

VILLAGE OF NEW PALTZ PLANNING BOARD

RESOLUTION TO ISSUE FINDINGS STATEMENT

for

COMMERCIAL STREET PARTNERS – NEW PALTZ APARTMENTS

NYS Route 32 South & 21 Cross Creek Road

Town of New Paltz

WHEREAS, as the culmination of a thorough environmental review pursuant to SEQRA, a Final Environmental Impact Statement (FEIS) for the proposed New Paltz Apartments project (the “Project”) was adopted by the Planning Board on October 1, 2024; and

WHEREAS, pursuant to SEQRA regulations, the lead agency is required to issue a Findings Statement based on the FEIS, which must:

- (1) consider the relevant environmental impacts, facts and conclusions disclosed in the final EIS;
- (2) weigh and balance relevant environmental impacts with social, economic and other considerations;
- (3) provide a rationale for the agency's decision;
- (4) certify that the requirements of this Part have been met; and
- (5) certify that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable; and

NOW THEREFORE, BE IT RESOLVED, that the Village of New Paltz Planning Board hereby adopts the attached Findings Statement for the New Paltz Apartment Project and authorizes the Chair to sign the statement; and

BE IT FURTHER RESOLVED, that the Planning Board attorney and staff are directed to publish and circulate notices of this action as required by the regulations at 6 NYCRR § 617.12, and

BE IT FURTHER RESOLVED, that this resolution does not constitute a decision on a final site plan for the Project, which is not yet ripe for Planning Board review.

IN FAVOR: SOUTO, DOLAN, NEILSON (ACT), BIALECKI

AGAINST: NONE

ABSTENTIONS: COHEN

ABSENT: LAFODKA

DATE OF APPROVAL: December 17 ^{MD}, 2024

DATE OF SIGNATURE: 12/17/2024



ZACH BIALECKI, CHAIR
VILLAGE OF NEW PALTZ PLANNING BOARD

I, Nicole MacLean, Deputy Village Clerk, do hereby certify that the foregoing Resolution was filed in the Office of the Village Clerk on 12/18/2024, and copies provided to the Building Inspector and mailed to the Applicant.



NICOLE MACLEAN, DEPUTY CLERK
VILLAGE OF NEW PALTZ, NEW YORK

**State Environmental Quality Review
Lead Agency Findings Statement**

NEW PALTZ APARTMENTS

Pursuant to Article 8 of the Environmental Conservation Law and the regulations promulgated thereto at 6 NYCRR Part 617, (New York State Environmental Quality Review Act or "SEQR"), the Village of New Paltz Planning Board ("Planning Board"), as Lead Agency, issues the following Findings Statement with regard to the following development project.

The Planning Board, as Lead Agency, has taken a hard look at the potential adverse environmental impacts of this action. These findings are the result of that hard look and this Board's balancing of the environmental considerations as required by SEQR. These findings will demonstrate that the potential adverse environmental impacts identified during the SEQR review process have been avoided or minimized to the maximum extent practicable.

Name of Action: **New Paltz Apartments**

Location: **NYS Route 32 South & 21 Cross Creek Road
Town of New Paltz
Ulster County, New York**

Project Sponsor: **Commercial Street Partners
64 Commercial Street
Rochester, New York 14614**

Lead Agency: **Village of New Paltz
Planning Board
25 Plattekill Avenue
New Paltz, New York 12561
(854) 255-3055
Contact: Zach Bialecki, Planning Board Chair**

SEQR Status: **Type I Action, Positive Declaration**

Notice of Completion of DEIS: **October 10, 2023**

Notice of Completion of FEIS: **October 1, 2024**

LOCATION

The subject properties at NYS Route 32 South and 21 Cross Creek Road are designated on the Ulster County Tax Map as 86.4-2-3.119 and 86.4-2-4.340, a total of 129.3 acres. A subdivision/lot merger will result in 4 separate parcels. Of this acreage, 60 acres (Lot 1) will form a part of the New Paltz Apartments Project which is planned to be annexed from the Town of New Paltz to the Village of New Paltz. The remaining 69.3 acres of land will be

comprised of 3 parcels which will remain vacant or as currently developed with existing single-family homes, and which will remain within the Town of New Paltz. These properties are on the west side of Route 32 South and are roughly bound by the Village of New Paltz and Bella Terra Apartments to the north, Jansen Road to the south and Harvest Hills Subdivision (Hawk Hill and Cross Creek Roads) to the west.

DESCRIPTION OF ACTION

The New Paltz Apartments project will be a student and multifamily housing complex located immediately south of the SUNY New Paltz campus. It includes construction of 200 +/- student and multifamily housing units (approximately 612 bedrooms), including 30 affordable units, a clubhouse and fitness center, pool and patio area, associated parking, and nature trail on 60+/- acres.

The “Action” or “Project” includes the subdivision of 129.3 +/- acres of land, annexation of the 60 +/- acre development parcel (Lot 1) into the Village of New Paltz by annexation, a zoning district change of the 60 +/- acres of lands from R-1 [Residential] under the Town of New Paltz Zoning Law to R-3 [Multi-Family] under the Village of New Paltz Zoning Law; and area variances, water main and sewer main extension, easement, agreements and site plan review approval under the Village of New Paltz Zoning Law, to facilitate construction of a multifamily housing project, known as New Paltz Apartments. The additional 3 parcels will comprise a total of 69.3 +/- acres remaining in the Town of New Paltz with existing residential and/or agricultural status-quo maintained.

The original proposal described in the DEIS included 250 +/- units of student housing consisting of townhouse and cottage style homes (approximately 724 beds). After examination of alternatives and following the receipt of comments from the Lead Agency, Involved Agencies, Interested Agencies, and the public throughout the SEQR process, the Project Sponsor worked to adjust the Project to mitigate impacts. As a result, a revised plan was included in the FEIS, known as the “FEIS Plan.” The FEIS Plan includes 200 +/- units of student and multifamily housing (approximately 612 bedrooms), including 30 affordable units. The reduced FEIS Plan layout is more compact, preserves all forested lands, avoids wetland impacts, includes an agricultural conservation area, and a Tier 2 solar field has been added.

THE ENVIRONMENTAL REVIEW PROCESS

The Village of New Paltz Planning Board is the Lead Agency pursuant to SEQR for the environmental review of this Action. The Planning Board has jurisdiction over this Project because the Project will need approval from the Village Planning Board for site plan review and subdivision approval. In addition, approvals and/or permits will be required from the Town of New Paltz Town Board, Town of New Paltz Planning Board, Village of New Paltz Board of Trustees, Village of New Paltz Zoning Board of Appeals, Ulster County Health Department, New York State Department of Environmental Conservation, New York State Department of Health, and US Army Corps of Engineers.

The Project Sponsor submitted application documents, including a Part 1 Full Environmental Assessment Form, to the Village of New Paltz on March 16, 2021. The Village of New Paltz

Planning Board issued a Notice of Intent (NOI) to Establish Lead Agency for the action, classified as a Type I Action pursuant to 6 NYCRR Part 617 for which a coordinated review is required. The NOI, application documents, and Part 1 Environmental Assessment Form were sent to all Involved and Interested agencies. Thereafter, the Town of New Paltz Planning Board voted to decline Lead Agency status. There were no written objections received in the requisite thirty-day response time and the Planning Board was designated as Lead Agency.

On May 28, 2021, the Planning Board adopted a Positive Declaration and issued a Notice of Intent to prepare a Draft Environmental Impact Statement and Lead Agency Determination of Significance. The Positive Declaration was mailed to all Involved and Interested agencies on June 17, 2021, and it was posted in the June 30, 2021, New York State Department of Environmental Conservation (NYSDEC) Environmental Notice Bulletin (ENB). The Positive Declaration included the date, time, and place of the Public Scoping Session on July 20, 2021, at 7:00 PM, with receipt of written comments accepted until July 20, 2021, at 4:00 PM. The draft Scoping Document and Notice of Public Scoping Session were made available on the Village of New Paltz website.

The Planning Board then issued the Final Scoping Document based on comments received throughout the scoping process.

A DEIS was submitted to the Planning Board on August 11, 2022, revised on May 23, 2023, and August 31, 2023. On October 20, 2023, the Planning Board issued a Notice of Completion (NOC) of the DEIS and Public Hearing. The NOC was distributed to the involved and interested agencies and posted in the New York State Department of Environmental Conservation Environmental Notice Bulletin (ENB) on October 25, 2023. The DEIS was made available for public review on the Village of New Paltz website and hard copies were made available at the office the Lead Agency, Office of the Village Clerk, the Elting Memorial Library.

Following Lead Agency acceptance of the DEIS, public hearings were held on November 9, 2023, December 5, 2023, and February 6, 2024, at 7:00 PM at the Village of New Paltz, 25 Plattekill Avenue, New Paltz, New York, to receive comments from the public on the DEIS. Written comments were accepted until 4:00 PM on February 16, 2024. Multiple people provided verbal and/or written comments on the DEIS at the public hearing and until the close of the public comment period. The Village of New Paltz Planning Board provided written comments dated April 16, 2024.

The FEIS for the Proposed Action includes revisions to the DEIS, summaries and copies of the Substantive Comments and their source, and comments from the Planning Board, as Lead Agency. It was submitted to the Planning Board on May 16, 2024. Revisions were made on August 5, 2024, and September 3, 2024, based on questions and comments from the Planning Board and in consideration of review by Involved and Interested Agencies.

On September 10, 2024, a legal notice was issued by the Village of New Paltz Planning Board announcing the Village of New Paltz Planning Board Notice of Joint Meeting with the Town of New Paltz Planning Board to be held on September 17, 2024, at 6:30 PM at Village Hall, 25 Plattekill Avenue, New Paltz, NY to discuss the FEIS and associated

procedural/substantive reviews for the New Paltz Apartments. Interested parties were provided with a link the Village's YouTube page to view the meeting.

The Planning Board accepted the FEIS and issued the NOC on October 1, 2024. Copies of the FEIS were sent to the Involved and Interested Agencies. The NOC for the FEIS was published in the October 30, 2024, issue of the ENB and a period of time in excess of 10 calendar days has passed for consideration of the FEIS prior to issuance of this Findings Statement.

Pursuant to 6 NYCRR 617.11 of the SEQRA Regulations the Findings Statement must:

- (1) consider the relevant environmental impacts, facts and conclusions disclosed in the FEIS;
- (2) weigh and balance relevant environmental impacts with social, economic and other considerations;
- (3) provide a rationale for the agency's decision;
- (4) certify that the requirements of the SEQRA regulations have been met; and
- (5) certify that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

PUBLIC BENEFITS

In balancing the positive and negative impacts of the Project, the Planning Board recognizes several important public benefits:

- The Project provides safe, modern, and convenient housing for students and others, and adds to the housing stock, which may alleviate housing cost pressures for the community at large. The Project complies with the Village and Town of New Paltz Comprehensive Plans to promote quality residential development for student housing, including affordable units. Thirty of the units (15%) will be maintained as affordable housing.
- The Project will be fully taxable and will not pursue a payment in lieu of taxes (PILOT) Agreement. It will expand the tax base and will replace an existing agricultural tax assessment. An estimated assessed value of nearly \$12 million will result in approximately \$513,000 in annual tax revenue to the Town, County, School and Village. Building permit and recreation fees of nearly \$1.5M will be remitted to the Village of New Paltz. User fees assessed for municipal water and sewer services will also be remitted to the Village of New Paltz.

- The Project will generate estimated revenue for the Village of approximately \$76,658 upon completion of the annexation. At full build-out, annual revenues are estimated to exceed costs (including fire, police and EMS) by nearly \$44,000.
- The Project will generate estimated revenue for the New Paltz Central School District of approximately \$283,200.
- Construction of the Project is expected to cost a total of \$45 million, of which approximately 15% (\$6.75 million) will be spent within Ulster County. It will create 40 construction-related jobs within Ulster County and 23 net new jobs in the village.
- A public water main will be extended to serve the Project, and the new main will support future economic development in the area. Sewer main installation will include repair/replacement of an existing damaged main that currently contributes to sewer collection system problems. Both water and sewer main extensions will be paid for by the Project Sponsor.
- The Project is located close to the core of the community, thereby reducing sprawl. It will support community health through the creation of a publicly accessible stone dust nature trail.
- The Project is 100% electric which reduces dependency on fossil fuels and decreases greenhouse gas emissions. The Project will include a half-acre solar field that will serve the common areas on the site.
- Signal timing recommendations will be implemented upon Project approval to improve operations at two Village intersections for the benefit of the New Paltz community, if NYSDOT approves.
- As part of the Project, two pieces of land will be dedicated to conservation. A conservation easement will be placed on a 7-acre portion of the site along Route 32 that will remain in agricultural production of apples and hay. A restrictive covenant will be placed on the 5.4 acre parcel at 21 Cross Creek Road within the Harvest Hills subdivision that will prohibit structures to maintain the viewshed from Route 32 toward the Shawangunk Ridge.
- Annexation will provide residents of the annexation territory with broader public services, more balanced land use, affordable housing and higher levels of public health and safety consistent with opportunities already available within the Village.

EVALUATION OF IMPACTS

The following sections summarize impacts on various categories of environmental resources, along with the project design elements and mitigation measures that mitigate those impacts.

As a result of the environmental review, the Project was reduced and redesigned, resulting in a new alternative, known as the FEIS Plan. Among the alternatives presented, the Planning Board finds that the FEIS Plan presents the best option to meet the positive goals of the Project while minimizing negative impacts.

Changes included in the FEIS Plan include:

- reduction in the number of building and the clustering of the buildings in the south central portion of the property;
- the wetland buffer has been increased from 50-feet to 100-foot;
- all forest lands have been preserved,
- an agricultural conservation area has been set aside, and
- a half-acre Tier 2 solar field has been added to the Project to serve the common areas including the clubhouse, building lighting (entryways and hallways), and site lighting.

In the following sections, the “Project” refers to the redesigned Project represented in the FEIS Plan.

Soils, Topography and Construction-related Impacts

- A Phase 1A and Phase 1B Archaeological investigation conducted on the Project site. There are no historic or archaeological resources on or within a one-mile radius of the Project site.
- Construction will take place on areas that have been used for apple orchards and agricultural use, and residual concentrations of pesticides and chemicals remain in the soil. A Soil and Materials Management Plan (SMMP) has been developed and will be followed during construction. The SMMP specifies procedures for excavation, stockpiling, handling, placement/capping, reuse, and disposal of soil. Soils containing contaminants at concentrations exceeding Restricted Residential Soil Cleanup Objectives will remain in residential access and public access areas only if covered with one foot of clean soil and/or beneath impermeable surface, and above the seasonal high water table. Soils may also be reclaimed for agricultural use within the agricultural conservation area of the site.
- Erosion during construction will be controlled by adherence to a Stormwater Pollution Prevention Plan (SWPPP). Erosion and sedimentation controls will be undertaken prior to and during construction and will include, at a minimum, silt fence, a stabilized construction entrance and truck washdown area, soil stockpile protection, minimizing and stabilizing exposed areas, wetland protection, and periodic monitoring of all controls to ensure proper working order. A sequencing plan will be used to reduce construction-related impacts.

- The cut and fill earthwork calculations result in a balanced site, reducing the need to cart materials off site and seek suitable disposal locations. Maximum depths of cut and fill will be 15 feet of cut and 12 feet of fill. All soils will be reused on site either in landscape areas or in the earthen berms used for screening. Trees removed during construction will be recycled and used on the site.
- A conservation area will be established, governed by a perpetual conservation easement. The conservation area will be used for agricultural purposes, and will preserve existing vegetation, conserve scenic character, and protect the viewshed. No construction or impervious surfaces will be allowed in this area.

Finding: The Planning Board finds that although there are contaminants in the soil, adherence to the Soil and Materials Management Plan will minimize mobilization of contaminants and will provide adequate capping within residential and public access areas. Impacts from construction will be minimized through adherence to the SWPPP and reuse of soils and wood products on site. Agricultural soils re-use will take place several hundred feet away from residential areas.

Water Resources

- The proposed Project has the potential to create minor long-term changes in stormwater quality due to the addition of internal roads, rooftops and lawns. These impacts will be mitigated through installation of a stormwater management system that will contain stormwater runoff associated with a 100-year storm event. Per the SWPPP, the stormwater structural controls include bioretention areas, forebay treatment, and a deep pool for stormwater quality. The deep pool allows sediment to settle prior to water discharge from the stormwater management area and includes an aquatic bench which serves as an area for vegetation growth and slope stability. Post-development peak discharge will be less than pre-development peak discharge.
- The proposed landscaping plan will consist of native and/or drought tolerant plants and groundcover, such as Maple, Lilac, Tupelo, Pine and Spruce to promote water conservation and minimize the need for fertilizers.
- The site includes wetlands that span this site and neighboring lands. The Project was modified in the FEIS plan to avoid construction in and around the wetlands, leaving at least a 100-foot buffer. The wetland delineation was confirmed by the Town of New Paltz wetland inspector, and construction will respect regulatory wetland buffers, including the Town's wetland regulations. A single ephemeral stream crossing for the nature trail, located on an existing agricultural lane, will be designed subject to US Army Corps of Engineers guidance.

Finding: The FEIS Plan changed the Project footprint to avoid impacts to wetlands and expand wetland buffers. Final design will reflect the footprint shown in the FEIS Plan. Stormwater will be managed through the best management practices defined in the

SWPPP to minimize any impact to off-site waterbodies.

Plant and Animal Resources

- The proposed Project is limited to areas of the site previously disturbed by farming activities. A significant portion of the land will remain undisturbed, preserving ecological communities and wildlife travel corridors. Other lands will be placed under conservation easement or deed restriction, as set forth within this document.
- An endangered species assessment considered habitat for bald eagle, American bumble bee, northern long-eared and Indiana bat, and bog turtle. It found no suitable habitat for bald eagle or bog turtle. For the American bumble bee, a significant portion of the subject property will remain undisturbed and readily available to support the bee's habitat. To protect bat habitat, tree clearing will not occur between March 31 and October 31, the known roosting and pup-rearing season for the Northern Long-eared and Indiana Bat.

Finding: While the Project will involve development of about 14 acres of land, the remaining 46 acres of the 60-acre site will remain undeveloped, including the wooded and wetland areas with the most wildlife habitat value. The areas of the Project slated for development are open lands which are generally comprised of grasslands and low shrubs. Procedures will be followed during construction to avoid impacts to protected bats. Accordingly, impacts to wildlife and plant species are adequately mitigated.

Agricultural Resources

- Portions of the site will remain in agricultural production. Only former orchards that are no longer productive are being removed. The agricultural soils will be reused on site within the 7-acre conservation easement area along Route 32 South which will remain in agricultural production for apples and hay.
- No negative impacts on adjacent farmland were identified.

Finding: Because a minimal amount of land will be affected, and off-site farms will not be affected, the Project presents no significant impact to agriculture.

Aesthetic Resources

- Views of the Project have been studied from multiple directions to analyze visual impacts both along the Route 32 corridor and views to the Shawangunk Mountains.
- To preserve views in a westerly direction to the Shawangunk Mountains, the proposed buildings are set back a minimum of 333 feet from Route 32 South and at a lower elevation than the road.
- The conservation easement area will remain open, and this will further protect the

views and preserve rural character in perpetuity, as it restricts building, structures, and vegetation having the potential to interrupt or prevent the enjoyment of this visual resource.

- The connecting trail to the SUNY Campus will provide for residential connectivity and a walking/biking pathway, without large disturbances.

Finding: Although new buildings will be visible from Route 32 South, owing to line-of-sight impediments (forest lands), elevation differences and elimination of units formerly located westerly of the Bella Terr Apartments, the Project's layout will maintain views of the Shawangunk Mountains and preserve rural agricultural character.

Transportation

- Traffic studies examining additional vehicle trips found no substantial effect on levels of service. A signal change to reallocate green-time at the Main Street/N-S Putt Corners Road and Main Street/N-S Chestnut Street intersections could be used to mitigate delays at that intersection, subject to review by NYSDOT.
- The Project will provide a shuttle bus to transport residents to and from the SUNY New Paltz Campus Transportation Hub. The shuttle will operate weekdays from 7:00 AM to 8:00 PM at 30-minute intervals.
- The Project will also provide a shuttle to the Village center, area stores and nearby recreational opportunities.
- The Project will provide a public nature trail that will connect the Project with the SUNY New Paltz campus. The nature trail will enter the campus near South Parking Lot 35, providing pedestrian and bicycle access to campus as well as the UCAT bus stop at SUNY New Paltz: Hawk Dr.
- Access to and from the Project site is located on a major New York State Route and less than ½ mile from the SUNY Campus entrance.
- The Project will provide 491 parking spaces to accommodate peak demand.

Finding: Any residential project is bound to increase vehicle trips, but this project's location and trail connectivity directly adjacent to the SUNY New Paltz campus will enable residents who are students or staff of SUNY to commute to campus without a car. The trail and shuttle bus provided by the Project will facilitate multimodal travel to campus. These measures will adequately mitigate the traffic impacts inherent with new residential development.

Energy and Utility Resources

- The Village's sanitary sewer system has long encountered issues with overflows. Despite more than enough capacity at the treatment plant, overflows occur during rain events because of inflow and infiltration within the collection system. The Village is under a Consent Order from NYSDEC and is undertaking sewer collection system improvements. Accordingly, the Village carefully examined the addition of new flow from the Project to ensure it wouldn't worsen conditions. The Project will include two important mitigation elements:
 - An equalization tank will be designed and installed on the Project site to store the Project's sewer flow and release it at off-peak hours, to prevent overloading the treatment plant during significant rain events. The tank will be sized to effectively reduce the expected flow and load variations over a 24-hour period.
 - The Project will include construction of a pump station and a force main to convey sewerage along Route 32 to the Village sanitary sewer collection system. The sewer main extension will include the replacement/repair of a 170 +/- foot portion of the existing sewer main that is no longer functioning properly and currently contributes to the overflow of the Village system during significant rain events. This work will improve the existing Village system and will be performed by the Project Sponsor at no cost to the Village.
- Owing to currently high water utility rates, the areas of the Village and Town which are serviced by municipal water would benefit from additional subscribers. The Project will add municipal water fees/charges to the water district at large.
- Water for domestic use and fire protection will be served by an extension of the Village of New Paltz municipal water system. The Village system has sufficient capacity to accommodate the increased flow. Low flow water saving fixtures and drought-tolerant plantings will be used to control water usage.
- Central Hudson has indicated that there is capacity in the existing electric system to serve the proposed Project without the need for a new or an upgrade to the existing substation. Energy saving fixtures and appliances will be used throughout the proposed Project to promote sustainability.
- The Hudson Valley is well served by internet, television, cable and cellular providers, and there is existing infrastructure along Route 32 South on an overhead pole line.

Finding: The main utility concern that arose during environmental review is the impact of adding new sanitary sewer flow to the Village's system. The Village is actively working to correct leakage within the collection system, and the Project will provide two important mitigation measures: an equalization tank to adjust the timing of new sewer flow, and replacement of an aging Village sewer main. It will also provide taxes and fees that can be used for sewer upgrades and to offset water rates. The Planning Board finds that the benefits appropriately balance the impacts.

Climate Change

- The Town and Village of New Paltz prepared Community Gas Emissions Inventories and found that transportation is the single largest contributor of carbon dioxide in the community. The Project's design to emphasize walking, bicycling and shuttle transport will minimize additional vehicle-related greenhouse gas (GHG) emissions.
- A Greenhouse Gas Emissions & Climate Change Analysis Report was prepared to assess the Project's GHG emissions, which found that the Project will emit approximately 2,845 metric tons of carbon dioxide per year. This compares with over 4,409 metric tons for a similarly sized project utilizing a conventional natural gas fired heating and hot water design.
- Per the FEIS Plan, the Project will include a half-acre solar field that will serve common areas on the site.
- The Project incorporates the following measures that will effectively mitigate or reduce GHG emissions:
 - With exception of the shuttle bus service, the Project is 100% electric, which reduces the dependency on fossil fuels, and decreases GHG emissions when compared to alternative designs utilizing natural gas or fuel oil.
 - The Project will employ a compact building/structure design in order to minimize sprawl.
 - Building orientation and exterior envelope have been designed to reduce overheating, in turn limiting excess electricity demand. Building systems including HVAC, hot water, light and power, will be designed and selected to meet the 2020 Energy Conservation Construction Code of New York State.
 - Energy saving fixtures and appliances will be used throughout the proposed Project. Selection of appliances (i.e., ENERGY STAR) and use of programmable thermostats will reduce energy demand in each of the apartment units.
 - All lighting on the site, consisting of building entrance lighting, and parking lot lighting will be energy-efficient LEDs.
 - The Project design includes a permanent 10 +/- acre conservation easement which preserves the natural vegetation and soil and aids in carbon sequestration. The site's existing wooded area will not be disturbed during construction, preserving the site's largest source of carbon sequestering vegetation.

- The Proposed Project will include electric charging stations for resident cars.

Finding: The Planning Board finds that locating new development within walking distance of the SUNY campus and Village center comports with goals of reducing GHG emissions from vehicles. With the addition of the solar field and the mitigation measures listed above, the Project has mitigated climate impacts to the extent practicable.

Noise, Light and Odors

- Construction related noise, light, and odor will be minimal given the distance of the proposed Project to the nearest residential property, line of sight limitations, and vegetation and topographic conditions.
- Upon Project completion, it is not anticipated that the building or residents will cause any objectionable noise, light or odors on nearby adjacent properties.

Finding: The Project poses no significant impacts in terms of noise, light or odors.

Community Character

- Housing supply and affordability are an existing issue in the Village community and Ulster County. The Project will increase the supply of student and multifamily housing, which may free up existing housing units for non-students.
- The Project will create new affordably-priced units in accordance with the Village's affordable housing requirements, as in effect at the time of approval. Currently the Village requires 15% of units to be offered as affordable housing, or 30 units out of 200. In particular:
 - A variety of unit types (1, 2 and 4 bedroom) will be included as affordable. The mix of unit types will be determined by the Village as review proceeds.
 - The units will be integrated into the development.
 - The affordable units will be rented by the unit (not by the bedroom) and will be available to student and non-student residents.
- The existing physical and social characteristics of the annexation territory is an expansion of the core of the Village, which reflects a unity of purpose and facilities with the Village to constitute a community.
- Concentration of the inherent local population growth within the area of an expanded Village supports Smart Growth principles and is an appropriate balance to suburban sprawl that exists elsewhere in the Town and region.
- The location of the Project maintains a consistency with nearby multi-family

housing, and SUNY Campus integration of educational buildings, residential structures, and with faculty/students' interaction.

Finding: The addition of 200 new housing units will benefit the supply of housing in the Village. The inclusion of affordable units will provide an important benefit to the community. The Village Planning Board and Affordable Housing Board will continue to work with the Project Sponsor to design the affordable component to best effect.

Community Services

- An Economic Impact report was produced which modeled and estimated a variety of fiscal impacts. It estimates the total annual increase in anticipated village expenses, including police, fire and EMS, will be approximately \$32,341. The Planning Board recognized that actual costs may be higher due to the needs of the student population. Also, there may come a tipping point at which volunteer services are no longer viable and paid first responders are needed. However, at present, the Village costs will be more than offset by the tax revenue generated by the Project.
- The Project will provide 24/7 management and maintenance services, as well as health and safety measures for residents.
- The Project will provide additional housing stock which will assist with the vacancy rate for apartment units in the community.
- The Project will be fully taxable and will not seek a PILOT. It will also be subject to various fees upon construction including building permit and recreation fees. Tax and fee revenue generated by the Project may be used to offset the costs of emergency services personnel as they transition from volunteer to paid status over time to serve the needs of the community.
- The proposed annexation will afford residents of the annexation territory those public and community services and other amenities not currently or readily available outside of the Village.

Finding: Although the Project will generate demand for community services, it will be fully tax-paying, so that the added revenue to the Village should generally balance the increased cost.

Land use and Zoning

- The Project is expected to have no significant adverse impacts on land use or zoning. It aligns with permitted R-3 District uses and the existing character of the area. The following key design elements mitigate potential environmental impacts due to increased density, and ensures the project is environmentally responsible, consistent with local land use policies, and aligns with the comprehensive plan:

- Building Placement: Buildings are centrally located in lower elevations to preserve views along Route 32 South.
- The Project is contiguous to the SUNY Campus wherein Zoning Laws are not in effect. The multi-family use forwarded by the Project is consistent with on-campus living by students.
- The Project aligns with the 1995 Comprehensive Plan Study which provided for campus related zoning in proximity to the SUNY Campus.
- The Project buildings/structures density preserves outlying wooded areas, animal travel corridors and open space.
- The limited area variance for building setback from each other is consistent with neighborhood design features, fire rating resistant structural enhancements and all buildings will employ sprinkler protection.
- Setbacks and Landscaping: Buildings are set back 333 feet from Route 32 South, with landscaping to maintain the rural appearance and protect mountain views.
- Energy Efficiency: Buildings are designed to reduce overheating and meet the 2020 State Energy Code, using high-efficiency systems and appliances.
- Conservation Easement: A large portion of the site will be preserved to protect the natural environment and scenic views.
- Green Infrastructure: Stormwater management practices will meet NYSDEC requirements, using rain gardens and bioretention areas.
- The Project is located adjacent to the RV Zoning District in the Town (multi-family) and the existing multi-family Bella Terra Apartments.

Growth Inducing Impacts

- Growth-inducing impacts refer to the potential for a proposed action to stimulate additional development or activities that could lead to further environmental impacts, including an increased demand for services such as water, sewer, and transportation infrastructure; the expansion of infrastructure; and changes in land use patterns.
- An Economic Impact report was produced which projects a positive impact to the local economy relative to the revenue generated by construction related activity, job creation, and spending; and tax revenue will outpace Village expenses, including police, fire and EMS. The Project will provide housing primarily for students of SUNY New Paltz, which will not generate a significant impact on student enrollment in the

public school system.

- The public water and sewer main extensions will be dedicated to the Village and will provide opportunities for potential future upgrades to the municipal water and sewer systems. The Village will remain in control of these systems.
- The Project includes the construction of an equalization tank (on the project site), designed to release flows during off-peak hours to prevent overloading the WWTP during significant rain events, which will provide a positive public benefit to the Village and significantly reduced impacts to nearby waterways and watercourses.
- The Project is surrounded by parcels which are: (a) Already developed; (b) Zoned multi-family; (c) Undeveloped and zoned R-1. There is no current plan to develop remaining currently open agricultural lands.
- Changes in the existing and projected patterns of local population growth in and around the Village are not expected to result from the proposed Project and annexation.

Cumulative Impacts

- Cumulative impacts occur when multiple actions affect the same resource(s). These impacts can result from the incremental or increased impacts of an action, or actions, combined with other past, present, and reasonably foreseeable future actions. They may include indirect or secondary impacts, long-term impacts, and synergistic effects. The Project, with mitigation measures incorporated, will not result in significant adverse impacts on transportation, water supply and treatment, sewerage conveyance and treatment, and energy demand.
- This Section is to be read together with the Growth Inducing Aspects Section.
- There is no indication that the Project has been designed and undertaken to break up or diminish other actions which would avoid environmental review or result in unlawful segmentation.
- No other current projects are related to the New Paltz Apartments Project. Other developments within the community are currently being forwarded by separate applicants, are disparate in terms of land areas, located far from the Project, proceeding over time with no connection to New Paltz Apartments, and none of the other development Projects are pursuing annexation. Cumulative impacts like traffic generation and sewer volume are continually reviewed with each project application to ensure total impact is understood.
- Issues which are endemic to Site Plan, Lot Line Revision and Annexation Project review issues shall continue to be applicable to the Project for all associated and continuing administrative procedures. Therefore, nothing within this Findings

Statement shall prohibit the further consideration of issues relating to continuing review of the Project under the Village of New Paltz Code and New York State Law.

CERTIFICATION

In consideration of the above, the Village Planning Board, as the Lead Agency in this matter, issues this Statement of Findings, and certifies under Section 8- 0109.8 of the Environmental Conservation Law and 6 NYCRR Section 617.11, that:

1. The requirements of Article 8 of the New York State Environmental Conservation Law, and regulations promulgated thereunder at 6 NYCRR Part 617, have been met and fully satisfied.
2. The Planning Board has carefully examined and given due consideration to the relevant environmental impacts, facts, and conclusions disclosed in the FEIS.
3. The Planning Board has carefully weighed and balanced the relevant environmental impacts with social, economic, and other essential considerations.
4. The foregoing Findings set forth the Planning Board's judgment and basis for proceeding with the proposed Action.
5. Consistent with social, economic, and other essential considerations from among the reasonable alternatives available, the proposed Action avoids or minimizes adverse environmental impacts to the maximum extent practicable, and adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating, as conditions to the decision, those mitigation measures which were identified as practicable.
6. Pursuant to 6 NYCRR Part 617.12, all Findings Statement filings, distribution and publication will be completed by the Village of New Paltz Planning Board.

DATE OF APPROVAL:



ZACH BIALECKI, CHAIR
VILLAGE OF NEW PALTZ PLANNING BOARD