

RESOLUTION NO. 2017011

RE: AUTHORIZING ACQUISITION OF A PERMANENT EASEMENT FROM JOHN EVANS AND JAMESETTA EVANS OF A PORTION OF REAL PROPERTY FOR THE REPLACEMENT OF BRIDGE S-37 LOCATED ON BULLS HEAD ROAD (COUNTY ROUTE 19) OVER THE LITTLE WAPPINGER CREEK, TOWN OF STANFORD

Legislators PULVER, BORCHERT, BOLNER and SAGLIANO offer the following and move its adoption:

WHEREAS, the Department of Public Works has proposed the replacement of the Bridge S-37 located on Bulls Head Road (County Route 19) over the Little Wappinger Creek, in the Town of Stanford, which project includes the acquisition of a permanent easement of 374+/- square foot parcel to facilitate the reconstruction and continued maintenance of the said bridge, and

WHEREAS, this Legislature in Resolution No. 2015272, adopted the findings of the Dutchess County Department of Public Works that this project is an unlisted action and will not have any adverse environmental impact, and

WHEREAS, the Department of Public Works has made a determination that in order to replace the said bridge, it is necessary to acquire a permanent easement on a portion of property presently owned by John Evans and Jamesetta Evans, and

WHEREAS, a proposed Agreement to acquire a Permanent Easement between the County and the property owners is annexed hereto, and

WHEREAS, the property is described as a portion of parcel number: 135200-6668-00-826075-0000, consisting of 374+/- square feet, more or less as shown on Map 5, Parcel 10 a copy of which is annexed hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the subject property, Fee Acquisition, be purchased for the sum of up to \$250 as well as up to \$1,000 in related expenses, if any, and that the terms and conditions of the Agreement be carried forth, now therefore, be it

RESOLVED, that the County Executive or his designee is authorized to execute the Agreement to Acquire a Permanent Easement in substantially the same form as annexed hereto along with any other necessary documents in connection with this acquisition, and be it further

RESOLVED, that on the submission by the property owner of a deed to the aforementioned land, which shall include the terms and conditions of the Agreement to Acquire a Permanent Easement, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, that payment be made to the property owner in the sum of \$250 and in addition the County is authorized to up to \$1,000 in related expenses and filing fees, if any, for such conveyance, and

RESOLVED, that the terms and conditions of the aforementioned Agreement to Purchase Real Property be carried out by the Dutchess County Department of Public Works.

CA-004-17

CAB/kvh/R-0958-II

12/28/16

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 23rd day of January 2017, 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 23<sup>rd</sup> day of January 2017.

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 \$ 1,250

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):  
HO289.5120.3009 2000 Bridges (ISTEA/TEA21)

Related Expenses: Amount \$ \_\_\_\_\_  
Nature/Reason:

Anticipated Savings to County: \_\_\_\_\_

Net County Cost (this year): \$1,250  
Over Five Years: \_\_\_\_\_

#### Additional Comments/Explanation:

BRIDGE S-37 BULLS HEAD ROAD (COUNTY ROUTE 19) OVER THE LITTLE WAPPINGER CREEK  
TOWN OF STANFORD, DUTCHESS COUNTY, NEW YORK  
Authorization to acquire a permanent easement to a 374+- square foot parcel as shown on Map 5, Parcel 10 for the  
purchase price of \$250.00, from John Evans and Jamesetta Evans.

Related expenses in the amount of \$1,000 are included in the Total Current Year Costs.

Prepared by: Matthew W. Davis

Prepared On: 11/30/16

ADVANCE PAYMENT AGREEMENT TO PURCHASE REAL PROPERTY

Project: Bridge S-37 Bulls Head Road (County Rt 19) over the Little Wappinger Creek  
Map: 5 Parcel(s): 10

This Advance Payment Agreement by and between JOHN EVANS AND JAMESSETTA EVANS, residing at 2248 Bulls Head Road, with a mailing address of P.O. Box 85, Stanfordsville, NY 12581 hereinafter referred to as "Seller", and the COUNTY OF DUTCHESS, with offices at 22 Market Street, Poughkeepsie, New York, 12601 hereinafter referred to as "Buyer",

1. PROPERTY DESCRIPTION. The Seller agrees to sell, grant, convey:

- all right title and interest to \_\_\_± square feet of real property. Purchase price is \$0.  
 a permanent easement to 374.00± square feet of real property. Purchase price is \$250.  
 a temporary easement to \_\_\_± square feet of real property. Purchase price is \$0.

Located at 2248 Bulls Head Road, in the Town of Stanford, NY, Dutchess County, and is further described as parcel(s) 10 on Exhibit "A", attached hereto.

Being a portion of those same lands described in that certain deed dated March 19, 1997 and recorded in Document # 02-1997-9453 in the Office of the County Clerk for Dutchess County (re: Grid # 135200-6668-00-826075-0000),

2. IMPROVEMENTS INCLUDED IN THE PURCHASE. The following improvements, if any, now in or on the property are included in this Advance Payment Agreement: None
3. PURCHASE PRICE. The Seller and the Buyer cannot agree upon the value of the real property interest(s) to be conveyed. The Buyer is willing to pay an amount equal to the highest approved appraisal of the just compensation for the property. This amount is TWO HUNDRED FIFTY DOLLARS 00/100 (\$250.00). This amount includes the real property interest(s) described in Paragraph 1 and the improvements described in Paragraph 2. The Seller agrees, as a prerequisite to such advance payment, to execute and to deliver or cause the execution and delivery to the Buyer of all documents which the Buyer deems necessary to authorize payment and to convey to the Buyer clear title to the property described in paragraph 1 subject to the claim of the Seller. The parties agree that the Seller's right of the advance payment shall not be conditioned on the waiver of any other right.
4. CLOSING DATE AND PLACE. Payment of \$250.00 will be made by the Buyer to the Seller on or about August 31, 2016. This Agreement may be subject to the approval of the Dutchess County Legislature.
5. CLAIM. In accordance with Article 5 of the New York State Eminent Domain Procedure Law, the Seller hereby reserves the right to file a claim in the Dutchess County Supreme Court. It is agreed that, if the Supreme Court finds the value of the real property interest acquired is equal to or exceeds the advance payment amount, the amount of such advance payment shall be deducted from the amount so found by the court or, in the alternative, the award of said court shall be in the amount of the excess, if any, over and above the advance payment amount. In the event the amount so found by the court is less than the amount of said advance payment, the Buyer, upon application made to the court on at least eight days notice to the Seller, may request the difference between the award as found by the court and the amount of said advance payment. This Paragraph 5 of this Advance Payment Agreement shall not merge into the deed and shall survive the conveyance of the aforementioned real property interest.
6. FILING OF CLAIM. It is understood and agreed by and between the parties hereto, that if the Seller intends to file a claim for additional compensation in the Dutchess County Supreme Court, he/she/ it must file the claim within one (1) year from the date of the execution of this Agreement. If the Seller

fails to file the claim in the time period stated, this Advance Payment Agreement shall automatically become a Purchase Agreement in full and complete settlement of all claims without further ratification, approval or consent by Seller and Seller shall be deemed to have released Seller's claim against the Buyer.

7. MARKETABILITY OF TITLE. Buyer shall pay for the costs associated with curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in fee simple and/or permanent easement to the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller agrees to cooperate with the Buyer in its curative action activities. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph three (3), and paid to the appropriate party by the Buyer. In the alternative, the Seller may elect to satisfy the liens and encumbrances from another source of funds.
9. RECORDING COSTS, & CLOSING ADJUSTMENTS. Buyer will pay all recording fees, if any. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between Seller and Buyer as of the date of conveyance: current taxes computed on a fiscal year basis, excluding delinquent items, interest, and penalties; rent payments; current common charges or assessments.
10. RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY. The aforesaid terms, agreements and understandings shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.
11. ENTIRE AGREEMENT. This Advance Payment Agreement when signed by both the Buyer and the Seller will be the record of the complete Advance Payment Agreement between the Buyer and Seller concerning the acquisition of the property. No verbal agreements or promises will be binding.
12. NOTICES. All notices under this Advance Payment Agreement shall be deemed delivered upon receipt. Any notices relating to this Advance Payment Agreement may be given by the attorneys for the parties.

IN WITNESS WHEREOF, on this 11 day of October, 2016, the parties have entered into this Agreement.

APPROVED AS TO FORM:

SELLER:

John F. Evans  
JOHN EVANS

\_\_\_\_\_  
Department of Law

SELLER:

Jamesetta Evans  
JAMESETTA EVANS

APPROVED AS TO CONTENT:

COUNTY OF DUTCHESS:

[Signature]  
Department of Public Works

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_



A permanent easement to be exercised to, on and over the property delineated above for the purpose of roadway realignment, roadside grading, driveway reconstruction, landscape restoration, constructing and maintaining roadside drainage, unless sooner terminated if deemed no longer necessary for highway purposes and released by the Commissioner of Public Works or other authorized representative acting for the County of Dutchess or its assigns. Such easement shall be exercised in and to all that (those) piece(s) or parcel(s) of property designated as Parcel No. 10 as shown on the accompanying Map No. 5.

Beginning at a point on the southerly line of Bulls Head Road which is intersected by northeast corner of lands now or formerly of Jn Chung and John Kidd (tax lot 0658-00-009078) and the northwest corner of lands now or formerly of John and Joinesella Evans (tax lot 0658-00-026075);

1) Thence along Bulls Head Road South 60°1'54" East a distance of 82.50 feet to a point;

Thence through lands now or formerly John and Joinesella Evans the following courses and distances;

2) Thence South 09°27'12" West a distance of 3.55 feet to a point;

3) Thence North 81°21'04" West a distance of 83.44 feet to a point;

4) Thence along the westerly line of lands now or formerly of Chung/Kidd and Evans North 19°10'26" East a distance of 5.54 feet to the Point of Beginning.

Containing 374 square feet or 0.009 acres more or less.

Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law.

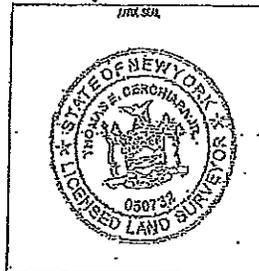
I hereby certify that this map is an accurate description and map made from an accurate survey prepared under my direction.

Date: July 18, 2016

Land Surveyor: Thomas E. Cechirga

P.L.S. License No.: 050732

Parcel 10-Aria = 374 Sq. Ft.  
0.009 Acres



I hereby certify that the property depicted above is necessary for this project, and the acquisition thereof is recommended.

Date: July 21, 2016

Noel H.S. Knize, M.A., ASLA Commissioner of Public Works

Recommended by:

Date: July 21, 2016

Robert H. Bakke, P.E.  
Deputy Commissioner of Public Works

REPLACEMENT OF BRIDGE S-37 (B31 3343850)  
 BULLS HEAD ROAD (CR-19) OVER UTILE, WAPPINGER CREEK  
 RIGHT OF WAY ACQUISITION MAP

COUNTY OF DUTCHESS  
 DEPARTMENT OF PUBLIC WORKS  
 ACQUISITION MAP

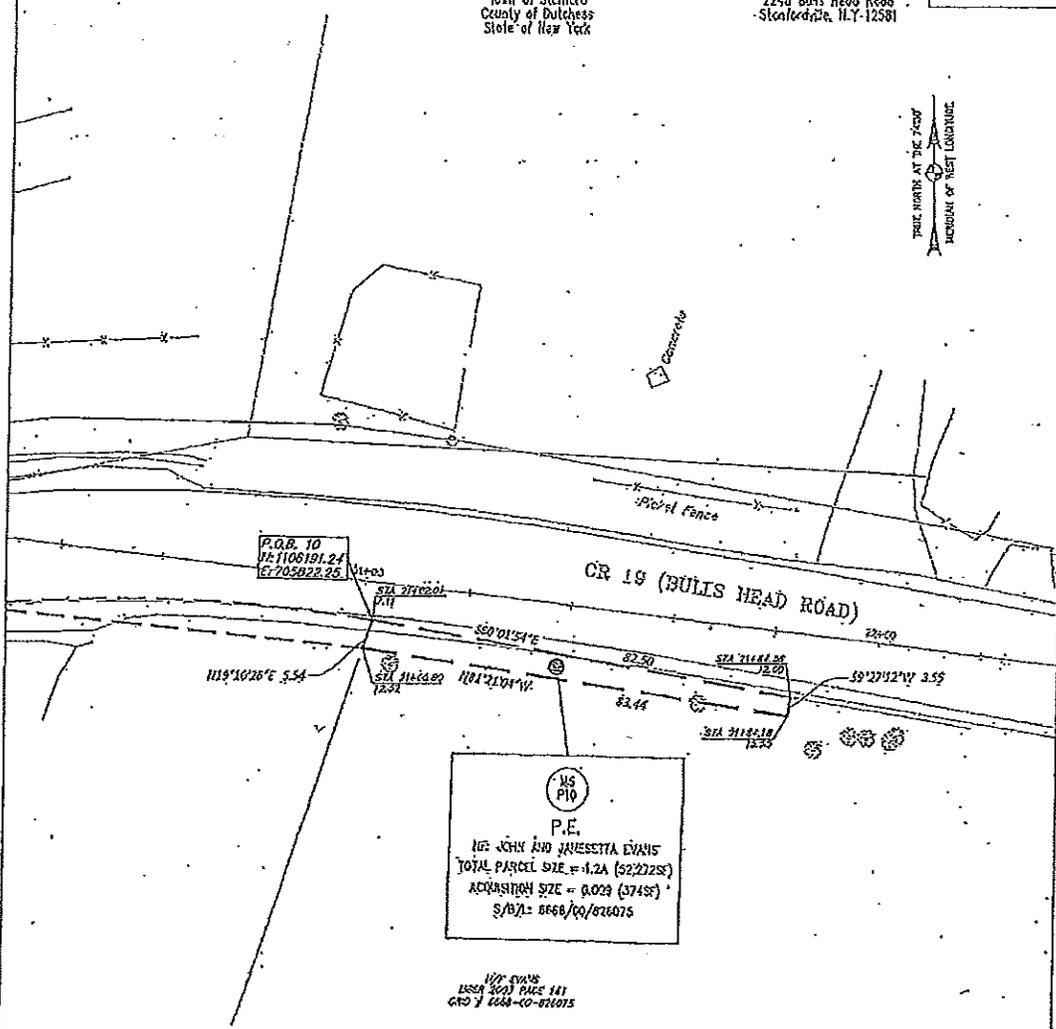
MAP NO. 5  
 PARCEL NO. 10  
 SHEET 1 OF 2



Parcel Location Point:  
 Parcel No: 10  
 E: 1183191.24 E: 705922.25

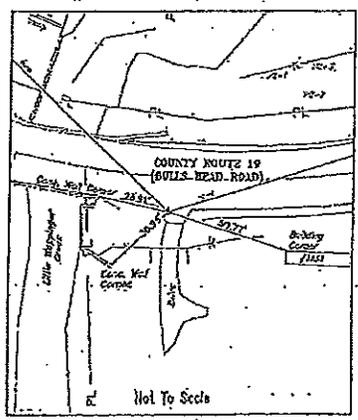
Acquisition Description  
 Type: Fee  
 Portion of Real Property Tax Parcel ID No. 6666-00-826075  
 John and Jeanette Evans  
 2248 Bulls Head Road  
 Steatford, N.Y. 12581

Resulted Owner:  
 John and Jeanette Evans  
 2248 Bulls Head Road  
 Steatford, N.Y. 12581



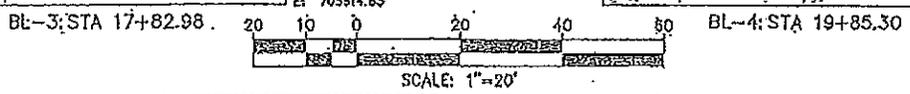
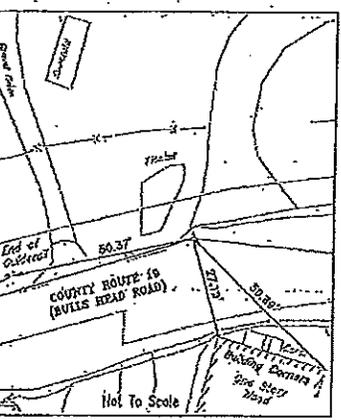
NS  
 P10  
 P.E.  
 MS JOHN AND JEANETTE EVANS  
 TOTAL PARCEL SIZE = 1.2A (52222SQ)  
 ACQUISITION SIZE = 0.029 (3745SQ)  
 S/B/A: 6666/00/826075

1/17/85  
 DRAWN BY: PAGE 141  
 CRO: 1000-10-870075



DESC: BL-4-NAL  
 COORDINATE SYSTEM: NAD83 NY STATE PLANE EAST  
 N: 1106211.85  
 E: 705707.12

DESC: BL-3-NAL  
 COORDINATE SYSTEM: NAD83 NY STATE PLANE EAST  
 N: 1106158.81  
 E: 705614.85



PUBLIC WORKS AND CAPITAL PROJECTS

RESOLUTION NO. 2015272

RE: DECLARING DUTCHESS COUNTY LEAD AGENCY AND MAKING AN ENVIRONMENTAL FINDING THAT THE PROPOSED PUBLIC PROJECT ENTITLED REPLACEMENT OF BRIDGE S-37 (B.I.N. 3343850) CR 19 (BULLS HEAD ROAD) OVER LITTLE WAPPINGER CREEK IN THE TOWN OF STANFORD, DUTCHESS COUNTY WILL NOT RESULT IN ANY ADVERSE ENVIRONMENTAL IMPACTS

Legislators HUTCHINGS, FARLEY, PULVER, SAGLIANO and PERKINS offer the following and move its adoption:

WHEREAS, the County is the owner of CR 19 (Bulls Head Road) and is responsible for the maintenance of same including improvements and maintenance to Bridget S-37 which carries CR 19 (Bulls Head Road) over the Little Wappinger Creek; and

WHEREAS, the Department of Public Works has proposed a highway improvement project that begins approximately 360 feet west of NYS Route 82 and ends approximately 150 west of the Depot Lane intersection, and

WHEREAS, Bridge S-37 has deteriorated to the point that it needs to be replaced, and

WHEREAS, a consultant for the Department of Public Works has prepared a Short Environmental Assessment Form and a design report that documents that environmental issues have been investigated, and

WHEREAS, the Department of Public Works has been collaborating with the NYS Department of Environmental Conservation and the NYS Office of Parks, Recreation and Historic Preservation in connection with the mitigation of potential environmental issues, and

WHEREAS, based on the foregoing, the Department of Public Works 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 findings of the Department of Public Works, 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, Dutchess County has circulated the proposed action to all involved agencies for thirty days indicating their 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 the lead agency, which will directly undertake and coordinate this project pursuant to the New York State Environmental Quality Review Act, and

WHEREAS, a true 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 of this project and this Legislature hereby adopts and confirms the determination of the Dutchess County Department of Public Works that the proposed project entitled Replacement of Bridge S-37 (B.L.N. 3343850) CR 19 (Bulls Head Road) Over Little Wappinger Creek in the Town of Stanford, Dutchess County, will not result in any significant adverse environmental impacts.

CA-187-15  
CAB/kvh/R-0958-A  
11/17/15  
Fiscal Impact: See attached statement

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE

Date 12/14/2015

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 3<sup>rd</sup> day of December 2015, 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 3<sup>rd</sup> day of December 2015.

  
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:

Publication costs for synopsis of findings

Anticipated Savings to County: \_\_\_\_\_

Net County Cost (this year): \_\_\_\_\_  
Over Five Years: \_\_\_\_\_

#### Additional Comments/Explanation:

Replacement of Bridge S-37, CR 19 (Bulls Head Road) over Little Wappinger Creek, Town of Stanford.

This fiscal impact statement is related to the Resolution Request to declare the County Lead Agency and have the Legislature and County Executive accept the attached State Environmental Quality Review Act (SEQR) documents classified as an unlisted action with no adverse environmental impacts and to issue a negative declaration based on the findings.

Prepared by: Matthew W. Davis

Prepared On: 11/5/2015

## 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: Bridge S-37 (BIN 3343850) Replacement, Bullshead Road over Little Wappinger Creek				
Project Location (describe, and attach a location map): Bullshead Road over Little Wappinger Creek, Town of Stanford, Dutchess County				
Brief Description of Proposed Action: Replacement of existing jack arch bridge with a new precast prestressed NEXT beam superstructure with semi-integral abutments. The roadway alignment will be improved to provide 35 mph horizontal design speed. The profile will be improved to provide headlight sight distances for 25 mph and speed comfort for 35 mph. The new structure will be a new alignment adjacent to the existing building.				
Name of Applicant or Sponsor: Dutchess County Department of Public Works		Telephone: 845-486-2925 E-Mail: mductavich@dutchessny.gov		
Address: 626 Dutchess Turnpike				
City/PO: Poughkeepsie	State: NY	Zip Code: 12603		
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.			NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: U.S. Army Corps of Engineers Nationwide Permit #14, NYSDEC SPDES General Permit, NYSDEC 401 Water Quality Certification, NYSDEC Article 16 Stream Disturbance Permit			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		2.98 acres		
b. Total acreage to be physically disturbed?		1.96 acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2.98 acres		
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)				
<input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____				
<input type="checkbox"/> Parkland				

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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: Energy code is not applicable to a bridge project.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ Project does not require potable water.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ Not required.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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: Two small wetlands are on both sides of the stream to the north of the existing bridge. It is anticipated that 1,300 SF of wetland will be impacted. No wetland mitigation will be required.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES Portions of existing ditching to be retained for driveways. No closed drainage within project limits. Realigned road will have new ditching as needed, will not have major effect on existing drainage patterns.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Robert H. Balkind, P.E.</u> Date: <u>11/17/15</u></p> <p>Signature: _____  <b>Robert H. Balkind, P.E.</b>  Deputy Commissioner</p>		

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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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.

<input type="checkbox"/>	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.
<input checked="" type="checkbox"/>	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.
<u>Dutchess County DPW</u>	<u>4/17/15</u>
Name of Lead Agency	Date
<u>Robert H. Balkind, P.E.</u>	
Print or Type Name of Responsible Officer in Lead Agency	Print or Type Name of Responsible Officer
<u>[Signature]</u>	<u>Allen J. Cowan</u>
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM