

FINAL SCOPING DOCUMENT

KILIAEN'S LANDING

SITE MASTER PLAN & DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT (MASTER PLAN AND DGEIS)

AUGUST 2017

NAME OF ACTION: Kiliaen's Landing Master Plan & Draft Generic Environmental Impact Statement

LEAD AGENCY: City of Rensselaer Planning Commission

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LOCATION OF ACTION: Hudson River Waterfront: Between Livingston Avenue Bridge, CSX Railroad and Town of North Greenbush municipal boundary, City of Rensselaer

SEQR STATUS: Type 1

INTRODUCTION - This Scoping Document has been prepared pursuant to Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617, which are together known as the State Environmental Quality Review Act (SEQRA). Under SEQRA, the primary goals of the scoping process are to focus the Environmental Impact Statement on potentially significant adverse impacts and eliminate consideration of those impacts that are irrelevant or not significant. The Draft Generic Environmental Impact Statement ("DGEIS") will address the issues identified in the Final Scoping Document.

The DGEIS will provide a means for the City of Rensselaer Planning Commission (the "Commission"), State and local agencies, and the public to systematically consider the project's significant adverse environmental impacts, alternatives, and measures to mitigate environmental impacts. The DGEIS will facilitate the weighing of social, economic, and environmental factors early in the planning and decision-making process.

The Commission prepared a Full Environmental Assessment Form (FEAF), which they circulated to the Involved Agencies for the purpose of declaring themselves Lead Agency. With no Involved Agencies objecting to the Commission's request, the Commission became Lead Agency on July 10, 2017 and issued a Positive Declaration. Subsequently, the Commission accepted a Draft Scoping Document on July 10, 2017 and circulated it to all Involved Agencies.

To allow for public input, the Commission is making the Draft Scoping Document available for public review. The Public Scoping Process provides the Commission with guidance on matters that must be considered in the DGEIS and provides an opportunity for early participation by State and local agencies and the public in the review of the project. The Public Scoping Period runs from July 10, 2017 until August 16, 2017. A Public Scoping Session is scheduled for August 7, 2017.

PROJECT HISTORY AND DESCRIPTION – The City has long recognized the waterfront development potential of the Study Area. This area has been the subject of a number of development proposals and plans dated as early as 1981. Previous plans include a 1981 Riverfront Development Plan and a 1986 Local Waterfront Revitalization Program (LWRP) Plan. Development proposals include the 1995 Chateau Rensselaer Plan, 1997 Patriot's Landing, and the 2002 Kiliaen's Landing at the Capital Harbor. This site has also been studied in other plans including the 2004 Superfund Site Facility Siting Report, 2004 Rensselaer County Trail Report, and the Forbes Avenue Transportation Study.

In 2014 the City was awarded a Cleaner, Greener Community (CGC) Program Phase II grant from NYSERDA (contract date July 14, 2015). The City has used these funds to conduct a Site Analysis and Market Study and to undertake a community visioning process during late 2016 and early 2017 to determine the best use of the site. This led to the creation of a Site Master Plan for the development of Kiliaen's Landing (the "Project"). The next step in the process is the completion of a Generic Environmental Impact Statement to identify the environmental issues through the SEQR process and provide development guidelines and thresholds.

SITE DESCRIPTION - This approximately 75 acre site is generally bounded by the Hudson River, the Livingston Avenue Bridge, the Town of North Greenbush and the CSX Railroad ROW (Project area map attached). Developed features of the site include the Hilton Center (historic Mill complex), the city boat launch and a City operated wastewater pump station. The southern portion along the river and adjacent to the Livingston Avenue Bridge is undeveloped and heavily forested. The central portion of the site includes the Hilton Center and the City boat launch. The remaining acreage consist of additional undeveloped riverfront lands. Residential uses interspersed with some business uses dominate the neighborhood southeast of the site. The Amtrak maintenance facility

is located immediately southwest of the Livingston Avenue Bridge. To the north and northeast lands are generally undeveloped.

CONTENTS OF THE DGEIS

Cover Sheet

The DGEIS will contain a cover sheet that presents a project title, applicant, list of document authors and contacts, the name of the Lead Agency and a contact, the project location, SEQRA status and relevant dates (i.e. date of acceptance by the Lead Agency, date by which comments must be received, date of public hearing and final date of acceptance).

Executive Summary

This section will describe the format of the document and will include the following elements:

- A brief description of existing site conditions and any significant adverse impacts on the site from the preferred development scenario;
- Description of the reasonable alternatives to the preferred development scenario;
- Discussion of mitigation measures and future thresholds for redevelopment;
- List of required local, County, State and Federal approvals and permits.

Table of Contents

The Executive Summary will be followed by a Table of Contents listing document sections, figures, tables, and appendices. The appendices will include technical studies in preparation of the site master plan. All pertinent SEQRA documentation will be included as appendices to the DGEIS. Other readily available public documents will be referenced, as necessary.

1.0 INTRODUCTION

1.1 Purpose and Need for the Project

This section will describe the history and background of the project including previous studies completed for the project area. It will present the City's goals and objectives as well as the socio-economic benefits of the project to the City of Rensselaer and Rensselaer County. The need to develop a plan for sustainable development on a key waterfront site in this economically distressed community will be discussed.

1.2 Site Location, Description and Setting

The Study Area of the Master Plan and DGEIS will be described. A site location map and an aerial photograph of the site and neighboring areas will be prepared. The current and past land uses of the site, as well as its relationship to current City plans and regulations, will be described.

1.3 SEQR Process and Required Approvals

This section will provide an overview of the SEQR process for this project and an anticipated project timeline. It will also identify the potential approvals required for the project, including Federal, State, local agency permits and local board actions.

2.0 PROJECT DESCRIPTION

This section will present the preferred development alternative (Project) identified as a result of the Master Plan and the Market Study and will provide the basis for impact analysis. Limitations identified in the GEIS through studies and evaluation will be expressed as thresholds for future development. Future plans and projects that meet these thresholds will be considered in compliance with the GEIS and associated Statement of Findings. Future plans and projects that exceed the thresholds (one or more) must undergo further SEQR review to identify the significance of the impact(s).

3.0 ENVIRONMENTAL SETTING, POTENTIAL IMPACTS AND MITIGATION MEASURES

This section of the DGEIS will describe the project's existing environmental setting and those aspects of the environment that may be adversely or beneficially impacted by the proposed action. Where potential impacts are identified, mitigation measures will be described to avoid or minimize the significance of the impacts.

A full environmental assessment form was prepared to determine the potential significance of the project impacts. Based on this initial analysis, the following scope is provided for consideration.

3.1 Land Use and Zoning

Potential Impact: Existing land use on the site is a combination of undeveloped lands as well the City Boat Launch and underutilized Hilton Center. The site is surrounded by a mix of residences,

small commercial uses and the Amtrak maintenance facility. Existing zoning consists of Waterfront Mixed Use (MU-2), Downtown Mixed use (MU-1) and Open Space and Conservation (OS). Portions of the site are also part of the Bath Neighborhood, a designated Historic Overlay District. The proposed project will redefine the uses of the site but will remain consistent with the current zoning. As a result, it is anticipated that as projects develop they will enhance the existing neighborhood and provide new, safe recreational waterfront opportunities. The new uses will also be evaluated against the State coastal zone policies.

Anticipated Information Necessary to Address the Impact:

- (i) Existing Information-
 - City of Rensselaer Zoning Map and Zoning Ordinance
 - City of Rensselaer Downtown Redevelopment Plan
 - NYS GIS Clearinghouse GIS Data and Ortho Images
 - City of Rensselaer Comprehensive Plan
 - City of Rensselaer Local Waterfront Revitalization Plan

- (ii) Required New Information and Methodology for Obtaining Same - Existing land uses within and adjacent to the site will be identified and evaluated through field reconnaissance.

Initial Identification of Mitigation Measures: Mitigation measures could include site planning and design techniques to ensure the Kiliaen’s Landing project protects and enhances the City of Rensselaer and surrounding neighborhood.

The Site Master Plan will result in a mix of uses including residential, commercial, office space and water related uses, as well as the identification of a potential multi-use path to provide connections to the surrounding community. This section will include a description of the relationship between the City’s Downtown Development Plan (June 2003), specifically the area identified as the Bath Neighborhood and the project site.

It is anticipated that the proposed Site Master Plan will be developed in general conformance with existing site zoning; therefore, impacts to zoning are not expected. The Site Master Plan will identify methods to integrate the revitalized site into the surrounding community.

3.2 Transportation

Potential Impact: The site is in close proximity to I-787 and I-90 and therefore has great potential for easy access. However development of the site may result in an increase in traffic on the surrounding local road network, potentially causing impacts to the roadways at specific intersections such as site access driveways and on local streets.

Information Needed to Address the Impact:

- (i) Existing Information - Existing traffic data will be collected from the Capital District Transportation Committee (CDTC) and New York State Department of Transportation (NYSDOT). Applicable information from the 2005 Forbes Avenue Transportation Study will also be used. A description of local circulation patterns, including vehicular transportation, mass transit, pedestrian, and bicycling connections available to the site and to the larger community roadway system serving the proposed site will be presented.

- (ii) Required New Information – Proposed land uses, including the number and type of residential uses, non-residential uses and square footage will be used to project traffic volumes that may be generated from the preferred alternative. A traffic study with intersection analysis is **not** included in this scope. The evaluation to be performed is intended to generally identify the likely traffic patterns resulting from the preferred alternative and to identify roads and intersections where additional future study may be required as specific projects are proposed for the site.

The process to evaluate and identify necessary future improvements as a result of the preferred alternative will be outlined. This will include the identification of key intersections to be studied as well as any additional data to be collected prior to actual construction.

Discussions with CSX railroad will be held to establish the process for any required upgrades to the existing at-grade railroad crossings.

Within the vicinity of the Site, safety issues such as pedestrian crossings and emergency vehicle access will be reviewed. Pedestrian and transit accommodations and connectivity to existing and proposed adjacent land uses and associated features will be reviewed as well.

Initial Identification of Mitigation Measures: A discussion of the steps required to identify the future improvements that may be necessary as it relates to the preferred development alternative will be included.

The Master Plan design will minimize reliance on automobiles for residents and visitors and promote walkability and the use of public transit facilities. The feasibility of creating a Commuter Link connecting Kiliaen’s Landing with the Rensselaer Technology Park and Downtown Albany will be explored during the planning process.

The process to initiate any required upgrades to the existing at-grade CSX railroad crossings will be outlined.

3.3 Utilities

Potential Impact: Facilities constructed as part of Kiliaen's Landing will be connected to the City's water, wastewater, and stormwater infrastructure. The combination of new facilities and renovated structures will increase water usage, and wastewater and stormwater generation and increase demands for gas and electric service. The project site is located in an area served by water as well as combined sanitary and stormwater sewers. Depending on the increase, the capacity of these systems could be impacted. Existing utilities could be temporarily impacted during construction if they require relocation to accommodate construction.

Overhead utilities traverse the site near the Livingston Avenue Bridge extending northeast towards Tracy Street. There is also a Rensselaer County sewer main traversing the entire length of the study area.

Anticipated Information Necessary to Address the Impact:

- (i) Existing Information- Record mapping and asset management plans from the City of Rensselaer, existing infrastructure capacity data.
- (ii) Required New Information and Methodology for Obtaining Same – Available topographic and utility survey of the Site and adjoining area, contact with knowledgeable individuals (i.e. City Engineer/City DPW, City Water Department, County Sewer District) to obtain information on capacity of existing utilities.

Initial Identification of Mitigation Measures: It is not known at this time what improvements to utilities would be required to support the project, but it could include upgrades or improvements to the existing utilities.

The relocation of overhead power lines has been discussed in previous planning documents for this area. The GEIS will review the previous discussion and will identify the procedure required to plan for and relocate the power lines. It is anticipated that a separate planning effort outside this GEIS would be required in order to identify alternative routing, land use/property considerations, costs, and permitting/approval implications.

The area of Kiliaen's Landing is part of the combined sewer system and is subject to combined sewer overflows (CSO's) during certain storm events. To mitigate impacts associated with the increase in stormwater runoff, it is expected that recommendations and standards will be provided

for construction and operation in conformance with NYSDEC Stormwater Management Design Manual (January 2015). Compliance with NYSDEC Construction Activity Permit (SPDES GP-0-10-001) and/or the MS4 Stormwater Discharge Permit (SPDES GP-0-10-002) will also mitigate potential stormwater related impacts.

3.4 Topography and Soils

Potential Impact: The site is characterized by areas of steep slopes near the site periphery. Erosion and sedimentation are potential impacts that can be mitigated by standard erosion control practices and protecting drainage courses and steep slopes. The site is not located in a New York State Agricultural District. Site soils generally consist of fill.

Anticipated Information Necessary to Address the Impact:

- (i) Existing Information: Soil Survey data for Rensselaer County, Natural Resource Conservation Service United States Department of Agriculture (USDA) soils data.
- (ii) Required New Information and Methodology for Obtaining Same: None

Initial Identification of Mitigation Measures: Alteration of the site's topography, vegetation and drainage patterns due to grading/excavation will be discussed. The limits of disturbance and influence of topography on site drainage and site planning will be discussed.

A discussion of erosion and sediment control, dewatering activities, rock removal techniques including blasting, and best management practices and their consistency with the New York State Pollution Discharge Elimination System (SPDES) General Permit GP-0-15-002 and NYS Standards and Specification for Erosion and Sediment Control will be provided.

3.5 Water Resources

Potential Impact: Development of the site may result in increased runoff, erosion, and sedimentation and water quality impacts to the Hudson River. The project area is located in the Federal Emergency Management Agency (FEMA) designated 100 year floodplain. Development in the floodplain could increase the flooding potential and could impact the new site development if not constructed properly. This is further confounded by sea level rise.

Anticipated Information Necessary to Address the Impact:

- (i) Existing Information: Review of FEMA floodplain mapping and sea level rise projections; City of Rensselaer Flood Damage Prevention regulations

(ii) Required New Information and Methodology for Obtaining Same: General discussion of stormwater runoff and methods of controlling runoff suitable for the site.

Initial Identification of Mitigation Measures:

To mitigate impacts associated with the increase in stormwater runoff, it is expected that recommendations and standards will be provided for construction in conformance with NYSDEC Stormwater Management Design Manual and General Construction Permit and/or the MS4 Stormwater Discharge Permit will also mitigate potential stormwater related impacts.

Mitigation measures to minimize impacts from stormwater quantity and quality will be described. Such measures will include management and treatment of stormwater and protection of aquatic resources.

It is expected that any work on the site will meet the requirements of the City's Flood Damage Prevention regulations.

Depending on the extent of impact to the floodway, base flood elevations, or the special flood hazard area, it may be necessary to obtain a Conditional Letter of Map Revision (CLOMR) from FEMA prior to site development. A Letter of Map Amendment may also be considered if it is found that the floodplain mapping is incorrect.

3.6 Ecology

Potential Impact: Development within the project area has the potential to impact Federal or State protected species as well as displace common species by reducing wildlife habitat. This section will discuss impacts to terrestrial and aquatic resources, including direct impacts to the Hudson River and associated permits that may be required.

Anticipated Information Necessary to Address the Impact:

- (i) Existing Information: Available mapping such as USGS topographic mapping and aerial photographic imagery will be used along with NYSDEC Natural Heritage Program data and U.S. Fish and Wildlife Service data. Review of NYSDEC submerged aquatic vegetation data,
- (ii) Required New Information and Methodology for Obtaining Same: A field investigation will be conducted to confirm the presence or absence of critical habitat identified through consultation with the NYSDEC Natural Heritage Program or U.S. Fish and Wildlife Service. Wetland area will be sketched.

Initial Identification of Mitigation Measures: Impacts to plant and animal wildlife as a result of habitat loss and change of habitat types and potential for habitat fragmentation (if any) will be discussed. If required site design will incorporate avoidance or mitigation and protection of key habitat.

At this time it is anticipated that the concept designs will avoid impacts to wetlands and waters of the U.S. A discussion of compliance with applicable regulations will be provided.

3.7 Cultural Resources

Potential Impact: The site includes the vacant Barnet-Shoddy Mill Complex, a 19th century complex operating as a shodding mill for the reclamation of woolen products. Impacts to this structure from conversion to other uses and from modifications of the landscape and historical context will be discussed. Additionally, lands adjacent to the Hudson River are typically sensitive for the presence of pre-contact archeological resources.

Anticipated Information Necessary to Address the Impact:

- (i) Existing Information- Review existing archeological studies completed for adjacent and nearby areas.
- (ii) Required New Information and Methodology for Obtaining Same –A Phase 1A Literature Review and Sensitivity Assessment will be conducted by a qualified professional archeologist. .

Initial Identification of Mitigation Measures: Coordination with the NYS Office of Parks, Recreation and Historic Preservation (OPRHP) may reveal specific concerns and recommendations to limit impacts to the historic mill. It is likely that OPRHP will recommend additional field testing to address archeological resources. These will be presented as future actions that will be required prior to construction.

3.8 Aesthetic and Visual Resources

Potential Impact: Visual characteristics of the project area as a result of the preferred development scenario will change from partially undeveloped to developed. New construction that is out of scale with surrounding land use and existing structures has the potential to visually impact the adjacent neighborhood. Existing views from the surrounding neighborhood to the Hudson River could be altered.

Anticipated Information Necessary to Address the Impact:

- (i) Existing Information- Design Guidelines outlined in The City of Rensselaer Downtown Redevelopment Plan and the City's Local Waterfront Revitalization Program document.
- (ii) Required New Information and Methodology for Obtaining Same - A field reconnaissance of the Site will be conducted to evaluate the general visual character of the Site and surrounding area. The NYSDEC Program Policy entitled *Assessing and Mitigating Visual Impacts* (2000) will be used as appropriate in conducting the assessment.

Initial Identification of Mitigation Measures:

Mitigation measures could include:

- Vegetative buffers and selected tree clearing.
- The use of landscaping and building materials to provide an attractive transition between the site and the surrounding neighborhood.
- Transition to less dense development or building styles that complement existing structures towards the edges of the site.
- Use of appropriate design guidelines from The City of Rensselaer Downtown Redevelopment Plan.
- Use of dark sky friendly lighting fixtures to minimize glare and light spillage.

3.9 Air Quality

Potential Impact: Potential air quality impacts include increased air emissions from additional traffic including service and delivery vehicles associated with the development scenario. There is a potential for short term impacts to air quality during construction activities.

Information Needed to Address the Impact:

- (i) Existing Information – Review New York State Department of Environmental Conservation (NYSDEC) Ambient Air Quality Data available from the Loudonville, NY air monitoring station.
- (ii) Required New Information and Methodology for Obtaining Same – Impacts on air quality will be assessed qualitatively through a review of existing air quality data and potential additional traffic levels, and proximity of sensitive air receptors (e.g. hospitals, schools, residences etc.). An air quality model or quantitative assessment of air quality impacts will **not** be completed.

Initial Identification of Mitigation Measures: Impacts associated with the project are anticipated to be temporary and related to construction activities.

All construction equipment should be properly tuned and maintained to minimize air impacts. Frequent watering of construction areas would be required to minimize dust. Sweeping and cleaning of streets and access driveways would also be done to minimize the amount of fugitive dust.

3.10 Noise

Potential Impact: There is a potential for short term noise impacts during construction activities.

Information Needed to Address the Impact:

- (i) Existing Information – none

- (ii) Required New Information and Methodology for Obtaining Same –A field review of the Site and surrounding area will be conducted to determine land uses that may be sensitive to the short term impacts of construction activities and operations.

Initial Identification of Mitigation Measures: All construction equipment should be properly tuned and maintained to minimize noise impacts. Restrictions on work hours to normal daytime hours will help to reduce the impacts.

3.11 Hazardous Materials

Potential Impact: Due to the age of the William Barnet Mill, there is potential for asbestos in certain building components that would need to be remediated prior to renovations.

Anticipated Information Necessary to Address the Impact:

- (i) Existing Information – NYSDEC Environmental Site Remediation Database, Preliminary Assessment of environmental and building codes issues Hilton Center Property- dated May 14, 2013, EDR Radius Map Report dated April 24, 2013.
- (ii) Required New Information and Methodology for Obtaining Same- A desktop screening will be conducted to identify the potential presence of hazardous materials within or immediately adjacent to the Site. No additional assessment will be made of structures that are part of the Hilton Center property,

Initial Identification of Mitigation Measures: Based on results of the desktop screening, a process to further identify and mitigate potential hazardous materials will be outlined.

3.12 Community Services

Potential Impact: The City of Rensselaer Police Department and Fire Department would provide Emergency Medical Services (EMS), police, and fire services during construction and operation of facilities within Kiliaen's Landing. The development and operation of this site is not expected to significantly affect the ability of these agencies to maintain public safety. Additional students may enter Rensselaer Central Schools (RCS) if the residential component of the project are constructed. The project will result in additional recreational opportunities for residents and the public at large.

Anticipated Information Necessary to Address the Impact:

- (i) Existing Information- none
- (ii) Required New Information and Methodology for Obtaining Same - The City of Rensselaer Police Department and Fire Department will be contacted regarding department resources and potential concerns. Contact with the Superintendent will be made regarding the potential for to accommodate additional students.

Initial Identification of Mitigation Measures: Input from emergency services will inform future site design to ensure that the facility is accessible and serviceable by police, fire and EMS vehicles. It is anticipated that impacts related to recreational opportunities will be beneficial.

3.13 Unavoidable Impacts

Potential Impact: The project may result in some impacts that either cannot be mitigated or can only be partially mitigated. These impacts will be identified during the evaluation of impacts and explained further in this section.

4.0 Alternatives

This section of the GEIS will address the alternatives evaluated in the process of identifying the preferred action. This will include the following:

No Action - the "no action" alternative will evaluate the impacts on the City of Rensselaer if Kiliaen's Landing is not constructed.

Alternative Sizes or Uses –The alternatives developed and evaluated as part of the Master Planning process will be presented.

5.0 Irreversible and Irretrievable Commitment of Resources

This section will discuss the commitment of resources such as materials and energy that cannot be retrieved or avoided as a result of the project. This section will acknowledge the irreversible commitment of the site to the proposed use, as well as the potential for redevelopment. This section will also discuss the various resource commitments.

6.0 Use and Conservation of Energy

This section will identify the types of energy resources likely to be used during construction and operation of the project and the energy saving measures that can be incorporated into design.

7.0 Future SEQR Actions

This section will identify the SEQR process for future actions proposed for this site.

Preliminary List of Appendices

1. Lead Agency Coordination
2. Final Scoping Document
3. Inventory and Analysis
4. Market Study
5. Phase 1A Literature Review and Sensitivity Assessment
6. Hazardous Materials desktop screening
7. Correspondence