

RESOLUTION NO. 2014262

RE: DECLARING DUTCHESS COUNTY AS LEAD AGENCY FOR A PROPOSED CAPITAL PROJECT IN CONNECTION WITH HIGHWAY IMPROVEMENTS ON BEEKMAN ROAD (CR9), TOWNS OF BEEKMAN AND EAST FISHKILL (PIN 8755.38)

Legislators HUTCHINGS, WEISS, MICCIO, BOLNER, and SAGLIANO offer the following and move its adoption:

WHEREAS, Dutchess County is considering a proposed project: PIN 8755.38 – Highway Improvements on Beekman Road (CR9), and

WHEREAS, the highway improvement project consists of highway improvements on Beekman Road (CR9) between the Northbound Taconic State Parkway Ramps/Old Sylvan Lake Road and Sylvan Lake Road (CR10), which project is located in the Towns of Beekman and East Fishkill, County of Dutchess, and

WHEREAS, the Dutchess County Department of Public Works on behalf of Dutchess County has identified the involved action as a Type 1 Action pursuant to SEQRA (6 NYCRR 617.4) and has circulated Part 1 of an EAF to other involved agencies declaring its intent to declare itself lead agency for a coordinated review of the involved action, and

WHEREAS, no other involved agency has expressed an interest in being lead agency for the involved action, now, therefore, be it

RESOLVED, that Dutchess County hereby declares itself to be Lead Agency for the coordinated review of the above referenced project pursuant to SEQRA (6 NYCRR 617.6).

CA-176-14

CAB/ca/R-0934-B

9/12/14

Fiscal Impact: See attached statement

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 14th day of October 2014, 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 14th day of October 2014.

CAROLYN MORRIS, 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:

Involves resolution deals with Dutchess County declaring Lead Agency for the SEQR review for the subject capital project, which is funded through other resolutions.

Prepared by: Brad Barclay

DUTCHESS COUNTY DEPARTMENT OF PUBLIC WORKS
NOTICE OF INTENT TO DECLARE LEAD AGENCY

Proposed Action: PIN 8755.38 – BEEKMAN ROAD (CR 9) IMPROVEMENTS
TOWNS OF EAST FISHKILL & BEEKMAN
DUTCHESS COUNTY

NOTICE TO INVOLVED AGENCIES THAT LEAD AGENCY MUST BE
DESIGNATED WITHIN THIRTY (30) DAYS OF SEPTEMBER 10, 2014

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 Dutchess County Department of Public Works (DCDPW) located in Poughkeepsie, New York, has proposed highway improvements on Beekman Road (CR9) between the Northbound Taconic State Parkway Ramps/Old Sylvan Lake Road and Sylvan Lake Road (CR 10) in the Towns of Beekman and East Fishkill, Dutchess County.

LEAD AGENCY DESIGNATION

Under the applicable standards of SEQR 6 NYCRR Part 617.6(b), the DCDPW concludes that it should be designated as the lead agency in the coordinated environmental review of the proposed action. This notification is being sent to involved agencies with the request that you consent to our agency 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 mailed on September 10, 2014. We would ask that each involved agency fill out the annexed form either consenting or not consenting that our agency serve as lead agency and return it in the self-addressed envelope on or before October 10, 2014. Responses should be sent to the within named contact person, who may be contacted for further information.

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

LEAD AGENCY NOTICE
DATA SHEET

Name of Action/Project: PIN 8755.38 – Beekman Road (CR 9) Improvements
Towns of East Fishkill & Beekman, Dutchess County

Name of Applicant: Dutchess County Department of Public Works

Name of Agency
Sending this Notice: Dutchess County Department of Public Works

SEQR Status: X Type I Action
 Type II Action
 Unlisted Action

Description of Action:
The proposed project will improve roadway geometry, reconstruct or rehabilitate pavement, and upgrade drainage facilities. Roadside safety will be improved, as well as signing and pavement markings. Horizontal and vertical geometry will be improved, and four foot wide paved shoulders will be added.

Location of Action:
Beekman Road (CR9) between the Northbound Taconic State Parkway Ramps/Old Sylvan Lake Road and Sylvan Lake Road (CR 10)

Town/Municipality: East Fishkill and Beekman

County: Dutchess

Street Address:

Tax Map No.(s):

Size of parcel(s):

For further information:

CONTACT PERSON

Mr. Robert H. Balkind, P.E., Deputy Commissioner
Dutchess County Department of Public Works
626 Dutchess Turnpike
Poughkeepsie, NY 12603
Phone: 845-486-2925, Fax: 845-486-2940

Thank you for your cooperation.

DATED: September 10, 2014

ATTACHMENTS TO THIS NOTICE:

- Full Environmental Assessment Form (EAF) Part 1 & 2
- Preliminary Site Plan
- Location map (as shown on plan)
- Return Envelope

A copy of this Notice is being sent to the following INVOLVED AND INTERESTED AGENCIES:

Involved Agencies:

Daniel Whitehead, Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

William Gorton, PE, Acting Regional Director
NYSDOT Region 8
Eleanor Roosevelt State Office Building
4 Burnett Boulevard
Poughkeepsie, NY 12603

Stephan Ryba, Chief, Eastern Permits Section
U.S. Army Corps of Engineers-New York District
Attn: Regulatory Branch-Room 1937
26 Federal Plaza
New York, NY 10278-0090

Mr. David A. Stillwell
United States Department of Interior
Fish and Wildlife Service
3817 Luker Road
Cortland, New York 13054

Interested Agencies:

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

John Hickman, Supervisor
Town of East Fishkill
330 Route 376
Hopewell Junction, NY 12533

Barbara Zulauf, Supervisor
Town of Beekman
4 Main Street
Poughquag, NY 12570

STATE OF NEW YORK
COUNTY OF DUTCHESS

Proposed Lead Agency: Dutchess County Department of Public Works

Name of Proposed Action/Project: PIN 8755.38 – Beekman Road (CR 9) Improvements
Towns of East Fishkill & Beekman, Dutchess County

RESPONSE TO REQUEST THAT THE ABOVE NAMED AGENCY 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 proposed agency 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 that the proposed agency 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.

DATED: _____,
_____, New York

Agency Name

By: _____
[signature]

[print signer's name]

Please return to:

Mr. Robert H. Balkind, P.E., Deputy Commissioner
Dutchess County Department of Public Works
626 Dutchess Turnpike
Poughkeepsie, NY 12603

MARCUS J. MOLINARO
COUNTY EXECUTIVE



NOEL H.S. KNILLE, AIA, ASLA
COMMISSIONER

ROBERT H. BALKIND, P.E.
DEPUTY COMMISSIONER

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

To: Noel Knille, AIA, ASLA, Commissioner

From: Robert H. Balkind, P.E., Deputy Commissioner *RB*

Date: September 10, 2014

Re: Lead Agency Declaration for a coordinated SEQR review of proposed capital project PIN 8755.38 to make highway improvements on Beekman Road (CR9).

2014 SEP 10 PM 4:49
RECEIVED
PUBLIC WORKS

The attached Resolution Request would determine that the proposed capital project to make highway improvements on Beekman Road (CR9), between the Northbound Taconic State Parkway Ramps/Old Sylvan Lake Road and Sylvan Lake Road (CR 10) is a Type I action under SEQR and declare the County of Dutchess as the Lead Agency in the coordinated SEQR review of the involved capital project. The project is located in the Towns of Beekman and East Fishkill, Dutchess County, New York. Dutchess County has circulated amongst involved agencies for the project its request to be declared Lead Agency and has not received any objections within the thirty day time period provided for in SEQR.

Should you have any questions, please do not hesitate to contact our office.

Thank you.

RESOLUTION REQUEST FORM

Date of Legislative Meeting: 10/14/14

Department: Dept. of Public Works	Contact (Name & Phone No.): Noel Knille AIA ASLA, 486-2085
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Purpose of Resolution: *(check appropriate boxes)*

- Personnel (Involving Authorized Positions)
- Authorizing Grant Application
- Contract/Lease Authorization (using budgeted funds)
- Budget Amendment
 - Grant
 - Contingency
 - Other (specify below)
- Capital Project
- Other (specify below)

Resolution to declare lead agency for coordinated SEQR review of PIN: 8755.38-Rehab of Beekman Rd. (CR9)

Brief Description of Request:

The requested resolution would determine that the proposed capital project to make highway improvements on Beekman Road (CR9), between the Northbound Taconic State Parkway Ramps/Old Sylvan Lake Road and Sylvan Lake Road (CR 10) is a Type I action under SEQR and declare the County of Dutchess as the lead agency in the coordinated SEQR review of the involved capital project. The project is located in the Towns of Beekman and East Fishkill, Dutchess County, New York. Dutchess County has circulated amongst involved agencies for the project its request to be declared Lead Agency and has not received any objections within the thirty day time period provided for in SEQR.

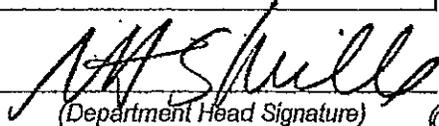
Fiscal Impact (current year) of resolution: \$ 0
(Attach completed Fiscal Impact Statement)

Budget Amendment(s) & Capital Projects:

	<u>Line No.</u>	<u>Description</u>	<u>Increase</u>	<u>Decrease</u>
Appropriations:			\$0	\$0
			\$0	\$0
Revenues:			\$0	\$0
			\$0	\$0

09/10/14

 (Date)


 (Department Head Signature)

McKinney's Consolidated Laws of New York Annotated
Environmental Conservation Law (Refs & Annos)
Chapter 43-B. Of the Consolidated Laws (Refs & Annos)
Article 8. Environmental Quality Review (Refs & Annos)

McKinney's ECL § 8-0101

§ 8-0101. Purpose

Currentness

It is the purpose of this act¹ to declare a state policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and enhance human and community resources; and to enrich the understanding of the ecological systems, natural, human and community resources important to the people of the state.

Credits

(Added L.1975, c. 612, § 1.)

Notes of Decisions (187)

Footnotes

1 This Article.

McKinney's E. C. L. § 8-0101, NY ENVIR CONSER § 8-0101

Current through L.2014, chapters 1 to 351, 359, 369, 382 to 383, 386 to 387, 390, 395, 397 to 398.