street (US Route 6 and NYS Route 35) and Broad Street in Peekskill's (Local) Downtown Historic District

Project Location: The Proposed Action encompasses the following three parcels along Main Street in downtown Peekskill: (See attached map, Figure 1).

Section 33.30, Block 3, Lot 1 (1141 Main Street)
Section 33.30, Block 3, Lot 2 (1137 Main Street)
Section 33.30, Block 3, Lot 3 (1101-9 Main Street) (portion of)

As represented on the official Tax Assessment Map of the City of Peekskill, Westchester County, New York 10566.

Section 33.30, Block 3, Lot 3 (1101-9 Main Street) is also known as the Crossroads Plaza shopping center.

The third parcel – Section 33.30, Block 3, Lot 2 (1137 Main Street) – has already been acquired by the City of Peekskill.

SEQRA Classification: Type I Action

Involved Agencies:

1. Westchester County Planning Board
2. Westchester County Department of Public Works and Transportation
3. Westchester County Health Department
4. City of Peekskill Planning Commission
5. City of Peekskill Building Department (Building Permit)

Interested Agencies and Parties:

1. City of Peekskill Fire Department
2. City of Peekskill Water Department
3. City of Peekskill Historic Landmarks Preservation Board
4. New York State Office of Parks, Recreation, and Historic Preservation
5. New York State Department of Transportation
6. New York State Department of Environmental Conservation (Construction SPDES notification)
7. Peekskill Heights, Inc. (Owner: 1101-9 Main Street)
8. Gerardo Escandon (Owner: 1141 Main Street)

Background

In accordance with Part 617 of the NYS SEQRA regulations and Chapter 267 of the City Code of the City of Peekskill, the Common Council circulated a Lead Agency Notice to the Involved Agencies listed above and received no objections from any of the agencies. At its meeting of June 13, 2011 the Common Council designated itself as Lead Agency for the environmental review of the Proposed Action.

Based on consideration of the assessment areas outlined in NYS's SEQRA regulations (6NYCRR Part 617) the City of Peekskill Department of Planning and Development prepared an expanded Draft Environmental Assessment Form (Draft EAF) for the purpose of determining the significance of the Proposed Action. Issues considered in the Draft EAF included:

1. Land Use and Zoning
2. Fiscal Effects
3. Aesthetics, Character, Visual
4. Community Services
5. Noise and Air Quality
6. Traffic and Parking
7. Construction
8. Alternatives
9. Balancing of Interests

In addition, the Draft EAF included Parts 1 and 2 of the NYS Long Environmental Assessment Form (EAF). Additional analysis and discussion was provided in the form of a Part 3 and a Visual EAF Addendum.

Public comments on the Draft EAF were received at a public hearing held on June 27, 2011 after which the Common Council directed that responses to comments received be prepared and presented to the Common Council. On August 15, 2011 after considering the comments and responses, the Common Council issued a Negative Declaration for the Proposed Action. The Draft EAF, accompanying and referenced studies, and comments and responses comprised the complete Environmental Assessment Form. A Determination of Non-Significance (Negative Declaration) was published in the Environmental Notice Bulletin as required by 6NYCRR Part 617. In addition, on August 15, 2011, the Common Council amended the City's Historic and Landmarks Preservation Code to not require a Certificate of Appropriateness from the Historic and Landmarks Preservation Board to demolish buildings on Municipal Property devoted to Public Safety Use. Further, on August 15, 2011, the Common Council adopted a resolution declaring, after consideration of the balancing of public interests, that the proposed Central Fire House project is exempt from compliance with the requirements of the City's Zoning Code.

The City has now acquired one of the properties – 1137 Main Street – and is negotiating with the owners of the two remaining properties, 1101-9 Main Street and 1141 Main Street.

The Common Council has determined that it would be appropriate to consider another option of acquiring the remaining two properties by condemnation in order that the Central Fire House project may move forward in a timely manner without incurring substantive additional costs. This option would be to acquire the properties pursuant to the procedures and requirements outlined in the NYS Eminent Domain Procedure Law (EDPL). This option requires reconsideration of SEQRA. In addition, the EDPL requires that the public use to be served by the proposed public project and its impact on the environment and residents of the City be determined. This scoping outline has been prepared to address the requirements of both SEQRA and EDPL.

On December 27, 2011, the Common Council re-established itself as Lead Agency and directed that a Draft Environmental Impact Statement (DEIS) be prepared for the Proposed Action to assess potential impacts, alternatives and measures to mitigate potential impacts.

Copies of the legislation adopted by the Common Council on June 13, August 15, and December 27, 2011 are attached hereto and shall be included as addenda to the DEIS.

The City of Peekskill Department of Planning and Development will prepare the DEIS and has prepared this scoping outline to identify issues that will be reviewed in the document.

A public scoping session on this Draft Scoping Outline for the DEIS was held on March 6, 2012 at 7:00 PM in the Common Council Chambers, City Hall, 840 Main Street, Peekskill, NY. Written comments regarding the Scoping Outline were accepted until that time. The scoping outline was circulated to all involved agencies and interested parties and was available prior to the scoping session in the office of the Department of Planning and Development for review. The scoping session was televised on the City's community access channel and archived on the City's web-site for viewing.

The Common Council will schedule public hearings on the DEIS and under the EDPL once the DEIS has been prepared and accepted as complete by the Common Council.

Lead Agency: Common Council
City of Peekskill
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Lead Agency Contact: Anthony Ruggiero, AICP
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GENERAL GUIDELINES

The DEIS will include all items listed in this Scoping Document and will generally conform to the format outlined in this document. Each impact area (e.g., land use and zoning, fiscal conditions, etc.) will be identified and presented in a separate subsection which includes: (1) a discussion of existing conditions; (2) potential significant impacts; and, if applicable, (3) measures designed to mitigate the identified impacts.

ENVIRONMENTAL IMPACT STATEMENT

I. INTRODUCTORY MATERIAL

A. Cover Sheet

The DEIS will be preceded by a cover sheet that identifies the following:

1. Title of the document
2. Title of the Proposed Action
3. Location of the Proposed Action
4. Name, address and phone number of the lead agency, and name of contact person
5. The name and address of the primary preparer(s) of the DEIS, and the name and telephone number of a contact person representing the preparer(s).
6. Date of acceptance of the DEIS: (To be determined)
7. Deadline by which comments on the DEIS are due: (To be determined)

B. List of consultants involved with the project

The names, addresses and project responsibilities of all consultants involved with the project and DEIS will be listed.

C. Table of Contents

All headings appearing in the text will be presented in the Table of Contents, along with appropriate page numbers. In addition, the Table of Contents will include a list of figures, a list of tables, and a list of appendices.

II. EXECUTIVE SUMMARY

The DEIS will include an executive summary that provides information found elsewhere in the main body of the DEIS, and will be organized as follows:

- A. Brief description of the Proposed Action.
- B. Summary of the anticipated impacts and proposed mitigation measures for each impact issue discussed in the DEIS.
- C. Summary description of the project alternatives considered in the DEIS.

III. DESCRIPTION OF THE PROPOSED ACTION

- A. Background and history
- B. Project Need and Public Purpose
 - 1. Current Fire Department operations
 - 2. Studies of Fire Department operations and requirements
 - 3. Benefits of the Proposed Action
- C. Project Site Identification and Background
 - 1. Identification of properties acquired and to be acquired
 - 2. Identification of commercial and two (2) residential tenants in acquisition area
 - 3. Properties already acquired
 - 4. Project Site Conditions
 - i. Geology, topography and soils topography
 - ii. Water resources and drainage
 - iii. Terrestrial and aquatic ecology
- D. Project Site Selection
 - 1. Alternative locations considered
- E. Detailed Description of the Proposed Central Firehouse
 - 1. Description of proposed facility including elevations and floor plans
 - 2. Streetscape changes including proposed landmark, paving and plantings
- F. Proposed Central Firehouse Operations
 - 1. Equipment and personnel
 - 2. Equipment dispatches
 - 3. Other activities
 - 4. On-site storage of materials
- G. Acquisition and Eminent Domain Process including project planning, public purpose hearing, property acquisition and valuation, and relocation of commercial and two (2) residential tenants.
- H. Closure and Demolition of onsite structures.
- I. Project Approvals, Involved Agencies and Public Participation
- J. Description of Acquisition Costs and Funding
- K. Use and/or Disposition of Remaining City Firehouses
 - 1. Washington Street sub-station
 - 2. Other existing firehouses.

IV. ANALYSIS OF EXISTING CONDITIONS, POTENTIAL IMPACTS OF PROPOSED ACTION AND MITIGATION MEASURES

The DEIS will include a discussion of the existing environmental conditions of the properties to be acquired, sufficient to understand the impacts of the Proposed Action, and potentially significant adverse or beneficial long or short term impacts of the Proposed Action. Where an impact is identified mitigation measures will also be described. Pertinent background information will be summarized in this section.

The DEIS is intended to be comprehensive and not encyclopedic. For this reason discussion will make reference to information contained in the Environmental Assessment Form where appropriate. Narrative in the DEIS will be cross-referenced where appropriate.

Areas to be reviewed include the following:

- A. Land Use, Zoning and Socioeconomic Conditions
 - 1. Existing Conditions
 - a. Historic background of each property to be acquired
 - b. Current onsite uses and activities
 - c. Surrounding land uses
 - d. Zoning classifications of site and surrounding area
 - e. Surrounding area character and historic district identification
 - f. Expired Site Urban Renewal designation and expired Academy Street Urban Renewal Plan
 - 2. Potential Impacts
 - a. Displacement of commercial tenants
 - b. Displacement of two (2) residential tenants
 - c. Effect on Crossroads Plaza shopping center operations
 - d. Effect on existing Crossroads Plaza layout, design
 - e. Compatibility with surrounding uses
 - f. Effect on retail environment
 - g. Effect on surrounding municipal parking resources during construction
 - h. Effect on property values
 - i. Compatibility of action with relevant plans for site and downtown area
 - j. Comparison of proposed construction to City of Peekskill zoning requirements for the C-2 Central Commercial District
 - k. Reference balancing of interests analysis (later in the document)
 - 3. Mitigation Measures
 - a. Relocation and moving assistance under State law
 - 1. Relocation of commercial tenants to remaining portion of Crossroads Plaza
 - 2. Off-site relocation of commercial tenants and two (2) residential tenants

B. Fiscal Conditions

1. Proposed project cost, with prevailing wages and with separate contracts for different trades, per Wicks Law requirements
2. Comparative analysis of project cost using possible Project Labor Agreement with unions and with prevailing wages, with one contract, as exception to Wicks Law requirements.
3. Proposed funding, including a review of available City transfer tax, real property tax, possible grant moneys, and other potential funding sources
4. Projected annual debt service cost
5. Potential savings of proposed operations compared to current conditions
6. Net annual increase in City expenditures
7. Change in valuation
8. Comparative cost of renovating existing firehouses
9. Impact on municipal fiscal conditions
 - a. Property tax collections
 - b. Property tax rate
 - c. Deed transfer tax
 - d. Allocated sales taxes
10. Disposition of existing firehouses
11. Economic analysis of effect on remaining shopping center leasing revenues and change in property tax valuation
12. Comparative analysis of construction costs of new firehouses in communities of similar size and population

C. Aesthetics and Visual Conditions

1. Existing Conditions
 - a. Describe existing onsite conditions generally
 - b. Reference downtown historic district designation report and findings as appropriate.
 - c. Discuss surrounding visual environment
 - d. Discuss surrounding uses and views into the site area
2. Potential Impacts
 - a. Describe future site conditions
 - b. Discuss massing, appearance and fenestration of proposed Central Firehouse
 - c. Describe appearance and use of proposed yard areas
 - d. Present and discuss changes to site area lighting
 - e. Discuss changes to streetscape
 - f. Discuss changes to surrounding views of the site
3. Mitigation Measures

D. Cultural Resources

1. Existing Conditions

- a. Describe existing onsite conditions generally
- b. Discuss lack of potential for archeological cultural resources; document historic disturbance of site
- c. Reference downtown historic district designation report and findings as appropriate.
- d. Describe historic disturbance of site from urban renewal activities and prior disturbance
- e. Discuss properties to be acquired and surrounding properties and their contribution to the Peekskill Downtown Historic District distinguishing between local and National Register designated areas

2. Potential Impacts

- a. Describe impact of removal of onsite structures on local and National Register designated historic districts

3. Adopted Legislation

- a. Discuss the resolution adopted on August 15, 2011 amending the City's Historic and Landmarks Preservation Code to not require a Certificate of Appropriateness from the Historic and Landmarks Preservation Board to demolish buildings on Municipal Property devoted to Public Safety Use.

4. Mitigation Measures

E. Traffic and Transportation

1. Existing Conditions

- a. Describe and discuss existing onsite circulation, loading and parking
- b. Describe and discuss existing roadway conditions
- c. Describe and discuss existing public transportation conditions including bus transfer point at Main Street and Broad Street
- d. Describe existing pedestrian conditions

2. Potential Impacts

- a. Describe changes to onsite circulation, loading and parking
- b. Describe proposed access driveways and apron areas along proposed Broad Street facade
- c. Describe proposed roadway traffic conditions qualitatively. Reference recent traffic studies and Institute of Transportation Engineers (ITE) data as available and appropriate
- d. Describe general routing of Fire Department vehicles
- e. Discuss effects on bus operations and bus transfer point

3. Mitigation Measures

F. Noise

1. Existing Conditions

- a. Describe and discuss noise characteristics, providing pertinent background to assist the reader with the evaluation of noise information
- b. Describe and discuss existing onsite conditions
- c. Describe and discuss acceptable vs. unacceptable noise levels, levels that present a health hazard; human response to changes in noise levels
- d. Reference City of Peekskill Noise Code
- e. Identify and discuss sensitive receptors / land uses in the surrounding area and along routes likely to be regularly used by Fire Department vehicles

2. Potential Impacts

- a. Describe and discuss noise typically associated with Fire Department and emergency service operations
- b. Describe and discuss anticipated changes to onsite noise environment from Central Firehouse operations
- c. Describe and discuss anticipated changes to the noise environment along routes likely to be regularly used by Fire Department vehicles
- d. Describe and discuss anticipated construction noise

3. Mitigation Measures

G. Air Quality

1. Existing Conditions

- a. Describe and discuss Peekskill and area air quality, providing pertinent background including heavy existing truck traffic in the vicinity to assist the reader with the evaluation of information
- b. Describe historical changes in applicable emissions standards for Fire Department vehicles
- c. Discuss existing City Fire Department equipment ages, fuel types in relation to pertinent emission standards.
- d. Identify and discuss sensitive receptors / land uses in the surrounding area and along routes likely to be regularly used by Fire Department vehicles
- e. Discuss OSHA indoor air quality standards for firehouses

2. Potential Impacts

- a. Assess potential for fleet of vehicles to be housed at Central Firehouse to adversely affect indoor air quality, air quality in the vicinity of the Central Firehouse and along routes to be used regularly by the vehicles.

3. Mitigation Measures

- a. Discuss proposed indoor air reclamation system.

H. Community Services and Utilities

1. Existing Conditions

- a. Reference earlier discussion of studies of Fire Department conditions and proposed changes to Fire Department operations
- b. Discuss existing water and sewer facilities generally; confirm adequacy
- c. Discuss existing drainage infrastructure locations
- d. Identify and discuss onsite utility and infrastructure locations and easements

2. Potential Impacts

- a. Reference earlier discussion of benefits of the proposed action
- b. Discuss changes to water and sewer facilities including during construction and future operation
- c. Discuss drainage infrastructure locations and access, and maintenance requirements
- d. Discuss changes to onsite utilities and infrastructure (including easements) as needed
- e. Discuss changes to offsite utilities and infrastructure (including easements) as needed

3. Mitigation Measures

I. Demolition and Construction

1. Discuss site preparation activities and need for fill
2. Discuss demolition phasing and abatements protocols as appropriate
3. Present construction schedule and sequence
4. Discuss construction activities and construction phasing specifically as it relates to:
 - a. acquisition of onsite structures,
 - b. relocation of commercial tenants and two (2) residential tenants,
 - c. demolition of pavements and structures,
 - d. effects on utilities
 - e. effects on available parking,
 - f. effects on street direction and access,
 - g. delivery and staging of materials and equipment,
 - h. night-time, weekend and holiday activities,
 - i. overall effects on shopping center operations,
 - j. overall effects on bus transfer point and bus operations
 - k. overall effect on traffic flows on Broad Street, Park Street and Main Street
 - l. the transfer of Fire Department operations
5. Discuss proposed closure of existing firehouses and relocation of equipment, supplies and personnel to the Central Firehouse.
6. Discuss Clerk of the Works and monitoring of demolition, and construction.
7. Discuss project construction labor pool and compliance with applicable regulations including prevailing wages.

V. Balancing of Interests Analysis

1. Discuss the Common Council resolution adopted on August 15, 2011 declaring, after consideration of the balancing of public interests, that the proposed Central Fire House project is exempt from compliance with the requirements of the City's Zoning Code.

VI. Alternatives

1. **Current Site with No Eminent Domain**
This alternative would review the delay in time for commencement of the Central Fire House Project and the resultant increased costs if negotiations for the acquisition of the two remaining properties do not result in their timely acquisition.
2. **Alternative Sites Reviewed Previously – With or Without Eminent Domain**
Repeat or reference discussion in EAF. Re-visit and provide additional discussion for each as necessary.
3. **All Renovation**
This alternative would review the effect of not building a Central Firehouse but rather retaining and investing, and adding onto the existing Fire Department properties. Costs for this alternative will be presented
4. **No Action**
This alternative would review the effect of doing nothing to address the problems with the existing Fire Department's properties.

VII. Other DEIS Chapters

- a. ADVERSE ENVIRONMENTAL EFFECTS THAT CANNOT BE AVOIDED IF THE PROJECT IS IMPLEMENTED
- b. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES
- c. GROWTH-INDUCING IMPACTS
- d. EFFECTS ON THE USE AND CONSERVATION OF ENERGY RESOURCES
- e. POTENTIAL IMPACTS OF THE PROPOSED ACTION ON SOLID WASTE MANAGEMENT AND CONSISTENCY WITH STATE OR LOCAL SOLID WASTE MANAGEMENT PLANS.

VIII. APPENDICES