

**STATE ENVIRONMENTAL QUALITY REVIEW ACT
FINDINGS STATEMENT**

CITY OF PLATTSBURGH DOWNTOWN AREA IMPROVEMENT PROJECTS

**CITY OF PLATTSBURGH PLANNING BOARD
September 16, 2020**

This Findings Statement has been prepared pursuant to the State Environmental Quality Review Act (SEQRA) and Part 617 of the implementing regulations.

NAME OF ACTION: **Downtown Area Improvement Projects (DAIP)**
Durkee Lot Mixed-Use Development
City Planning Board Applications
Minor Subdivision
Planned Unit Development

LEAD AGENCY: City of Plattsburgh Common Council
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AGENCY JURISDICTION: The City of Plattsburgh Common Council was duly designated as Lead Agency for environmental review of the DAIP and conducted a comprehensive review of the DAIP and its related project through preparation of a Generic Environmental Impact Statement (GEIS) and Statement of Findings.

The City of Plattsburgh Planning Board (PB) is an Involved Agency under SEQRA due to its authority to review the following DAIP project applications:

- A) Minor Subdivision Approval for subdivision of the Broad Street Municipal Parking Lot (BSMPL) from the remainder of tax parcel 207.20-7-15; and
- B) Planned Unit Development (PUD) Amendments and Subdivision Approval for the Durkee Lot Mixed Use Development (DLMUD).

Pursuant to the SEQRA Regulations, each Involved Agency must make its own Findings for the Action that is the subject of the GEIS. This document constitutes the PB's Findings Statement for the proposed DAIP.

PROPOSED ACTION: The City of Plattsburgh is undertaking a series of revitalization efforts that are collectively described as the Downtown Area Improvement Projects (DAIP). The DAIP are planned on City-owned property and generally consist of infill development, parking, and streetscape enhancements as well as related improvements. A total of eight projects are proposed; four of the eight projects were conceptually identified in the City's successful Downtown Revitalization Initiative (DRI) application and Strategic Investment Plan (SIP) to New York State, and the balance are planned by the City to complement this investment. The DAIP are briefly described as follows; a more comprehensive description is included in the GEIS:

- Durkee Lot Mixed-Use Development (multi-story mixed-use development replacing existing Durkee Street Municipal Parking Lot and rehabilitation of the existing Plattsburgh Farmers' and Crafters' Market building for use as commercial space and publicly accessible civic space).
- Saranac River Riverwalk (construction of Riverwalk along Saranac River to replace existing walkway).
- Durkee Street Reconfiguration/Streetscape Improvements (reconfiguration of Durkee Street to one-way traffic with streetscape improvements and additional public parking spaces).
- Westelcom Park Improvements (redesign of existing Westelcom Park).
- Bridge Street Parking Improvements (streetscape improvements and new on-street parking spaces).
- Arnie Pavone Memorial Parking Plaza (municipal public parking lot at former Glens Falls National Bank site).
- Broad Street Municipal Parking Lot (expansion and restriping of existing lot to accommodate additional parking spaces).
- Plattsburgh Farmers' and Crafters' Market (PFCM) Relocation/Expansion (relocation of PFCM to former Building 4 of the Plattsburgh Municipal Lighting District buildings at 26 Green Street within the City's Harborside area).

These 8 projects, collectively, are referred to as the "DAIP Projects". As noted above, the Planning Board is responsible, as an Involved Agency, in granting certain Minor Subdivision and PUD approvals to facilitate the DAIP Projects, mainly the DLMUD.

More specifically, the DLMUD includes the development of a five-story, approximately 200,000 square foot (SF) mixed-use development including approximately 104 apartments, approximately 17,900 SF of commercial space, two surface parking lots that will include, among other spaces, approximately 50 spaces to be made available for use by the public, and an underground parking garage for tenants only. Additionally, the project proposes the rehabilitation of the existing Plattsburgh Farmers' and Crafters'

Market (“PFCM”) building for use as a commercial space and a publicly-accessible civic space in an open-air pavilion with access from the new pedestrian walkway to be constructed as part of the DLMUD.

The DLMUD would replace the Durkee Street Municipal Parking Lot (“DSMPL”). The DLMUD site encompasses approximately 2.8 acres and is located on a portion of tax parcel 207.20-7-15. A second tax parcel, 207.20-7-14, was recently merged with parcel 207.20-7-15 and the proposed project will occupy a portion of the former footprint of tax parcel 207.20-7-14 as well.

The DLMUD will require Minor Subdivision and PUD approvals from the City’s Planning Board: 1) for a Minor Subdivision to subdivide the BSMPL from the remainder of tax parcel 207.20-7-15, and 2) for amendments to and internal subdivision of the existing PUD. In addition, the DLMUD will require Site Plan approval from the PB, which approval is addressed in a separate Statement of Findings. The DLMUD will also require the approval by the City’s Zoning Board of Appeals for two Special Use Permits (SUP): 1) to replace an existing PUD and its boundaries with a new PUD containing new boundaries and, and 2) to allow apartments on the first floor of a multistory building within a PUD.

SEQRA CLASSIFICATION: Type I

LOCATION: The proposed DLMUD is located east of Durkee Street, and west of the Saranac River, with Bridge Street to the north and Broad Street to the South. The Project Site encompasses approximately 2.8 acres and is located on a portion of tax parcel 207.20-7-15. A second tax parcel, 207.20-7-14, was recently merged with parcel 207.20-7-15 and the proposed project will occupy a portion of the former footprint of tax parcel 207.20-7-14 as well (the Project Site).

DAIP Projects are generally located in the Downtown and Harborside areas (see map attached as Exhibit A), City of Plattsburgh, Clinton County, New York.

DATE OF LEAD AGENCY ACCEPTANCE OF DRAFT GEIS: November 21, 2019

DATE OF LEAD AGENCY ACCEPTANCE OF FINAL GEIS: January 30, 2020

DATE OF LEAD AGENCY ADOPTION OF FINDINGS STATEMENT: February 20, 2020

DATE OF LEAD AGENCY ADOPTION OF AMENDED FINDINGS STATEMENT: September 10, 2020

FINDINGS CONCERNING DAIP PROJECT APPLICATIONS BEFORE THE PLANNING BOARD

The Common Council completed its review of the potential impacts of the DAIP in accordance with the requirements of SEQRA and adopted its Statement of Findings, which is attached as Exhibit B. SEQRA states that no involved agency may make a final decision to undertake or approve an action that has been the subject of a GEIS until the agency has adopted a written findings statement. As an involved agency, the PB must address in its SEQRA findings statement the potential environmental impacts from the DAIP, including impacts that are directly related to its approval jurisdiction.

The PB has conducted a thorough review associated with the potential impacts of the DAIP including those related to the Minor Subdivision and PUD applications, noted above, by reviewing the relevant application materials and plans on file for the Action, including but not limited to consultant reports, plans and studies, and public and agency comments and correspondence. The PB participated as an Involved Agency in the SEQRA review conducted for the Action by the Lead Agency.

Having reviewed the Draft GEIS, the Final GEIS, the SEQRA Statement of Findings issued by the Common Council, the PB Applications, verbal and written comments received from the public, Interested and Involved Agencies and City Planning staff concerning potential impacts, and having undertaken its own independent review of the Action and analyzed the potential impacts of the Action in light of applicable criteria, and upon the entire record of the Action, the Board makes the following findings and determinations pursuant to SEQRA and 6 NYCRR Section 617.11:

The PB has considered, concurs with, and adopts and incorporates by reference the Common Council's Statement of Findings, including its finding that the DAIP will not create any significant adverse environmental impacts and minimizes or avoids adverse environmental impacts to the greatest extent practicable, **except for findings identified by the Planning Board that are inconsistent with the Common Council findings and as such statements in this document shall prevail.**

In balancing environmental impacts with social and economic factors in the context of its own jurisdiction, the PB also makes its own findings. Below are the PB's additional findings regarding potential impacts from the proposed Minor Subdivision and PUD applications, which ensure that the DAIP applications before the PB minimize or avoid adverse environmental impacts to the greatest extent practicable:

A. Project Purpose and Need

The DAIP are expected to bring in temporary and permanent jobs, downtown revenue, and improve the City's fiscal status. As a result of these projects, parking resources will be spread out more evenly throughout the downtown and will allow easier access for a variety of users. The City's public-private partnership with Prime to develop the DLMUD will spur economic development on the underutilized property and is consistent with objectives outlined in various public policies of the City. By replacing a parking lot with mixed-use development, the DLMUD will increase visibility and economic activity in this area of the downtown and bring attention to other riverfront resources like the Saranac River Trail Greenway.

Moreover, the City's proposed parking plan, the details of which have been included in the Minor Subdivision and PUD applications submitted to the PB, provides for sufficient replacement parking capacity in the downtown area and allows for the promotion of an increasingly walkable community.

In addition, the proposed Saranac River Riverwalk (Riverwalk) will provide a significant environmental benefit to the community and create a functional waterfront that is currently on the western bank of the Saranac River between Broad and Bridge Streets. The existing condition of the waterfront there is neither functional nor safe. The requested Minor Subdivision and PUD will facilitate development in this area including enhancements to the City's waterfront and connections with adjacent public open spaces leading from the downtown core to the riverfront and the shores of Lake Champlain. The existing Riverwalk in this area is in a state of disrepair and is underutilized by the public.

The improvements in this area are designed to create a functional waterfront and to facilitate increased public use of this area of the City.

B. Findings Concerning Environmental Impacts

1. Land Use, Community Character, Zoning and Public Policy

The PB specifically finds that the above described Action, including the Minor Subdivision and PUD applications before the PB will benefit the community, are consistent with the City's community plans including the City of Plattsburgh 1999 Comprehensive Plan, the 2016 Durkee Street Real Estate Market Analysis & Financial Feasibility Study, 2016 City of Plattsburgh Draft Local Waterfront Revitalization Plan and the 2017 DRI Strategic Investment Plan and will not have a negative impact for the following reasons:

- a. The proposed PUD boundaries allow for the redevelopment of the Project Site with an infill building bordering the roadways and sidewalks that have been contextually designed to define the streetscape and fit into the general character of the surrounding area.
- b. The Project Site is within the City's downtown core area, which is comprised of an urban environment that includes a diverse mix of land uses: commercial, municipal, institutional, residential, civic, and religious. The proposed land uses of the Project are consistent with this as it includes 115 residential units above commercial uses that are typically found within downtown area and are all permitted within the underlining C – Central Business zoning district (e.g. retail, personal services, restaurant).
- c. Due to the topography on the Project Site, the residential uses on a portion of the first floor appear aligned with the building's second floor as the grade is much lower nearer to the Saranac River. As such, the typical concerns with a first-floor dwelling unit, such as privacy and security will not apply. The interior of the first-floor units will not be visible or accessible from the adjacent exterior, based on the modified plans submitted on August 10, 2020 and presented at the August 24, 2020 Planning Board meeting.
- d. The apartments on the first floor will be consistent with and not adversely impact general character, height and uses within this downtown area.
- e. The City of Plattsburgh Zoning Ordinance allows for the creation of PUDs in §360-21. The purpose of a PUD is to enable and encourage flexibility in the design of a project so as to preserve the natural and scenic qualities of open lands.
- f. Section 360-21D of the City of Plattsburgh Zoning Code grants the Planning Board the authority to approve a PUD defined as "A subdivision plat or plats, approved pursuant to City Code Chapter 300, Subdivision of Land, in which the minimum lot size requirements, minimum yard requirements, and minimum open space requirements as specified in Schedule II[1] of this chapter of the City Code, and in which the maximum

number of structures and dwelling units on a lot as specified in § 360-18 of this chapter of the City Code, and any amendments thereto, may be varied to provide an alternative permitted method for the layout, configuration and design of lots, buildings and structures, roads, utility lines and other infrastructure, parks and landscaping in order to preserve the natural and scenic qualities of open lands.” The DLMUD requires deviations from the underlying C Zoning District requirements, which act as guidelines for the design of the PUD. The deviations affect bulk (setbacks, height, and maximum lot dimension), parking and site access guidelines and reflect the unique circumstances of the Project Site, which is partially developed and borders public land on the Saranac River riverfront.

- g.** As outlined in supplemental application materials and reiterated in the site plan resolution 2019-10B, the applicant has demonstrated compliance with all Minor Subdivision and PUD approval criteria in the City of Plattsburgh Zoning Code (Zoning Code).
- h.** The existing size of the open surface parking lot is out of character with the surrounding built context.
- i.** Building material and colors have been chosen to be consistent with the characteristics of the surrounding neighborhood to the greatest extent practicable. The buildings are proposed to feature a mix of materials, including stone, sto-brick, frieze, and cornice detailing with contrasting metal detailing to mark fenestration and other fine details. Landscaping will be provided around the perimeter of the building, within the parking areas, and along the pedestrian walkway.
- j.** The proposed development was reviewed by New York State Office of Parks, Recreation, and Historical Preservation (NYSOPRHP), including a review of the proposed site plan along with building elevations and available renderings of the proposed new construction. In a letter dated December 23, 2019 and August 10, 2020, the NYSOPRHP concluded that the proposed project would result in no adverse effects to historic properties, including archaeological and/or historic resources. Accordingly, the DLMUD is consistent with the general character of this downtown area of the City and will help revitalize the downtown core.
- k.** The building height will be 65 feet tall with 5 stories (one level underground, four stories above ground, and a mezzanine level). This is similar to heights of other buildings within the Central Business zoning district in the surrounding area. It is noted that the Central Business zoning district allows a building height of 12 stories. The peak cornice height has been dropped by 11 feet, mitigating the apparent height of the building.
- l.** The DLMUD and the proposed Riverwalk, which is not before the PB as part of the Minor Subdivision and PUD applications, is intended to increase public use of the Saranac River waterfront. These projects will result in and are consistent with the City's desire to create a functional public waterfront that can be utilized by its residents and visitors in the City's urban environment.

- m. The Planning Board finds that the proposed Riverwalk is consistent with the City's community plans, including the 2016 Local Waterfront Revitalization Plan(LWRP), which recommends revitalizing the City's waterfront in a manner that strikes a balance between waterfront revitalization and economic development.
- n. Pedestrian paths have been incorporated in the DLMUD's design. The DLMUD includes a public pedestrian walkway to further encourage and facilitate access to the Riverwalk by residents and visitors. The pedestrian pathway will connect with the proposed improved Riverwalk, the proposed improved Westelcom Park, and other public spaces north and south of the Project site.
- o. Despite this issue not being directly related to the Minor Subdivision and PUD applications, the PUD will help facilitate a functional waterfront, which has been designed to be consistent with the DRI goals of creating an urban waterfront that will provide urban open space and facilitate a walkable community without adverse impacts and is in the best interest of the City, its residents, and visitors.
- p. The 1999 Comprehensive Plan states the need for 'intense development' for revitalization of the Downtown Area.
- q. The 2016 LWRP places a strong emphasis on economic development and downtown revitalization. Durkee Street and the surrounding downtown subarea is sited as "a gateway to the downtown and a focal area in linking the downtown to the waterfront at Dock Street". The area is recognized by the LWRP as a prime location for mixed-use development, parking, and river access.
- r. The 2010 Brownfield Opportunity Area Pre-Nomination Study (the "BOA study"), prepared in response to an economic revival following the redevelopment and repurposing of the Plattsburgh Air Force Base, includes the DSMPL as Site 22 amongst other sites that could be redeveloped to create visual and physical connections between the downtown and the waterfront and could serve as housing opportunities available near the downtown where brownfield sites could be re-used or developed.
- s. The 2003 Plattsburgh Downtown/Waterfront - Economic Enhancement Strategy was developed to guide and spur redevelopment in the downtown through the establishment of zones and districts, including Arts and Entertainment, Government, and Waterfront. The Arts and Entertainment District (containing many of the DAIP) Economic Enhancement Strategy placed specific emphasis on Bridge Street, from Margaret Street to the Saranac River; and Durkee Street, from Bridge Street to Broad Street and recommended a diverse set of retail, office and residential uses to complement and enhance the downtown, with infill development of the DSMPL. The Economic Enhancement Strategy for the Lakefront District, within which the PFCM would be relocated, states that all development in the Lakefront District should place an emphasis on the creation of an attractive and vibrant waterfront community. The plan recommends prepared food uses, marine-oriented entertainment, convenience retail, and housing and other uses.

- t. The DLMUD will result in the development of an existing parking lot into residential units and commercial space, which will facilitate a walkable community and spur economic development in the downtown core in accordance with the above documents.

For the reasons stated above, the Action and related Minor Subdivision and PUD approvals will not have a significant adverse impact on land use, community character, or zoning and public policy. Therefore, no mitigation is necessary.

2. Aquatic and Natural Resources

- a. The Project Site and the PUD area do not contain any mapped NYSDEC regulated wetlands or adjacent areas or significant natural communities.
- b. The Saranac River is a NYSDEC-regulated Class C stream (Regulation 830-54.1), which has a standard identification of C(TS) for waters supporting fisheries and suitable for non-contact activities and with the ability to support trout spawning.
- c. The US Fish and Wildlife Services (USFWS) National Wetland Inventory (NWI) mapper also identifies the Saranac River as a riverine (R2UBH) resource.
- d. Prime will obtain a Protections of Water Article 15 permit from the NYSDEC for work related to stormwater discharges adjacent to the Saranac River in compliance with all NYSDEC regulations.
- e. The Saranac River is identified as a regulatory floodway by the Federal Emergency Management Agency (FEMA). Riverbank areas adjoining the Saranac River are identified as being within the 100- and 500-year floodplains or having a one percent or 0.2 percent annual flood risk, respectively.
- f. The planned Saranac River Riverwalk is located at an elevation of approximately 115 - 119 feet above the base flood elevation (or 100-year flood level) established at 105 - 108 feet. Therefore, no adverse impacts will result.
- g. The DLMUD will be designed in conformance with the NYSDEC's Stormwater Management Design Manual and Standards and Specifications for Erosion and Sediment Control.
- h. Blasting is not anticipated at this time. If blasting is required, it will be performed in accordance with New York State Department of Transportation (NYSDOT) Geotechnical Engineering Manual #22 "Procedures for Blasting" latest edition.
- i. The NYSDEC reports there are no known occurrences of endangered, threatened, or rare species or a Significant Natural Community on or in the vicinity of the Project Site.
- j. The NYSDEC indicates that there are known occurrences of the Common Loon, a Species of Special Concern, on or in the vicinity of Project Site, the Riverwalk project site, and

the relocation site for the PFCM. NYS does not regulate species that are not listed as endangered or threatened.

- k. There is potential for the Northern Long-eared Bat (threatened) on or in the vicinity of each of the project sites. It is recommended that no tree clearing occur between March 31st and October 31st to avoid potential take of the Northern Long-eared Bat. No substantial tree clearing is proposed and therefore no adverse impacts will result.

For the reasons stated above, the Action and related Minor Subdivision and PUD approvals will not have a significant adverse impact on aquatic and natural resources. Therefore, no mitigation is necessary.

3. Municipal Utilities

- a. **The City of Plattsburgh Municipal Lighting Department has provided a letter dated, January 27, 2020 and August 10, 2020 stating the City has sufficient capacity within its electrical supply and distribution system to service the project.**
- a. The DLMUD developer has prepared and submitted a State Stormwater Pollution Prevention Plan (SWPPP) and has designed stormwater control measures that are consistent with the NYSDEC regulations to ensure that adverse environmental impacts do not result from stormwater run-off.
- b. Currently, untreated stormwater runoff flows directly into the Saranac River via a drainage pipe and sheet flow from the Project Site. As a result of the SWPPP and stormwater controls to be implemented, the stormwater run-off control and drainage on the Project Site will be improved as a result of the Project.
- c. The Project Site and the PUD areas are located within the City of Plattsburgh Water and Sewer service areas, which are maintained by the Department of Public Works (DPW).
- d. The DLMUD is expected to generate 37,085 gallons per day (gpd) of domestic water demand and corresponding sanitary flow.
- e. The DLMUD will connect to the existing municipal water line and the existing municipal sewer manhole located just west of the site in Durkee Street. An additional sewer line will be constructed to provide an overflow line for the siphon manhole located on the east side of the Project site. This overflow line will be connected to a separate connection system's existing manhole in Bridge Street.
- f. The DLMUD is anticipated to generate $3.1 \pm$ tons of solid waste per day, or $95.5 \pm$ tons per month. The waste generated is assumed to be typical municipal solid waste, as well as recyclable materials. Solid waste generated from the DLMUD will be accepted by Clinton County Landfill located on Sand Road in the Town of Schuyler Falls. The Clinton County Landfill has adequate capacity to accommodate solid waste generated from the Project and the other DAIP projects (DAIP DGEIS Section 3.3.3-Table 19).

- g.** Prime will contract with a licensed hauler who will transport the waste/recyclables to the Landfill. Construction and demolition waste will be sorted so that materials can be salvaged as desired. Materials that are not salvageable will be transported off-site to the Landfill.
- h.** Prime has obtained will serve letters from the utility companies that confirm utilities are available to service the Project Site and DLMUD.

For the reasons stated above, the Action and related Minor Subdivision and PUD approvals will not have a significant adverse impact on municipal utilities. Therefore, no mitigation is necessary.

4. Parking

- a.** The proposed off-street parking demand for the DLMUD has been adjusted based on public comment and input from the respective City of Plattsburgh land use boards.
- b.** The proposed alternate parking computation calculates a parking demand for the DLMUD at 227 spaces. Despite this demand, Prime is providing 240 spaces for the needs of the DLMUD in addition to the 50 spaces remaining open for the public.
- c.** The proposed parking computation reflects comments designed to ensure that the 50 parking spaces proposed to be open to the public are not double counted in Prime's parking demand for the Project.
- d.** Per City Zoning Code § 360-21, the Planning Board is authorized to allow deviations from parking requirements established in § 360-26 for a PUD where the applicant can demonstrate that another method of computation will adequately serve the proposed mixed or multiple use.
- e.** The proposed alternate parking computation is permitted by the Zoning Code as examined by the Common Council as Lead Agency and set forth in their Findings Statement as well as the SEQRA environmental record.
- f.** The SEQRA record and the Common Council Statement of Findings states that "the City's off-street parking requirements have not been amended in some time."
- g.** The SEQRA record (SEQRA Scope, GEIS and FGEIS) and the Common Council Statement of Findings reflects that "parking deviations may be based on support that examines a totality of the circumstance to ensure that the appropriate amount of off-street parking is provided in accordance with these findings. The Common Council finds that an abundance of vacant parking areas within an urban setting can disrupt achieving a walkable community and commercial development in a downtown core. Furthermore, vacant parking areas is an eyesore that can obstruct commercial tenants from bringing their business to a downtown area."
- h.** The SEQRA record and the Common Council Statement of Findings reflects that "depending on the proposed uses in such a mixed use development, among other

factors that may be considered, support shall be provided for each development project to demonstrate that the proposed alternate parking computation would be in accordance with these Findings (e.g. reliance on the Parking Study, the industry's generally accepted parking standards (ITE Standards), similar development examples, etc.)...proposed off-street parking shall avoid an abundance of vacant parking areas, which can disrupt the purpose of this downtown revitalization to achieve a walkable community and commercial development in Plattsburgh's downtown core."

- i. In accordance with the above, and in response to public input, the DLMUD proposes the following off-street parking, which has been based on similar developments previously constructed by Prime (per letter and site plan dated February 2020).

Zoning Requirement – 419 off-street parking spaces

Parking Demand Based on Similar Development – 227 spaces

Proposed public parking – 50 spaces

Off-Street Parking Provided – 290 (include an additional 13 spaces for Prime's Project).

- j. Prime provided the PB with data from a prior development and utilized an identical parking computation, which has been operating for approximately 4 years without any parking issues. The example utilized is from the Hamlet development in the City of Saratoga Springs and is further from that city's downtown core and therefore more vehicle dependent than the proposed DLMUD. The parking computation provided, noted a demand of 227 parking spaces..
- k. Prime is providing an additional 13 spaces above this determined parking demand to ensure appropriate parking is provided.
- l. 154 parking spaces are proposed to be provided in an underground garage which will be well lit and secured for use by residents only.
- m. The City of Plattsburgh Building Inspector has submitted a letter dated February 10, 2020 that states, "it is my opinion that the provision of 226 spaces on-site is adequate to meet the parking demand of the proposed DLMUD." Further, the City's parking consultant, Carl Walker, provided a letter dated February 19, 2020 stating: "the parking occupancy data collected by the City supports the conclusion that there will be adequate public parking capacity during construction and after all the proposed projects have been completed."
- n. The alternate parking computation that has been reviewed is consistent with other municipalities revitalizing their downtown cores, which other municipalities do not require any off-street parking in their downtown cores. These communities include City of Albany and Village of Port Chester.

For the reasons stated above, the Action and related Minor Subdivision and PUD approvals will not have a significant adverse impact on parking. Therefore, no mitigation is necessary.

5. Fiscal and Economic Conditions

- a. The Project Site is owned by the City of Plattsburgh and is currently exempt from taxation.
- b. The transfer of the Project Site to a private developer will result in the Project Site being added onto the tax rolls and will result in financial revenues to the City, per proposed PILOT agreement.
- c. In addition to the Common Council's Findings, the PB specifically finds that the COVID-19 pandemic and related economic conditions **may not change the Common Council's findings related to the fiscal and economic condition for the Project due to the nature of the development, the need for housing in the City of Plattsburgh, and the need for this type of commercial space in the City of Plattsburgh (Durkee St. Real Estate Market & Financial Feasibility Study (2016)).**

For the reasons stated above, the Project and related Minor Subdivision and PUD approvals will not have a significant adverse impact on fiscal and economic conditions. Therefore, no mitigation is necessary.

6. Historic and Cultural Resources

NYSOPRHP provided a December 23, 2019 and August 25, 2020 response letter indicating "Based upon our review the reports prepared by Curtin Archaeological Consulting, Inc (Curtin & Dymond, June 2019) and Hudson Valley Cultural Resource Consultants (Selig, October 2019) and the response to our request for additional information/ clarifications about the project, it is the opinion of the New York SHPO that this undertaking will result in No Adverse Effect to historic properties, including archaeological and /or historic resources."

For the reasons stated above, the Action and related Minor Subdivision and PUD approvals will not have a significant adverse impact on historic and cultural resources. Therefore, no mitigation is necessary.

7. Environmental Contamination

- a. In March 2007, NYSDEC issued a Record of Decision (ROD) for the restoration of the Plattsburgh Gateway Project/Durkee Street Site identified as being located at 14 Bridge Street and occupies part of the DLMUD project site.
- b. Remediation of the site was completed, and a Certificate of Completion was issued by NYSDEC on September 13, 2016 requiring the City to implement a Site Management Plan (SMP). The SMP stipulates the future use of the property is subject to institutional

and engineering controls including an environmental easement.

- c. The environmental easement was executed on November 9, 2011 by the NYSDEC for 1) 14 Durkee Street, 207.20-7-15 (4.38 acres) and 2) Broad Street (0.72 acres) to ensure protection of human health and to achieve the requirements for remediation.
- d. According to the easement, the property may be used for Restricted Residential as described in 6 NYCRR Part 375-1.8(g)(2)(ii) , Commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii), and Industrial as described in 6 NYCRR Part 375-1.8(g)(2)(iv).
- e. The redevelopment of the DLMUD will require a Change of Use notification and ongoing coordination with the NYSDEC to ensure the proposed project design and construction will not adversely affect the health and safety of local residents, workers, visitors, or construction workers. A Health and Safety Plan is required to be implemented during construction.
- f. The current and future owners of the property are required to comply with the terms and conditions of the SMP.
- g. According to NYSDEC, there are no public exposure risks at the Project site. Future exposure risks are limited to construction workers performing ground intrusive work at the site. Construction work must be conducted using a Health and Safety Plan to minimize exposures.
- h. In a December 10, 2018 letter, the NYSDEC stated, "no further groundwater monitoring is necessary at the location; site groundwater contaminants show a decreasing contaminant trend and are just slightly above groundwater standards, groundwater is not utilized in the area, and the monitoring wells are becoming aged and in disrepair. Proper decommissioning of all monitoring wells is required, and a monitor well decommissioning report must be submitted to the Department. This work can occur in 2019 with the return of warmer weather."
- i. Prime will comply with all NYSDEC requirements.

For the reasons stated above, the Action and related PUD and Minor Subdivision approvals will not have a significant adverse impact on environmental contamination. Therefore, no mitigation is necessary.

8. Recreation and Open Space

- a. The Project Site currently contains minimal open space because it includes a paved parking area and an existing City owned farmers market structure.
- b. The DLMUD will include certain amenities for the private use of residents including outdoor recreation, office, and gym space. It is anticipated that new residents will primarily utilize existing facilities in the downtown and within walking distance to Durkee Street.

- c. The proposed PUD and related DLMUD will result in 19% (22,925 SF) of the lot being open space where 18% is required under the Zoning Code. Calculations for the entire PUD provides 22% (45,185 SF) open space, where only 15% is required. The proposed open spaces are as follows:
 - i. Along the Saranac River, an identified top priority for the City, to be designed as a riverfront walk with site furnishings and landscape plantings that will connect Broad, Durkee, and Bridge Streets to the riverfront;
 - ii. Bordering the riverfront walk and the surface parking lot;
 - iii. Walkway and landscape plantings from Durkee Street to the riverfront walk;
 - iv. Walkways along Durkee and Bridge Streets; and
 - v. Walkways and amenities in the courtyard of the building. These open spaces will include sidewalks, boardwalks, landscape plantings, and site furnishings all consistent with downtown amenities.
- d. The proposed PUD and the resulting development will allow for the revitalization of the Riverwalk along the Saranac River. The existing riverfront boardwalk on the Durkee Street Lot is underutilized and in need of repair.
- e. The PUD will allow for the Riverwalk to be improved and access will be provided, in part, through a pedestrian walkway through Prime's Project from Durkee Street to the proposed Saranac River Riverwalk. This will enhance the open space areas and provide more opportunities for residents and visitors.
- f. The City of Plattsburgh Police Department [email dated February 18, 2020](#), has confirmed that the proposed Saranac River Riverwalk being adjacent to Prime's Project will not result in a danger of safety risk.

For the reasons stated above, the Action and related Minor Subdivision and PUD approvals will not have a significant adverse impact on recreation and open space. Therefore, no mitigation is necessary.

9. Visual Resources

- a. The DLMUD is designed to be compatible with visual resources including enhancing the overall fabric of the downtown through restoration of the street edges along Durkee and Bridge Streets; and maintaining sensitivity to the Durkee and Bridge Street contexts in terms of scale, building character, materials, color, fenestration, and detailing. The DLMUD building will reestablish street edges and maintain setback lines similar to existing buildings to the west and north. Parking areas are concealed by placing them either below the building or within the interior courtyard. The entire eastern edge of the basement parking deck is enclosed and screened by a heavily landscaped base, with a landscaped buffer that will blend with the Saranac River Riverwalk improvements.
- b. The building massing scale is similar in height to the existing four, three, and two-story buildings to the west and in the surrounding area. The strong cornice lines at the corners and along both streets reinforce this relationship. The mid-block and end

sections of the building will step back above the fourth level to reduce the visual scale along both streets and the Saranac River Riverwalk. The north side of the building will step down another level at the northeast corner to parallel the street slope and further reduce its visual impact **as shown in the plans submitted, May 11, 2020 and August 10, 2020.**

- c. The building employs a variety of visual elements sympathetic to many other downtown buildings, including a mix of building materials, punched openings, stone sill and lintel aesthetic, opening proportions similar in scale, larger ground level glazing for commercial uses, and strong cornice expression.
- d. The DLMUD elevations, cross sections and renderings confirm that there will be no undue adverse impacts to City visual resources (e.g. the Saranac River between Bridge and Broad streets currently cannot be seen from Durkee Street, however, the top of the riverbank can be seen and will become partially obstructed from view).
- e. The DLMUD building is an improvement compared to the existing parking lot.

For the reasons stated above, the Project and related Minor Subdivision and PUD approvals will not have a significant adverse impact on visual resources. Therefore, no mitigation is necessary.

As previously stated, the Planning Board has considered, concurs with, and adopts and incorporates by reference the Common Council's Statement of Findings, including its finding that the DAIP will not create any significant adverse environmental impacts and minimizes or avoids adverse environmental impacts to the greatest extent practicable, except for findings identified by the Planning Board that are inconsistent with the Common Council findings and as such statements in this document shall prevail.

CERTIFICATION OF FINDINGS TO APPROVE

Upon consideration of the foregoing, the Draft and Final Generic Environmental Impact Statements and the Common Council's Findings Statement, the City of Plattsburgh Planning Board hereby certifies that:

- A. It has considered the relevant environmental impacts, facts and conclusions discussed in the Draft and Final Generic Environmental Impact Statements prepared in connection with the proposed Action.
- B. It has weighed and balanced the relevant environmental impacts with the social, economic, and other essential considerations relating to the proposed Action.
- C. The requirements of 6 NYCCR Part 617 have been met.

- D. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the 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 mitigative measures that were identified as practicable.

[SIGNATURE PAGE FOLLOWS]

NAME OF INVOLVED AGENCY: City of Plattsburgh Planning Board

ADDRESS OF INVOLVED AGENCY: 41 City Hall Place
Plattsburgh, NY 12901

Signature of Responsible Official
Derek Rosenbaum, Acting Chairperson Planning Board

cc: [MUST INCLUDE ALL INVOLVED AND INTERESTED AGENCIES, THE NYSDEC CENTRAL OFFICE AND ENB, REQUIREMENTS PER 6 NYRVV 617.12]

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EXHIBIT A

MAP OF DOWNTOWN AREA IMPROVEMENT PROJECTS

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EXHIBIT B

ADOPTED COMMON COUNCIL STATEMENT OF FINDINGS

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