RESOLUTION NO. 2024206

RE: DECLARING DUTCHESS COUNTY LEAD AGENCY AND ADOPTION OF DETERMINATION OF NO SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACT IN CONNECTION WITH DEPARTMENT OF PUBLIC WORKS COUNTY ROUTE 62 (MAPLE AVENUE AND RUDD POND ROAD) SIDEWALK IMPROVEMENT PROJECT, VILLAGE OF MILLERTON, AND TOWN OF NORTH EAST DUTCHESS COUNTY

Legislators D'AQUANNI, TRUITT, HOUSTON, PAOLONI, and GORMAN offer the following and move its adoption:

WHEREAS, the County is the owner of County Route 62 (Maple Avenue and Rudd Pond Road) and is responsible for the maintenance and improvement of same; and

WHEREAS, the Department of Public Works ("DPW") has proposed a sidewalk improvement project (the "Project") to replace existing sidewalks and add new sidewalks along both sides of Maple Avenue and Rudd Pond Road (County Route 62) between Fish Street and Highland Drive in the Village of Millerton and Town of North East, and

WHEREAS, the existing sidewalk network is in poor condition and lacks ADA compliant curb ramps and widths, and

WHEREAS, in cooperation with its Consultant, DPW has prepared a Short Environmental Assessment Form which documents that environmental issues have been investigated, and

WHEREAS, based on the foregoing, DPW has determined that the proposed project (1) constitutes an Unlisted Action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and (2) will not result in any significant adverse environmental impacts, and

WHEREAS, it is the purpose of the Legislature in adopting this resolution, to adopt and confirm the above findings, and

WHEREAS, 6 NYCRR 617 requires the designation of a lead agency from among the involved agencies before a determination of significance can be made, and

WHEREAS, DPW has circulated the proposed action to all involved agencies for thirty days indicating its desire to be lead agency in accordance with 6 NYCRR 617.6 and no objection was received, and it is the purpose of this resolution to establish Dutchess County as lead agency, which will directly undertake and coordinate this Project pursuant to the New York State Environmental Quality Review Act, and

WHEREAS, a copy of the Short Environmental Assessment Form and the finding that the proposed action will not result in any significant adverse environmental impacts are annexed hereto and made a part hereof, now, therefore, be it

RESOLVED, that Dutchess County hereby assumes lead agency status for this Project and this Legislature hereby adopts and confirms the determination of the Dutchess County Department of Public Works' consultant that the proposed Project entitled County Route 62 (Maple Avenue and Rudd Pond Road) Sidewalk Improvement Project in the Village of Millerton and Town of North East, Dutchess County, will not result in any significant adverse environmental impacts.

CA-130-24
AMS/mar/R-1079
10/29/24
Fiscal Impact: See Attached

APPROVED
Susan J. Serino
SUSAN J. SERINO
COUNTY EXECUTIVE
Date 12/12/2024

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess, have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 9th day of December 2024, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of December 2024.

DUTCHESS COUNTY SEAL

Leigh Wager
LEIGH WAGER, CLERK OF THE LEGISLATURE

# FISCAL IMPACT STATEMENT

☑ NO FISCAL IMPACT PROJECTED

## APPROPRIATION RESOLUTIONS

*(To be completed by requesting department)*

Total Current Year Cost $ _____

Total Current Year Revenue $ _____
and Source

Source of County Funds *(check one)*: ☐ Existing Appropriations, ☐ Contingency,
☐ Transfer of Existing Appropriations, ☐ Additional Appropriations, ☑ Other *(explain)*.

Identify Line Items(s):

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): _____
Over Five Years: _____

Additional Comments/Explanation:
The Department is seeking the County to assume SEQR Lead Agency status for the environmental review of this sidewalk improvement project along County Route 62 in the Town of North East. The Department is also seeking a the Legislature's adoption of the Determination of No SignificantAdverse Environmental Impact.

Prepared by: Robert H. Balkind, P.E. Prepared On: 10/21/24

Dut pdf

SUE SERINO
COUNTY EXECUTIVE

ROBERT H. BALKIND, P.E.
COMMISSIONER

DAVID C. WHALEN
DEPUTY COMMISSIONER

# DUTCHESS COUNTY GOVERNMENT
## DEPARTMENT OF PUBLIC WORKS

**MEMORANDUM**

**TO:** R, Kashimer, Deputy County Executive

**FROM:** Robert H. Balkind, P.E., Commissioner DCW for RHB

**DATE:** October 21, 2024

**SUBJECT:** Resolution Request – ADOPTION OF SEQR LEAD AGENCY AND DETERMINATION OF NO SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACT FOR CR 62 SIDEWALK IMPROVEMENTS, TOWN OF NORTH EAST, NY

DPW's Engineering Division has been working with a consultant to perform planning, permitting and engineering design services, including development of bid documents for a project to improve sidewalks and pedestrian access along County Route 62 (Maple Ave and Rudd Pond Road) in the Village of Millerton and Town of North East.

SEQR Lead Agency notices were sent to interested and involved agencies on September 16, 2024, and no agency responded to challenge the County's intent to serve as Lead Agency. In cooperation with the County's consultant, the Department prepared a Short Form Environmental Assessment Form (SEAF) which documented potential environmental impacts. The Department has concluded that the project will have No Significant Adverse Environmental Impact. The SEQR Lead Agency Notice and SEAF are attached to this memo.

The Department is seeking the Legislature's adoption of the County's Lead Agency status, and to adopt the Determination of No significant Adverse Environmental Impact.

SUE SERINO
COUNTY EXECUTIVE

ROBERT H. BALKIND, P.E.
COMMISSIONER

DAVID C. WHALEN
DEPUTY COMMISSIONER

# DUTCHESS COUNTY GOVERNMENT
## DEPARTMENT OF PUBLIC WORKS

**MEMORANDUM**

**TO:** Robert H. Balkind, P.E., Commissioner

**FROM:** Mathew Dutcavich, P.E., Director of Engineering MDD

**DATE:** October 16, 2024

**RE:** **RESOLUTION REQUEST: SEQRA LEAD AGENCY AND NEGATIVE DECLARATION FOR THE COUNTY ROUTE 62 (MAPLE AVENUE) SIDEWALK IMPROVEMENT PROJECT, VILLAGE OF MILLERTON**

---

The Engineering Division has been advancing the design for a sidewalk improvement project along CR 62 in the Village of Millerton. The project begins at Fish Street and continues north to Highland Drive, improving approximately 2,000 linear feet of sidewalk.

The existing sidewalk network is in poor condition and lacks ADA compliant curb ramps and widths. This project will address these deficiencies with widened sidewalks, new curb ramps, and upgraded crosswalks, signs, and other ancillary work.

The project was determined to be an Unlisted Action pursuant to 617.6 of the State Environmental Review Act (SEQRA). In accordance with the SEQRA, we issued a notice to interested and involved agencies on September 16, 2024, of our conclusion that Dutchess County should be designated lead agency for the subject project. No interested or involved agencies responded otherwise. Additionally, we have determined that the project will not result in significant adverse impacts and that a negative declaration should be made. With this memo, please find:

- Lead Agency Designation Letter
- Parts 1, and 2 of the Short Environmental Assessment Form (SEAF)
- Part 3 of the SEAF

A digital copy of the attachments as well as a draft Resolution Request Form and Fiscal Impact Statement is available in the project folder on the server.

# County of Dutchess

## NOTICE TO INTERESTED AGENCIES THAT LEAD AGENCY MUST BE DESIGNATED WITHIN THIRTY (30) DAYS

COUNTY ROUTE 62 (MAPLE AVENUE) SIDEWALK IMPROVEMENT PROJECT
VILLAGE OF MILLERTON, TOWN OF NORTHEAST, DUTCHESS COUNTY, NY

***Date: 9/16/2024***

This Notice is issued pursuant to Part 617.6 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law to designate a lead agency.

The action has been determined to be an Unlisted Action, pursuant to the New York State Environmental Quality Review Act (SEQRA) 6 NYCRR Part 617. Dutchess County has completed Part 1 of a Short Environment Assessment Form (SEAF), which has identified other involved agencies for the action.

### LEAD AGENCY DESIGNATION

Under the applicable standards of 6 NYCRR Part 617.6(b), the County of Dutchess concludes that it should be designated as the lead agency in the coordinated environmental review of the action. This notification is being sent to involved and/or interested agencies with the request that you consent to the County of Dutchess serving as lead agency. If, however, you do not agree, you may follow the procedures outlined in 6 NYCRR 617.6(b)(5).

This Notice is being transmitted on *September 16, 2024*. We ask that each agency that considers themselves an involved or interested agency complete the annexed form and return it to the contact person for receipt prior to the expiration of the required thirty-day notice period.

**IF YOU DO NOT RESPOND WITHIN THIRTY (30) DAYS, IT WILL BE INTERPRETED AS CONSENT THAT THE COUNTY OF DUTCHESS SERVE AS LEAD AGENCY. YOU WILL CONTINUE TO BE NOTIFIED OF SEQR DETERMINATIONS AND ANY SUBSEQUENT PROCEEDINGS AND HEARINGS, AS PROVIDED BY LAW.**

**LEAD AGENCY NOTICE**
**DATA SHEET**

**Name of Action:** COUNTY ROUTE 62 (MAPLE AVENUE) SIDEWALK IMPROVEMENT PROJECT VILLAGE OF MILLERTON, TOWN OF NORTHEAST, DUTCHESS COUNTY, NY

**Name of Applicant:** Dutchess County Department of Public Works

**SEQR Status:** _____ Type I Action
___X___ Unlisted Action

**Description of Action:** Dutchess County is proposing a project to perform ADA upgrades to existing sidewalks along County Route 62 (Maple Avenue) in the Village of Millerton. The project begins approximately 150 feet south of Park Street continuing north for approximately 2,000 feet to Highland Drive in the Village of Millerton. The project involves replacement of approximately 2,000 feet of sidewalk on the western side of CR 62 and replacement with ADA compliant sidewalk. The work includes the upgrade of the traffic signal at NYS Route 44 to include pedestrian signals, and the installation of approximately 150 feet of new sidewalk along NYS Route 44. The Short Environmental Assessment Form (SEAF), preliminary site plan and a location map are being sent to all involved and interested agencies for review.

No significant environmental impact is anticipated from the proposed action.

**Location of Action:** CR-62 Maple Avenue in the Village of Millerton

**Tax Map No.(s):** Between Parcel Nos. 7271-18-467222 and 7271-00-515404

**Size of parcel(s):** 1.26 acres

**Size of Action area:** 0.85 acres

**For further information, please contact:**

*Robert H. Balkind, P.E., Commissioner*
*Dutchess County Department of Public Works*
*626 Dutchess Turnpike*
*Poughkeepsie, NY 12603*
*Phone: (845) 486-2085*
*Email address: rbalkind@dutchessny.gov*

Thank you for your cooperation.

DATED: September 16, 2024

ATTACHMENTS TO THIS NOTICE:

[X] Short Environmental Assessment Form (SEAF) Part 1
[X] Site Plan Map and Location Map
[X] Scope Summary Memorandum

A copy of this Notice is being sent to:

**INTERESTED AGENCIES**

Ms. Ruth L. Pierpont, Director
New York State Office of Parks, Recreation & Historic Preservation
Historic Preservation Field Services Bureau
Peebles Island , P.O. Box 189
Waterford, NY 12188-0189

Mr. Christopher Kennan, Supervisor
Town of Northeast
19 N. Maple Avenue
P.O. Box 516
Millerton, NY 12546

Mr. Peter Dellaghelfa, Superintendent of Public Works
Village of Millerton
5999 N. Elm Avenue
Millerton, NY 12546

Jennifer Najdek, Mayor
Village of Millerton
5933 N. Elm Avenue
Millerton, NY 12546

North East Fire District
Attn: Fire Chief
29 Century Boulevard
P.O. Box 653
Millerton, NY 12546

**INVOLVED AGENCIES**

William LaRose, Esq.
Field Permit Engineer
New York State Department of Transportation
334 Violet Avenue
Poughkeepsie, NY 12603

STATE OF NEW YORK
COUNTY OF DUTCHESS

Proposed Lead Agency: Dutchess County Department of Public Works

Name of Action: COUNTY ROUTE 62 (MAPLE AVENUE) SIDEWALK IMPROVEMENT PROJECT
VILLAGE OF MILLERTON, DUTCHESS COUNTY, NY

**RESPONSE TO REQUEST THAT THE COUNTY OF DUTCHESS SERVE AS LEAD AGENCY REGARDING THE ABOVE ACTION**

On behalf of _____, I, _____, acknowledge receipt of the Lead Agency Notice in this matter.,

The above-named involved agency hereby:

[PLEASE CHECK ONE]

[ ] **CONSENTS** that the County of Dutchess serve as lead agency in this application and requests that the undersigned continue to be notified of SEQR determinations, proceedings and hearings in this matter.

[ ] **DOES NOT CONSENT** to the County of Dutchess serving as lead agency in this application and wishes that _____ serve as lead agency. To contest lead agency designation, the undersigned intends to follow the procedures outlined in 6 NYCRR 617.6(b)(5).

[ ] **TAKES NO POSITION** on Lead Agency designation.

***Any agency raising a dispute must be ready to assume the lead agency if such agency is designated by the commissioner per 6 NYCRR 617 (5) (I).***

DATED: _____
_____, New York

_____
Agency Name

By: _____
[signature]

_____
[print signer's name]

**Please return to:**
Robert H. Balkind, P.E.
Dutchess County Department of Public Works
626 Dutchess Turnpike
Poughkeepsie, NY 12603

# *Short Environmental Assessment Form*
## *Part 1 - Project Information*

**Instructions for Completing**

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

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

**Part 1 – Project and Sponsor Information**

Name of Action or Project:
Maple Avenue Sidewalk Improvements

Project Location (describe, and attach a location map):
Maple Avenue, Village of Millerton, Dutchess County, from 150 feet south of Park Street to Highland Drive

Brief Description of Proposed Action:
The proposed action includes the construction of ADA-compliant sidewalks along the west side of Maple Avenue beginning approximately150 feet south of Park Street to Highland Drive. A sidewalk will be installed along the northeast quadrant of the CR 62 and US 44 intersection, and a mid-block crossing is proposed in the vicinity of Park Street to improve pedestrian mobility around the CR 62 / US 44 intersection. All new or reconstructed street crossings will receive new ADA-complaint curb ramps and crosswalks. Pedestrian signals will be installed at the new CR 62 and US 44 crossings at the intersection.

| Name of Applicant or Sponsor: | Telephone: (845) 486-2925 |
|---|---|
| Dutchess County Department of Public Works | E-Mail: mdutcavich@dutchessny.gov |

Address:
DPW Engineering Division, 626 Dutchess Turnpike

| City/PO: | State: | Zip Code: |
|---|---|---|
| Poughkeepsie | New York | 12603 |

| | NO | YES |
|---|---|---|
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2. | ☑ | ☐ |
| 2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: NYSDOT- Highway Work permit | ☐ | ☑ |

3. a. Total acreage of the site of the proposed action? 1.26 acres
   b. Total acreage to be physically disturbed? 0.85 acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.92 acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

5. ☑ Urban ☐ Rural (non-agriculture) ☐ Industrial ☑ Commercial ☑ Residential (suburban)
   ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):
   ☐ Parkland

| | NO | YES | N/A |
|---|---|---|---|
| 5. Is the proposed action, | | | |
| a. A permitted use under the zoning regulations? | ☐ | ☑ | ☐ |
| b. Consistent with the adopted comprehensive plan? | ☐ | ☑ | ☐ |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? | ☐ | ☑ | |
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: | ☑ | ☐ | |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels? | ☑ | ☐ | |
| b. Are public transportation services available at or near the site of the proposed action? | ☑ | ☐ | |
| c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action? | ☐ | ☑ | |
| 9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: Not applicable. | ☐ | ☑ | |
| 10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: No new connections will be made to the existing watermains within the project area. | ☑ | ☐ | |
| 11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: No new connections will be made to the existing sanitary sewer within the project area. | ☑ | ☐ | |
| 12. a. 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? Main St Historic District, see 8/21/24 OPRHP letter of No Effect | ☐ | ☑ | |
| b. 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? | ☑ | ☐ | |
| 13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? | ☐ | ☑ | |
| b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: | ☑ | ☐ | |

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional

☐ Wetland ☑ Urban ☑ Suburban

| | NO | YES |
|---|---|---|
| 15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Northern Long-eared Bat, Se... | ☐ | ☑ |
| 16. Is the project site located in the 100-year flood plan? | ☐ | ☑ |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources? | ☐ | ☑ |
| If Yes, a. Will storm water discharges flow to adjacent properties? | ☑ | ☐ |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? | ☐ | ☑ |
| If Yes, briefly describe: Sidewalks will be sloped towards Maple Avenue; runoff will be collected via storm drains and swales | | |
| 18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: | ☑ | ☐ |
| 19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: | ☑ | ☐ |
| 20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: | ☑ | ☐ |

**I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

Applicant/sponsor/name: Mathew D. Dutcavich, P.E. Date: 9-13-24

Signature: Mat D. Dut Title: Director, DPW Engineering Division

PRINT FORM

Agency Use Only [If applicable]

Project:

Date:

# *Short Environmental Assessment Form*
# *Part 2 - Impact Assessment*

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

| | No, or small impact may occur | Moderate to large impact may occur |
|---|---|---|
| 1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? | ☑ | ☐ |
| 2. Will the proposed action result in a change in the use or intensity of use of land? | ☑ | ☐ |
| 3. Will the proposed action impair the character or quality of the existing community? | ☑ | ☐ |
| 4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? | ☑ | ☐ |
| 5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? | ☑ | ☐ |
| 6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? | ☑ | ☐ |
| 7. Will the proposed action impact existing:<br>a. public / private water supplies? | ☑ | ☐ |
| b. public / private wastewater treatment utilities? | ☑ | ☐ |
| 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? | ☑ | ☐ |
| 9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)? | ☑ | ☐ |
| 10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? | ☑ | ☐ |
| 11. Will the proposed action create a hazard to environmental resources or human health? | ☑ | ☐ |

PRINT FORM

Agency Use Only (if applicable)

Project:

Date:

## *Short Environmental Assessment Form*
## *Part 3 Determination of Significance*

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

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

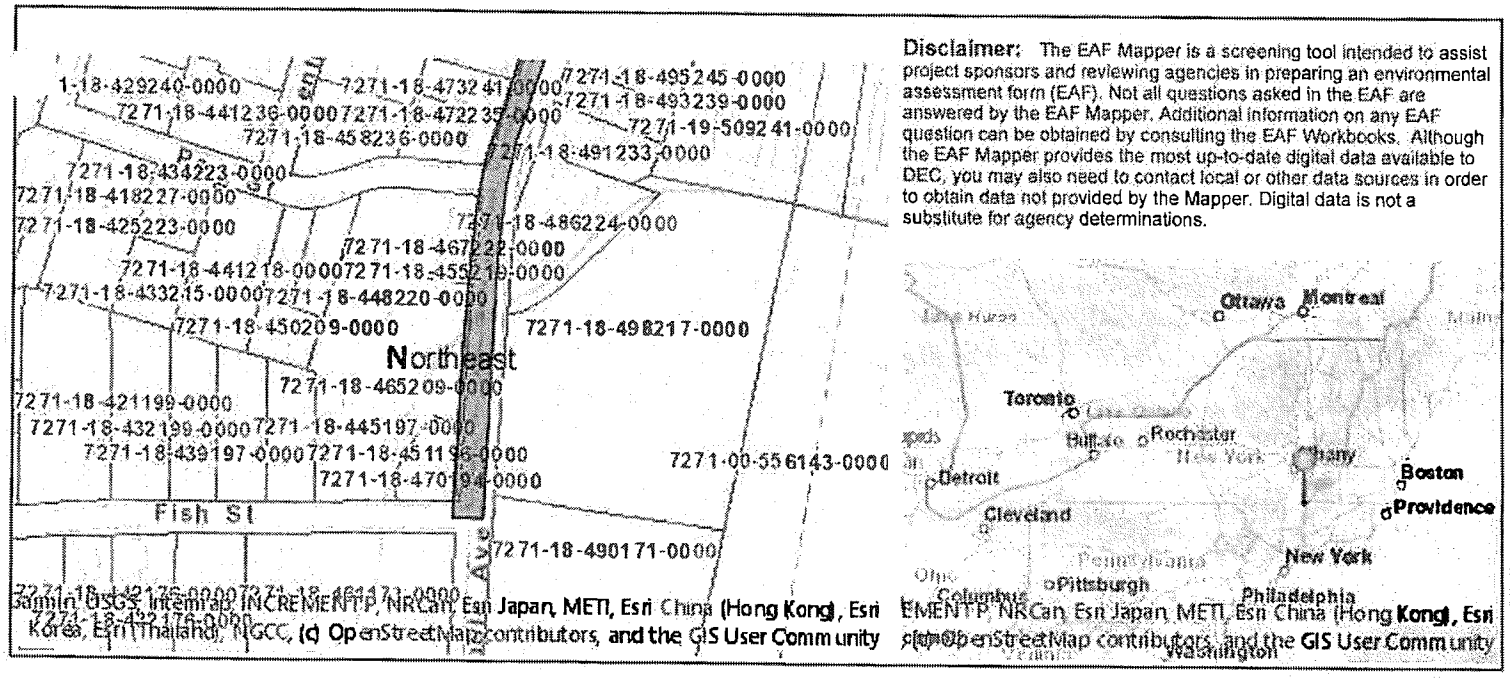
☑ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

| | |
|---|---|
| DUTCHESS COUNTY | 8/30/24 |
| Name of Lead Agency | Date |
| Mathew D. Dutcavich, P.E. | Director, DPW Engineering Division |
| Print or Type Name of Responsible Officer in Lead Agency | Title of Responsible Officer |
| Mathew D. Dutcavich | Lisa M. Wellin |
| Signature of Responsible Officer in Lead Agency | Signature of Preparer (if different from Responsible Officer) |

PRINT FORM

# EAF Mapper Summary Report

Monday, December 12, 2022 7:59 AM




**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

| | |
|---|---|
| Part 1 / Question 7 [Critical Environmental Area] | No |
| Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites] | Yes |
| t 1 / Question 12b [Archeological Sites] | No |
| Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies] | Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook. |
| Part 1 / Question 15 [Threatened or Endangered Animal] | Yes |
| Part 1 / Question 15 [Threatened or Endangered Animal - Name] | Northern Long-eared Bat, Sedge Wren, Bog Turtle |
| Part 1 / Question 16 [100 Year Flood Plain] | Yes |
| Part 1 / Question 20 [Remediation Site] | No |

# CHAPTER 1 – PROJECT INFORMATION

## 1.1 Project Limits




## 1.2 Project Purpose and Objectives

The purpose of this project is to improve pedestrian safety and mobility by providing sidewalk continuity on the west side of Maple Avenue (CR 62) between Fish Street and Highland Drive, as well as provide improvements at the intersection with Main Street (US Route 44). These improvements include the replacement of existing sidewalks, the installation of new sidewalks, signage, and the installation of ADA-compliant curb ramps and crosswalks.

The project objectives are to improve pedestrian access and safety through an expanded accessible route connecting residential housing, local businesses, and recreational areas.

## 1.3 Description of Proposed Work

The project includes the installation of approximately 1,950 LF of ADA-complaint sidewalks and pedestrian curb ramps, signage as needed, and crosswalk striping along Maple Avenue (CR 62). The existing curb along the west side of Maple Avenue will be left undisturbed, except in locations of curb ramps. The existing closed drainage system will undergo slight modifications and relocations to correct existing drainage issues. It is anticipated that no utility pole relocations will be required. The existing sidewalk at the southern end of the project limits, as well as on intersecting roads, will be maintained and new sidewalk will be installed to match the grade and width of the existing sidewalks.

Four alternatives have been considered for this project.

**Alternatives Considered:**

No Build (Null) Alternative: This alternative will maintain the existing condition and will not address the concern of pedestrian access within the project limits. This alternative does not meet any of the project objectives and is only used as a baseline for comparison to the other alternatives.

Alternative 1: This alternative proposes a continuous 5-foot-wide sidewalk along the west side of Maple Avenue (CR 62) from the Kelsey Brook to Highland Drive. ADA-compliant curb ramps and crosswalks will be installed at the intersections with Park Street, Main Street (US Route 44), Century Boulevard, Simmons Street, Barton Street, and Highland Drive. Pedestrian signals with push buttons are proposed at the intersection of Main Street (US Route 44) and Maple Avenue (CR 62) crossing south-north and west-east near the Cumberland Farms. The sidewalk at Cumberland Farms extends to both driveways along Main Street (US Route 44) and Maple Avenue (CR 62). Modifications to the existing drainage system along Maple Avenue (CR 62) are anticipated. Curb extensions are proposed on Century Boulevard to shorten the pedestrian crossing and delineate the parking areas.

Alternative 2: This alternative proposes the same improvements described in Alternative 1 with a crosswalk and ADA-compliant curb ramps on the west side of the Maple Avenue (CR 62) and Main Street (US Route 44) intersection crossing south-north towards Cumberland Farms. One midblock crossing is proposed to connect to the existing sidewalk on the east side of Maple Avenue near its intersection with Park Street. Pedestrian signals with push buttons are proposed on the three (3) crosswalks at the Maple Avenue (CR 62) and Main Street (US Route 44) intersection. To enhance pedestrian safety at the midblock crossing, rectangular rapid flashing beacon assemblies located at the crossings and advanced pedestrian warning signage is proposed.

Alternative 3: This alternative proposes the same improvements as described in Alternative 2 with the removal of the midblock crossings, the curb extensions on Century Boulevard and the west-north crosswalk and sidewalk and ADA-compliant curb ramps on the northeast corner of Main Street (US Route 44) and Maple Avenue (CR 62). Pedestrian signals are proposed for the south-north crossing of Main Street (CR 62) and Maple Avenue (US Route 44). This alternative is not recommended because the removal of the curb extensions would lengthen the pedestrian crossing, and removal of the midblock crossings does not provide an accessible path for pedestrians within the project limits.

Alternative 4: This alternative proposes a continuous 5-foot-wide sidewalk along the west side of Maple Avenue (CR 62) from the Kelsey Brook to Highland Drive. ADA-compliant curb ramps and crosswalks will be installed at the intersections with Park Street, Main Street (US Route 44), Century Boulevard, Simmons Street, Barton Street, and Highland Drive. Pedestrian signals with push buttons are proposed at the intersection of Main Street (US Route 44) and Maple Avenue (CR 62) crossing south-north and west-east near the Cumberland Farms. The sidewalk at Cumberland Farms extends to both driveways along Main Street (US Route 44) and Maple Avenue (CR 62). One midblock crossing is proposed to connect the existing sidewalk on the east side of Maple Avenue near its intersection with Park Street. To enhance the

safety at the midblock crossing, rectangular rapid flashing beacon assemblies located at the crossing and advanced pedestrian warning signage are proposed. This alternative proposes the removal of existing concrete stairs at the southeast corner of the intersection of Maple Avenue and Main Street, in front of the North East Baptist Church, to deter pedestrians from crossing at this point.

Dutchess County has reviewed the alternatives and identified Alternative 4 as the preferred alternative.

## 1.4 Permits and Approvals

A NYSDOT Highway Work Permit is anticipated for this project for the work within the intersection of Maple Avenue (CR 62) and Main Street (US Route 44).

## 1.5 Project Schedule

| Project Schedule | |
|---|---|
| **Activity** | **Date Occurred/Tentative** |
| Scope Approval | June 2023 |
| Town and Public Meeting(s) | July – August 2023 |
| Design Approval | May 2024 |
| Pre-PS&E Submission | June 2024 |
| Right-of-Way Acquisition | Begin July 2024 |
| PS&E Submission | December 2025 |
| Letting | February 2025 |
| Construction Start | April 2026 |
| Construction Complete | November 2026 |

Note:

1. Refer to Section 2.5 for a description of ROW needs for the preferred alternative.

## 1.6 Public Involvement

A public information meeting was held on August 17, 2023 at the North East - Millerton Library to discuss the project with residents and municipal officials. Refer to **Appendix F** for comments from this meeting.

## 1.7 Project Cost

This project is 100% funded by Dutchess County.

| Project Cost | | | | | |
|---|---|---|---|---|---|
| Activity | | Alt. 1 Cost | Alt. 2 Cost | Alt. 3 Cost | Alt. 4 Cost |
| Construction Costs | Highway | $661,000 | $665,000 | $578,000 | $698,000 |
| | Field Change Item | $34,000 | $34,000 | $29,000 | $35,000 |
| Mobilization (4%) | | $28,000 | $28,000 | $25,000 | $30,000 |
| Subtotal | | $723,000 | $727,000 | $632,000 | $763,000 |
| Contingency (30%) | | $217,000 | $219,000 | $190,000 | $229,000 |
| **Estimated Construction Cost** | | **$940,000** | **$946,000** | **$822,000** | **$992,000** |

Notes:
1. Project costs shown do not include costs for Design or Construction Inspection.
2. Project costs shown do not include ROW acquisitions. Refer to Section 2.5 for a discussion on ROW needs.

## 1.8 Meeting Summaries

Site Visit

A site visit was conducted on August 25, 2022 to assess the existing conditions of the site. During this visit, the County requested that there be no disturbance to overhead utilities or the State-owned traffic signal located at the intersection of Maple Avenue (CR 62) and Main Street (US Route 44). A conceptual design was submitted to the County for review and comment prior to submission of this Draft Design Memo. The concept was reviewed with Dutchess County on December 21, 2022. The four alternatives presented in this Draft Design Memo were developed at that meeting.

NYSDOT Review Meeting

Preliminary plans for the intersection of Maple Avenue (CR 62) and Main Street (US Route 44) were provided to NYSDOT Region 8 for review in November 2023. On November 27, 2023, a design review meeting was held virtually with NYSDOT, Dutchess County and MJ Engineering to discuss the proposed work. NYSDOT was generally amenable to the pedestrian improvements shown but will require pedestrian signals at the CR 62 / US 44 crosswalks. NYSDOT stated that the existing traffic signal cabinet could accommodate the pedestrian phases. During final design, further review by the NYSDOT Region 8 Permits group will follow the Highway Work Permit process. A permit will be issued before the project is advertised for bids.

# CHAPTER 2 – DESIGN CONSIDERATIONS

## 2.1 Design Criteria

| Primary Design Values for Sidewalks | | | |
|---|---|---|---|
| **Element** | **Standard Value** | **Source[1]** | **Proposed Value (Alt 4 – Preferred)** |
| Curb Ramp Clear Width | 48" (min.) | PROWAG R304.5.1 | 48" (min.) |
| Grade Running Slope (for curb ramp) | 7.5% (max.) | PROWAG R304.3.2 | 7.5% |
| Curb Ramp Cross Slope | 1.5% (max.) | PROWAG R304.5.3 | 1.5% |
| Turning Space (constraints at back) | 48" x 60" | PROWAG R304.2.1 | 48" x 60" |
| Turning Space (no constraints) | 48" x 48" | PROWAG R304.3.1 | 48" x 48" |
| Slope of Turning Space (any direction) | 1.5% (max.) | PROWAG R304.2.2 | 1.5% |
| Sidewalk Clear Width | 48" (min.) | PROWAG R304.3 | 60" |
| Sidewalk Grade Running Slope | Adjacent Max. Roadway Grade or 4.5% | PROWAG R304.2.5 | Adjacent Roadway Grade or 4.5% |
| Sidewalk Cross Slope | 1.5% (max.) | PROWAG R304.2.6 | 1.5% |
| Passing Space Interval (if route is < 60" wide) | 200' (max.) | PROWAG R304.2.4 | N/A |
| Passing Space Dimensions | 60" x 60" (min.) | PROWAG R304.2.4 | N/A |
| Crosswalk Width | 72" (min.) | PROWAG R304.2.3 | 72" |
| Pedestrian Signal Push Button Height | 36" (min.) – 42" (max.) | PROWAG R406.2 | 36" - 42" |
| Ped. Signal Push Button Dist. from Route | 9" (max.) | PROWAG R406.3 | 9" (max.) |

1 NYSDOT Highway Design Manual Chapter 18 (2011 Public Right of Way Accessibility Guidelines (PROWAG)).

## 2.2 Nonstandard/Nonconforming Features

There are no anticipated nonstandard features under this contract.

## 2.3 Safety and Crash History Analysis

Data from the CLEAR Crash Data Query report was reviewed for documented reports occurring between May 2019 to May 2022 along Maple Avenue (CR 62) within and adjacent to the project limits. Of the thirteen (13) accidents that occurred during this timeframe, none of the accidents reported involved pedestrians. Refer to **Appendix C** for the NYSDMV Police Accident Reports.

## 2.4 Pedestrians, Bicyclists and Transit (Complete Streets)

Pedestrians and Bicyclists

There are existing generators of pedestrian traffic within the project area and pedestrian travel is more than occasional. Pedestrian generators include a church, pharmacy, gas station, bank, library, post office, North East Town Hall, medical office, and a senior center. The adjacent land use mainly consists of residential and commercial properties throughout the corridor. The intent of the project is to close the gaps in the existing sidewalks and update existing pedestrian facilities to meet current ADA standards where required along the west side of Maple Avenue (CR 62).

At the intersection of Maple Avenue (CR 62) with Main Street (US Route 44), pedestrian and bicycle counts were recorded by the Dutchess County Transportation Council during the hours 7 am - 7 pm over a three-day period from Thursday 5/4/23 to Saturday 5/6/23. From these counts, it was found that the predominant pedestrian crossing movement at the intersection is in the east-west direction along Main Street. Refer to **Appendix E** for the pedestrian and bicycle count data.

The Dutchess County Complete Streets Checklist has been completed. Refer to **Appendix D** for the checklist.

Transit

There are currently no public transportation stops within the project limits. The proposed improvements will not preclude future public transit bus stops within the project area.

## 2.5 Right-of-Way

The County's highway boundary has been mapped throughout the project limits, as shown on the alternative plans in **Appendix A**.

| Anticipated Right-of-Way Acquisitions | | | | | |
|---|---|---|---|---|---|
| **Owner** | **Tax Map No.** | **Type of Acquisition** | | | |
| | | **Alt. 1** | **Alt. 2** | **Alt. 3** | **Alt 4.** |
| Five Minute Construction Corp. | 7271-18-467222 | TE to remove existing sidewalk | | | |
| Victor C. Trivelli | 7271-18-472235 | TE to remove existing sidewalk | | | |
| Enver Cani | 7271-14-477253 | FEE to remove existing sidewalk, install new sidewalk, and install pedestrian signal | | | |
| Enver Cani | 7271-14-477253 | TE to grade behind new sidewalk | | | |
| Salisbury Bank and Trust Co. | 7271-14-483274 | FEE to construct retaining wall | - | - | Grading release to replace plantings |
| CFI Propco 2 LLC | 7271-15-504270 | FEE to construct sidewalk | | - | FEE to construct sidewalk |
| | **Total FEEs** | **3** | **2** | **1** | **2** |
| | **Total TEs** | **3** | **3** | **3** | **3** |

## 2.6 Traffic Control Devices

There are eight (8) intersections within the project limits. The intersection of Maple Avenue (CR 62) and Main Street (US Route 44) is controlled by an existing traffic signal, owned, and maintained by the New York State Department of Transportation (NYSDOT), with no pedestrian signal equipment. No physical modifications to this signal are proposed; however, the addition of new pedestrian signals will require modifications in the cabinet. The other seven (7) intersections are stop controlled on the minor approaches only.

## 2.7 Drainage Systems and Stormwater Management

There are existing closed drainage systems located within the project limits. Modifications to these systems are proposed at the intersections of Maple Avenue (CR 62) and Park Street, Main Street (US Route 44), and Century Boulevard.

## 2.8 Utilities

| Utilities | |
|---|---|
| **Utility** | **Impact** |
| Village of Millerton Water | Two (2) hydrants to be relocated along the section of Maple Avenue between Barton Street and Highland Drive. Alternative 2 includes an additional hydrant relocation along Park Street. Valve Box adjustments will also be required and will be completed by the Contractor. Coordination with the Village's water department to obtain record plans of the existing infrastructure is ongoing. |
| Village of Millerton Drainage | Drainage alterations are anticipated at the three (3) intersections identified in Section 2.7. Concept level modifications are shown in **Appendix A**. |
| Overhead Utilities (Electric, Telephone, and Communication) | No anticipated impact. |

## 2.9 Work Zone Safety and Mobility

Work zone traffic control staging will be utilized during construction to complete earthwork, sidewalk installation, curb installation, and installation of pedestrian crosswalks. The staging includes but is not limited to, single lane/shoulder closures and sidewalk/crosswalk closures. Temporary pedestrian detours will be provided to maintain pedestrian access at all times during construction. A detailed pedestrian work zone plan will be provided in final design.

Access for emergency vehicles will be open and maintained at all times during construction. A detailed work zone traffic control plan will be designed and evaluated during final design.

Access to the businesses and private residences shall remain open at all times.

# CHAPTER 3 – ENVIRONMENTAL CONSIDERATIONS

## 3.1 Environmental Classification

SEQRA (State Environmental Quality Review Act):

In accordance with 6 NYCRR Part 617, "Procedures for Implementation of State Environmental Quality Review Act", Dutchess County has determined that this project is a SEQR Unlisted Action since the project proposed is to replace existing sidewalk and construct new sidewalk.

For Unlisted SEQRA actions, the need to undergo a coordinated SEQRA review, when there is more than one agency involved, is optional. Dutchess County has opted to undergo a coordinated review with the Town of North East, NYSDOT and all other interested and involved agencies. Refer to **Appendix B** for the Short Environmental Assessment Form.

## 3.2 Historic and Cultural Resources

A review of the NYS Office of Parks, Recreation and Historical Preservation's (OPRHP) Cultural Resource Information System (CRIS) shows that the southern leg of the intersection of Maple Avenue (CR 62) and Main Street (US Route 44) is located within the Main Street Historic District.

Three (3) historic properties listed on the National Register of Historic Places have been identified within or immediately adjacent the project limits; 4 South Maple Avenue, the North East Baptist Church Parsonage located at 3 South Maple Avenue, and the North East Baptist Church located at 1 South Maple Avenue. All project activities take place within the public right-of-way and will not have any effects on these historic properties. Refer to **Appendix B** for the CRIS map.

## 3.3 Surface Waterbodies and Watercourses

Based on a review of the NYSDEC Environmental Resource Mapper (ERM), there is one (1) regulated stream, Kelsey Brook, within the project limits. Kelsey Brook is rated a Class C / Standard C stream and is not listed as a 303(d) segment. No impacts to Kelsey Brook are anticipated from the project activities.

## 3.4 Endangered and Threatened Species

A review of the NYSDEC ERM indicates that the NYSDEC's Natural Heritage Program has records of state-listed endangered or threatened bat species that have the potential to exist within or near the project corridor.

Northern Long Eared Bat

The Northern Long Eared Bat (NLEB) (*Myotis septentrionalis*) was identified as an endangered species that has the potential to occur at the project site. The habitat provided within the project area is urban in nature and provides minimal tree cover, vegetation or other characteristics typically associated with bat habitats. A total of 12 trees will be cleared during construction and will be removed within the cutting window, between November 1 and March 31. The canopy cover lost as a result of these tree removals is negligible in comparison to the surrounding area.

Indiana Bat

The Indiana Bat (*Myotis sodalis*) was identified as an endangered species that has the potential to occur at the project site. The habitat provided within the project area is urban in nature and provides minimal tree cover, vegetation or other characteristics typically associated with bat habitats. A total of 12 trees will be

cleared during construction and will be removed within the cutting window, between November 1 and March 31. The canopy cover lost as a result of these tree removals is negligible in comparison to the surrounding area.

## 3.5 Floodplains

As indicated by FEMA on available GIS floodplain mapping, approximately 360 SF of the project area is located in flood zone "AE", a 100-year floodplain that faces the risk of flooding up to a given base flood elevation. The regulatory waterway, Kelsey Brook, passes under Maple Avenue between Fish Street and Park Street. Due to the scope of work in this area of the project limits, no adverse effects or changes to the existing flood zone from project activities are foreseen. Refer to **Appendix B** for the FEMA flood map of this location.

## 3.6 Energy Code Requirements

This project is not applicable to the 2020 Energy Conservation Construction Code.

## 3.7 Stormwater Management

This project will disturb less than one acre and will not require a State Pollutant Discharge Elimination System (SPDES) permit. While this project is not required to assess the requirements for stormwater management practices, they will be considered where reasonable. Contract documents will include erosion and sediment control measures in accordance with the NYSDEC's Standards and Specifications for Erosion and Sediment Control (latest edition) and Section 209 of the NYSDOT Standard Specifications.

## Project Approval Sheet

The required environmental determinations have been made, and the preferred alternative for this project is ready for final design. There are no nonstandard features for this project.

Michael D. Panichelli, PE directly supervised the preparation of the Design Memo is accordance with established standards, policies, regulation, and procedure, except as otherwise explained in this document.

05.28.2024

Michael D. Panichelli, PE
MJ Engineering & Land Surveying, P.C.

Date

The included Design Memo has been reviewed and approved.

5-22-24

Mathew Dutcavich, PE
Director of Engineering

Date

The preferred alternative documented in this Design Memo is approved and ready for final design.

5/23/24

Robert H. Balkind, PE
Commissioner of Public Works

Date

# *Environment Committee Roll Call*

| *District* | *Name* | *Yes* | *No* |
|---|---|---|---|
| District 7 - Hyde Park and Pleasant Valley | Truitt* | ✓ | |
| District 25 - Amenia, Washington, Pleasant Valley & Millbrook | Houston* | | |
| District 3 - LaGrange | Polasek* | | |
| District 16 - Fishkill and Beacon | Valdés Smith* | | |
| District 9 - City of Poughkeepsie | Atkins* | | |
| District 1 - Town of Poughkeepsie | Gorman | | |
| District 4 - Hyde Park and Town of Poughkeepsie | Lawler | Absent | |
| District 5 - Town of Poughkeepsie | D'Aquanni (C) | | |
| District 6 - Town of Poughkeepsie | Kaul | | |
| District 13 - East Fishkill and Wappinger | Paoloni (VC) | | |
| District 18 - City of Beacon and Fishkill | Page | | |
| District 24 - Dover and Pawling | House | | |

Present: 11 Resolution: ✓ Total : 11 0

Absent: 1 Motion: ___ Yes No

Vacant: 0 Abstentions: 0

2024206 DECLARING DUTCHESS COUNTY LEAD AGENCY AND ADOPTION OF DETERMINATION OF NO SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACT IN CONNECTION WITH DEPARTMENT OF PUBLIC WORKS COUNTY ROUTE 62 (MAPLE AVENUE AND RUDD POND ROAD) SIDEWALK IMPROVEMENT PROJECT, VILLAGE OF MILLERTON, AND TOWN OF NORTH EAST DUTCHESS COUNTY

**DECEMBER 5, 2024**

# Roll Call Sheets

| District | Last Name | YES | NO |
|---|---|---|---|
| District 7 - Hyde Park and Pleasant Valley | Truitt | ✓ | |
| District 25 - Amenia, Washington, Pleasant Valley & Millbrook | Houston | | |
| District 3 - LaGrange | Polasek | | |
| District 16 - Fishkill and Beacon | Valdés Smith | | |
| District 9 - City of Poughkeepsie | Atkins | | |
| District 1 - Town of Poughkeepsie | Gorman | | |
| District 2 - LaGrange, Pleasant Valley & Town of Poughkeepsie | Travelpiece | | |
| District 4 - Hyde Park and Town of Poughkeepsie | Lawler | | |
| District 5 - Town of Poughkeepsie | D'Aquanni | | |
| District 6 - Town of Poughkeepsie | Kaul | | |
| District 8 - City and Town of Poughkeepsie | Brendli | | |
| District 10 - City of Poughkeepsie | Johnson | | |
| District 11 - Clinton, Pleasant Valley, and Rhinebeck | Kearney | | |
| District 12 - East Fishkill | Metzger | | |
| District 13 - East Fishkill and Wappinger | Paoloni | | |
| District 14 - Wappinger and Town of Poughkeepsie | Versaci | | |
| District 15 - Wappinger | Faust | | |
| District 17 - Town and Village of Fishkill | McHoul | | |
| District 18 - City of Beacon and Fishkill | Page | | |
| District 19 - North East, Stanford, Pine Plains, Milan & Red Hook | Drago | | |
| District 20 - Red Hook, Tivoli, and Rhinebeck | Munn | | |
| District 21 - East Fishkill | Caswell | | |
| District 22 - Beekman and Union Vale | Garito | | |
| District 23 - Pawling, Beekman and East Fishkill | Rolison | | |
| District 24 - Dover and Pawling | House | | |

**Present:** 25 **Absent:** 0 **Vacant:** 0

**Resolution:** ✓ **Motion:** ____

**Total :** 25 **Yes** 0 **No**

**Abstentions:** 0

2024206 DECLARING DUTCHESS COUNTY LEAD AGENCY AND ADOPTION OF DETERMINATION OF NO SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACT IN CONNECTION WITH DEPARTMENT OF PUBLIC WORKS COUNTY ROUTE 62 (MAPLE AVENUE AND RUDD POND ROAD) SIDEWALK IMPROVEMENT PROJECT, VILLAGE OF MILLERTON, AND TOWN OF NORTH EAST DUTCHESS COUNTY

**DECEMBER 9, 2024**