

Report to the Town of Wappinger Planning Board

Regarding

Gas Land Petroleum, Inc.

Proposed Gas Station and Apartments

Prepared by:



NELSON POPE VOORHIS

December 2, 2020

TABLE OF CONTENTS

A. Understanding of the Project..... 1

B. Land Use and Zoning..... 1

 1. A gas station is not allowed as part of a “mixed use”..... 1

 2. It has not been demonstrated that the action complies with the “mixed use” special use requirements. 2

 3. The gas station use does not meet the intent of the zoning district..... 4

 4. It has not been demonstrated that the action complies with the “gasoline filling station” special use requirements..... 4

 5. The Project does not meet the general special use permit standards..... 6

 6. The Project does not comply with Architectural Review Standards..... 8

C. Project Inconsistency with the Comprehensive Plan..... 11

D. SEQRA is Incomplete 17

 1. The FEAF does not study the impacts of a 24-hour gas station on a primarily residential hamlet.17

 2. Traffic 17

 3. Historic/Visual Resources 18

LIST OF MAPS

1. Study Area
2. Zoning
3. Gross Floor Area
4. Land Use
5. Age of Structure
6. Historic Resources
7. Building Footprint Before Project
8. Building Footprint with Proposed Project

A. UNDERSTANDING OF THE PROJECT

Gas Land Petroleum, Inc. (the “Applicant”), proposes the construction of a 24-hour, Sunoco gasoline filling station consisting of four pumps with eight fueling stations, and a 2,656 square foot convenience store with two, 1-bedroom apartments above, and on a property that is 1.24 acres (upon consolidation of four separate parcels) within the Hamlet Mixed Use (HM) zoning district (**Maps 1 and 2**). The Project Description¹ states that the Applicant is seeking site plan approval and two special use permits from the Planning Board – the two special use permits are for the operation of a gasoline station (pursuant to §240-81.7 of the Town of Wappinger Zoning chapter) and to use the building as a mixed use building (pursuant to §240-52). The proposed building’s footprint is 2,700 square feet, and the total size of the building is identified as being 5,360 square feet in gross floor area. The canopy is 2,362.5 square feet, larger than most building footprints in the hamlet.

In order to achieve the Project, the Applicant proposes to demolish three (3) residential dwellings, a garage and a bar. To replace the three single-family residential dwellings that will be demolished, the Applicant is replacing them with two (2), 1-bedroom apartments, and adding a gas station to the property. Use of the existing on-site septic system will allow for the construction only of the convenience store and one apartment. The space for a second apartment will remain unfinished until the sewer line is extended to be able to serve it.

Based on NPV’s review of the submission, it is our professional opinion that the application is incomplete, that the proposed mixed use requires a use variance, and that insufficient information has been submitted to render a SEQRA determination. Further, the 24-hour gas station will have a significant adverse impact on community character, and based on the regulations implementing SEQRA, would require preparation of a draft environmental impact statement to fully evaluate the impacts of the proposed 24-hour gas station with apartments on the historic hamlet of Hughsonville.

B. LAND USE AND ZONING

The following analysis was conducted of the plans, and their compliance with Chapter 240, Zoning, of the Town of Wappinger Code.

1. A gas station is not allowed as part of a “mixed use”.

A gas station is not allowed as part of a “mixed use”. Uses that are allowed in nonresidential zoning districts are set forth in 240 Attachment 2 of Chapter 240, Zoning, of the Town of Wappinger Code (“Zoning chapter”). A “mixed use” is specifically listed as a use in the HM zoning district and described as follows:

“Mixed use, which is a grouping of attached or detached structures, containing a mix of residential dwelling units and one or more of the following commercial uses: retail stores and shops, personal service businesses, professional or business offices and banks (§ 240-81.7)”

The use specifically limits the types of nonresidential uses in a mixed use to retail stores and shops, personal service businesses, professional or business offices and banks. Those uses are explicitly identified in the use table. A “mixed use” does not permit a gas station to be mixed with dwelling units.

¹ Full Environmental Assessment Form, The Chazen Companies, last revised October 13, 2020.

Just prior to the submission of the Gas Land application, the Town of Wappinger Town Board adopted Local Law 6 of 2019, which amended Section 240-52.C to allow dwelling units “separate from the gas station use **may** be permitted above the commercial ground floor use in the principal gas station building.” Note that dwellings above a gas station use is discretionary – it “may” be permitted but is not required to be permitted. The site plan acknowledges that the mixed use includes a gas station, as the building is labeled as “PROPOSED MIXED-USE GASOLINE FILLING STATION / RESIDENTIAL APARTMENTS.”

Section § 240-15 of the Zoning chapter, regulates as follows: “*Conflicting standards... where this chapter imposes a greater or lesser restriction upon the use of buildings or land or upon the erection, construction, establishment, movement, alteration or enlargement of buildings than is imposed by other local laws, rules, regulations, licenses, certificates or other authorizations or by easements, covenant or agreements, the more restrictive requirement shall prevail.*”

Local Law 6 of 2019, which allows dwellings as part of a gas station use, is less restrictive than the “mixed use” special use, which does not permit dwellings in conjunction with a gas station, for the obvious inconsistent and deleterious effects that a station has on residential uses. Where this inconsistency exists, the more restrictive “mixed use” definition applies, which prohibits, dwellings in conjunction with a gas station.

The application attempts to differentiate the convenience store from the gas station, presumably in an effort to meet the requirement of Section 240-52.C that the dwelling units are “separate from the gas station use”. However, by the Zoning chapter’s definitions, the convenience store is accessory to the gas station. The recent amendment to Section 240-52.C is extremely ambiguous as to what is intended regarding the construction of dwelling units – the dwellings are not “separate from the gas station use” – a gas station, as defined by the Zoning chapter, includes: “...accessory uses may include facilities for lubricating, washing or other minor servicing of motor vehicles and/or the retail sale of convenience items, including but not limited to snacks and beverages, provided such accessory uses are located indoors...” A gas station use has been defined to include the convenience store associated with it – it is not “separate” from the gas station use – the indoor space and convenience area is where cash registers ring up sales for the gas station use. The indoor convenience store space is very much a part of the overall gasoline station use. The requirement in Section 240.52.C that dwelling units be separate from the gas station use on the one hand, but then permitting dwelling units above the commercial ground floor use in the principal gas station on the other hand, is internally inconsistent.

Regardless, by application of §240-15, a gas station is not allowed as part of a mixed use and the proposed Project requires a use variance.

2. It has not been demonstrated that the action complies with the “mixed use” special use requirements.

Section § 240-81.7, Mixed uses, specifically sets forth the requirements for a mixed-use special use. Those requirements are:

- “Density. (1) *The residential density in a mixed-use development shall not exceed three dwelling units per acre of net lot area devoted to the residential component of the mixed use.*”

In the Full Environmental Assessment Form Part 1 (p. 4, "FEAF"), the "proposed action includes two dwelling units on a 1.24-acre site, which complies with the requirement." The entirety of the site is 1.24 acres. The Applicant has not netted out the lot area devoted to the residential component of the mixed use.

- *"Density. (2) The commercial density in a mixed-use development shall not exceed the maximum floor area ratio (FAR) for the zoning district in which the development is located, based upon the net lot area devoted to the commercial component of the mixed use."*

No calculation is provided to demonstrate the lot area represents the net lot area devoted to the use, or that the FAR has been calculated properly.

- *"(3) The residential and commercial components of the mixed use shall not, individually or in combination, exceed the maximum density standards of Subsection A (1) and (2) immediately above. Further, the net lot area used to derive density for the residential component of the mixed use shall not be utilized to derive density for the commercial component and vice versa."*

In response, the FEAF reports: "The proposed action includes two dwelling units on a 1.24-acre site, which complies with the requirement." However, the net lot area for the commercial use has not been netted out, as the 1.24 acres is the parcel in its entirety. No attempt has been made to determine the percentage of the use devoted to the nonresidential component, and that devoted to the residential component.

- *"B. Minimum residential and commercial components. As measured **by net lot area**, the mixed use shall be at least 25% residential and at least 25% commercial."*

The FEAF response is as follows: "The proposed action includes a 2,656 SF gas station convenience store area and two dwelling units and associated residential use space comprising 2,656 SF on the second floor for a 50/50 split, which complies with the requirement." However, the provision specifically addresses the extent to which the use complies by net lot area – no calculation is provided to demonstrate the requirement is met.

- *"C. Yards. The mixed-use development shall comply with the minimum front, side and rear yard requirements of the RMF-3 Multifamily Residence District."*

The FEAF does not specifically identify what the RMF-3 requirements are. As per 240 Attachment 3, Schedule of Dimensional Regulations — Residential Districts, of the Wappinger Zoning chapter, the minimum yard requirements are:

Front yard – 75 feet from a state or county highway

Side yard – 50 feet

Rear yard – 50 feet

A development could meet the requirements of the HM zoning district if a single building was being constructed, and not construction of a gas station with apartments which generates the need for the variances. Also, while the project is relying on Section 240-21D to allow for a smaller front yard

setback, the HM is a nonresidential zoning district, and it cannot be applied as this section of the Zoning chapter applies only to properties in Residential Districts. Section 240-21D states: *"If, on one side of the street within 150 feet of any lot, there is pronounced uniformity of alignments of the depths of front yards greater or less than the required minimum depths specified in the Schedule of Dimensional Regulations for Residential Districts, [2] a front yard shall be required in connection with any new building which shall conform as nearly as practicable with those existing on adjacent lots."*

Although the mixed-use special use permit requires the same front, side and rear yard setbacks as the MF-3 zone, the Project is clearly within a Nonresidential District, and this provision does not apply to it. Regardless, if this provision did apply, no evidence, e.g., a map, has been submitted which demonstrates the setbacks of adjoining buildings.

3. The gas station use does not meet the intent of the zoning district.

The purpose of the zoning district is set forth in 240-7.B(3) : *"HM - Hamlet Mixed Use. Intent: To preserve the historical character, concentrated development pattern and mixture of uses in existing commercial hamlets, particularly Hughsonville and Swartoutville, by encouraging restoration, reuse and visual improvement of existing structures."*

The proposed project fails to meet the intent of the HM zoning district, as:

- It does not propose to restore or reuse buildings but proposes to demolish the older existing buildings and change the building pattern in the Hughsonville hamlet.
- It does not visually improve existing structures, as it proposes to demolish them.

No evidence has been submitted demonstrating that the proposed buildings are in such a state of disrepair that they cannot be adaptively reused for uses that are allowed in the HM zoning district, consistent with the intent of the HM zone and the adopted 2010 Comprehensive Plan. Building surveys have not been submitted as part of the record.

4. It has not been demonstrated that the action complies with the "gasoline filling station" special use requirements.

As per Section 240-52, Gasoline filling stations, the following requirements must be met:

- *"A. Fuel pumps and storage tank inlets shall be set back at least 25 and 15 feet, respectively, from the perimeter property lines of the site. Further, fuel pumps and storage tank inlets shall be located and oriented in such a manner as to prevent the stacking of vehicles into any road right-of-way and the blocking of any point of site ingress or egress. For the purposes of this section, canopies over commercial fuel pumps and filling areas shall be permitted to extend into the minimum required front yard for the district in which the property is located, but in no case shall any canopy be located within five feet of any lot line."*

Sheet C131 does not portray realistically the vehicle stacking and parking that can occur at the fuel pumps. Based on typical vehicle size, vehicles will hang into the entry lanes, or into the pass-through lane in front of the entrance to the convenience store. The sheet shows a 19-foot vehicle length on the plan. However, the vehicles that are drawn at the pump are 16 feet in length. Many pick-up trucks exceed 19 feet in length. Add to this the spacing between vehicles at the pumps, the

result is that the amount of space at the fuel dispensers is insufficient. The lanes also do not allow any pass through. So, if vehicles are waiting to get to a pump, they will need to travel within the access drive to find another open fuel dispenser. If a vehicle drives into the site and does not find an empty dispenser, the vehicle is forced make a turn-around within the parking area due to the one-way lane in front of the convenience store.

The plan does not consider larger vehicles that could access the 24-hour gas station, e.g., a box truck could also use enter the site for fuel filling. Box trucks can be up to 26 feet in length. How will a vehicle of that length maneuver through the site, including when a fuel dispenser is not open? Ultimately, this site is too small and internal circulation too limited to be able to safely accommodate vehicles which will enter and use the fuel dispensers at this facility. One-way circulation, and dead-end parking areas create maneuvering problems for this proposed gas station, because there is insufficient land area to fully accommodate the uses.

Restrictions imposed on entering and exiting the site (right turn in and right turn out) further emphasize the inappropriateness of this segment of Main Street for a 24-gas station. The Project is only inviting vehicles traveling northbound to create a queue by making a left turn into the gas station regardless of how the entrances are controlled by signage. There are other vacant sites within the Town that are zoned for gas station use that have ample area to accommodate the appropriate turning movements from the road and allow for proper vehicle circulation to accommodate traffic safely. This site is a poor choice for this use, exacerbated by the overly large building which is reason for the poor internal circulation.

- *“B. All automobile parts, partially dismantled motor vehicles or similar articles shall be stored within a building. All repair and service work, including car washing, but excluding emergency service and the sale of fuel and lubricants, shall be conducted entirely within either a building or, where deemed appropriate by the Planning Board due to such factors as the size of the property involved and/or its location, shall be conducted entirely within a fenced-in area in which such work is visually screened from all adjoining properties and roadways. In no case shall any vehicles awaiting service or repair work be stored outdoors for a period exceeding five days, unless such vehicles are entirely located within a fenced-in area and are visually screened from all adjoining properties and roadways. Body work, major structural repair or painting shall not be permitted.”*

The FEAF states that no “repair and/or service work is proposed as part of the proposed action.” No such note has been added to the plans prohibiting these activities.

- *“C. Use of a building for any residence or sleeping quarters shall not be permitted, except that in the Hamlet Mixed Use District, dwelling units which are separate from the gas station use may be permitted above the commercial ground floor use in the principal gas station building.”*

This amendment to the Zoning chapter (Local Law 6 of 2019) became effective with the NYS Department of State upon its filing on December 4, 2019. On December 20, 2019, this Application was submitted by Gas Land Petroleum, Inc., to construct a gas station with apartments. Dwellings constructed in connection with a gas station are not allowed as per the “mixed use” special use, and because the regulations for mixed use are more restrictive than the provision set forth in “C” of this section, the use is not allowed without a use variance.

Also, as per the site plan, the dwellings are not “separate from” the gas station use – the site plan clearly identifies the principal building as a “gas station”.

5. The Project does not meet the general special use permit standards.

All special use permits are required to meet the standards set forth below. The Project does not meet the standards for the reasons below.

- *“A. The location and size of the use, the nature and intensity of the operations involved in or conducted in connection with it, the size of the site in relation to it and the location of the site with respect to streets giving access to it, are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.”*

The FEAF has not demonstrated that the nature and intensity of the operations are in harmony with the orderly development of the district. Specifically, insufficient information has been provided to demonstrate that it is in harmony with the HM district and its surrounding uses. Issues which have not been addressed include:

- As per the FEAF, the gas station will operate 24 hours; no use within the vicinity of the Project operate for that duration. Impacts associated with a 24-hour gas station include:
 - The use will introduce light levels during the nighttime hours – no other use emits light levels during this time period, and it is not in harmony with the residential uses that surround the property.
 - The use will introduce vehicular noise during the evening and nighttime hours - no other use emits noise during this time period, and it is not in harmony with the residential uses that surround the property.
 - The introduction of a 24-hour gas station has implications for the future use of adjoining properties, especially those that are residential.
- *“B. The location, nature and height of buildings, walls, fences and the nature and extent of existing or proposed plantings on the site are such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings.”*
 - The FEAF (p. 5) states that the Comprehensive Plan indicates that additional residential density in the form of mixed-use development is a desired use within the HM zoning district. However, the Project would result in the demolition of three (3) single-family detached dwellings to accommodate 2, one-bedroom apartments. The Project reduces residential opportunities within the hamlet. Further, the Applicant has only committed to constructing one apartment, absent making additional improvements to extend sewer service to the parcel.
 - Gas stations are not permitted as part of mixed-use special uses (p. 5 of FEAF).
 - The front yard adjustment is not available to properties in a nonresidential zoning district.
 - As per the site plan, only nine (9) evergreens will be planted to screen the proposed use from adjoining residential uses. Along the line of the Bryson property which has a multifamily dwelling building, four (4) evergreens are proposed with spacing of approximately 34- 58 feet between the trees – note also that the gas station development

pad is being elevated an additional 3.5 feet above existing grade which will make the gas station more visible to surrounding properties. Along the rear property line, where the site adjoins a single-family residence, evergreen trees are proposed which are 22-35 feet on center. Given the planting sizes, in no way will the project be screened from view of surrounding residential properties. No screening is provided between the site and Lands of Donovan, except for one evergreen tree in the rear of the property, Meanwhile, the proposed entrance is within 5 feet of the shared side property line. No evergreen screening is being provided along Main Street, to shield lights from the canopy or other impacts from lands to the south. The six (6) foot high stockade fence will not in any way mitigate the noise, lighting and operational impacts of a 24-hour gas station.

- Light poles will immediately adjoin Lands of Donovan, which can be within view of windows on the side of the dwelling.
- No effort has been made to install period-appropriate lighting on the site.
- *“C. Operations in connection with any special permit use will not be more objectionable to nearby properties by reason of noise, fumes, vibration, illumination or other characteristics, than would be the operations of any permitted use not requiring a special permit.”*

The FEAF does not evaluate the potential impacts of a 24-hour gas station being situated within a midst of a historic, residential hamlet. Specifically, the FEAF (p. 7) limits the discussion to NYSDEC fuel bulk storage requirements, and the Town of Wappinger noise regulations. This special use permit standard is not met:

- A noise analysis has not been conducted to provide evidence that the gas station can in fact meet the noise requirements of the Wappinger Code.
- The FEAF does not address fumes that will be generated by vehicles entering the facility or emissions from fueling operations.
- The FEAF does not discuss vibrations.
- The FEAF does not address illumination.

Importantly, the special use permit standards require that the potential impacts be compared to uses that are otherwise allowed as permitted uses. No attempt is made to evaluate the potential impacts of the gas station compared to uses, e.g., single-family dwellings, retail shops, etc., that would be allowed as permitted uses.

- *“D. Parking areas will be of adequate size for the particular use, will be properly located and suitably screened from adjoining residential uses and the entrance and exit drives shall be laid out so as to achieve maximum safety.”*

The FEAF (p. 7) states: “Recognizing that the project site is in a traditional Hamlet, the applicant has sited the parking at the rear of the facility, provided screening and deliberately avoided over-providing surface parking.” As mentioned previously, insufficient screening is provided to screen the 24-hour gas station from adjoining residential uses. Further, seventeen (17) parking spaces, plus 8 spaces at the fuel dispensers, is wholly inconsistent with parking trends in the hamlet. The 24-hour gas station exceeds the size of all parking lots except for the firehouse, located on 3.6 acres, which is a social gathering place. Likewise, the convenience store south of

the New Hamburg/Route 9D intersection contains the Hughsonville Post Office. The church across the street from the Project, a place of public assembly, has fewer spaces than the gas station. The 24-hour gas station has more spaces than most of the places of public assembly in the hamlet, and far exceeds parking for other uses in the hamlet.

6. The Project does not comply with architectural review standards.

The Planning Board has architectural review authority over the 24-gas station and apartments. The FEAF does not attempt to address consistency with the architectural review standards, even though elevations have been available since February 7, 2020. In general, given the historic character of the hamlet, every effort should be made to construct a building that fits architecturally with its surrounds and consistent with the architecture of the existing historic buildings. Even where changes have been made to existing buildings, e.g., vinyl siding, the proposed building should elevate the appearance of the hamlet (notwithstanding the Comprehensive Plan recommends reuse of buildings, not demolitions). The application is incomplete, and has not demonstrated consistency with the following:

- *(1) New structures should be constructed to a height visually compatible with the buildings and environment to which they are visually related.*

Information has not been submitted to verify the heights of surrounding existing buildings and to determine whether the proposed gas station/apartment building is consistent with same. No comparison to buildings in the hamlet has been conducted. Buildings in the hamlet are mostly 1.5 to 2 stories in height, and the wall to ceiling elevations appear to be lower than what is proposed for the building. Not one elevation of the proposed building identifies the building height (to ensure it also conforms with the Zoning chapter), and floor to ceiling heights are not shown.

- *(2) The gross volume of any new structure should be visually compatible with the buildings and environment to which it is visually related.*

Information has not been submitted to verify the gross volume and compare it with surrounding buildings to determine whether the proposed gas station/apartment building is consistent with same. No comparison to buildings in the hamlet has been conducted. The applicant is proposing a two-story building which will total 5,360 square feet in gross floor area. **Map 3** provides gross floor area for buildings in the Study Area, based on Dutchess County Real Property tax cards.

Based on Dutchess County Real Property data, the proposed gas station building is out of scale with the existing buildings surrounding it. The multifamily property to the west (123-125 New Hamburg Road) is 2,873 square feet in size or 53 percent the size of the proposed building. The dwelling to the north is 1,576 square feet, or 29 percent of the size of the proposed building. To the east of the property, the dwelling is 1,110 square feet, or 20 percent the size of the proposed building. Across the street, the building is 2,912 square feet in size, or 54 percent the size of the proposed gas station building.

The proposed gas station building is approximately significantly larger than any building surrounding it. It is not compatible with its environs.

- *(3) In the elevations of a building, the proportion between the width and height in the facades should be visually compatible with the buildings and environment to which they are visually related.*

No analysis of the proportion of width and height of the facades of the proposed building compared with the existing buildings in the project vicinity has been conducted.

- *(4) The proportions and relationships between doors and windows in the facades should be visually compatible with the buildings and environment to which they are visually related.*

The proportion of door and windows of the proposed building is incompatible with the buildings in the hamlet that are similar in style, as follows:

- The hamlet is developed with buildings that all have single windows; the proposed building has twin windows;
 - Casement or picture windows on the proposed building are not consistent with the hamlet buildings;
 - Windows on the proposed building are not symmetrical;
 - The windows on the upper floor of the proposed building are 4 on 4, while windows on historic buildings are 6 on 6 on the upper and lower floors;
 - Most existing buildings have shutters that are decorative; some homes have windows with wide trim surround – the trim is narrow on the proposed building;
 - Windows in existing buildings do not extend up to the brackets under the soffit.
 - Foundation materials in existing buildings do not extend upwards of the bottom of the lower floor windows.
- *(5) The rhythm of solids to voids, created by openings in the facade, should be visually compatible with the buildings and environment to which it is visually related.*

The rhythm of solids to voids, created by openings in the façade, are not visually compatible with the buildings to which it is visually related. The building windows are not symmetrical on any façade except the south elevation, the wall between windows is too wide due to the twin window design, rather than designing the building with single windows. The building will be elevated approximately 2-3.5 feet above the existing grade. The western elevation may be visible from Route 9D above the proposed stockade fence (a fence not common in a historic district) and views of the building will be of nonhistorical faux decks and a largely blank wall.

- *(6) The existing rhythm created by existing building masses and spaces between them should be preserved, insofar as practicable.*

The proposed building proposes the demolition of four buildings along the street wall of Route 9D. It is creating a space with a large accessway which breaks up the rhythm of buildings along the street. The gas station canopy is incongruous with the existing buildings.

- *(7) The materials used in the facades should be visually compatible with the buildings and environment to which they are visually related.*

Materials for the building are not fully detailed. There are several options being described, but materials, e.g., trim are not disclosed. The brick base – is this full brick or brick facing? These details are not provided.

- *(8) The texture inherent in the facades should be visually compatible with the buildings and environment to which they are visually related.*

See discussion of 7 above.

- *(9) Colors and patterns used on the facades should be visually compatible with the buildings and environment to which they are visually related.*

The Project does not provide a color palate of the buildings around it. Also, it is unclear what style the building is intended to be representative of (e.g., Federal style versus Colonial Revival), which has implications for the color of the building. The green building does not appear to have any precedent in the hamlet. What color pattern is being used, e.g., Benjamin Moore Williamsburg?

- *(10) The design of the roof should be visually compatible with the buildings and environment to which it is visually related.*

The roof style that is proposed is not prominent in the Hamlet District. The hipped roof is present on the building at 2350 Route 9D. The brackets at the soffit don't appear to be consistent with the style for this building, although the style of the proposed building is not apparent.

- *(11) The landscape plan should be sensitive to the individual building and to its occupants and their needs. Further, the landscape treatment should be visually compatible with the buildings and environment to which it is visually related.*

Very little landscaping is being proposed for the proposed 24-hour gas station. Screening is discussed elsewhere in this report.

- *(12) All facades should blend with other buildings via directional expression. When adjacent buildings have a dominant horizontal or vertical expression, this expression should be carried over and reflected.*

The orientation of this building is inconsistent with other buildings of similar architectural character. The style of this building and its size would have the gables on the sides of the building and the long façade parallel to the street. Instead, the building is turned on its side, and now has two “front” facades, neither of which have been designed to be sympathetic to the details of historic houses in the hamlet. This orientation of the building is not centered to the lot's frontage but is pushed to one side yard, to be able to fit the modern gas station canopy and access drive for the gas station. The gas station is driving the design of this site which is inconsistent with the building pattern of the hamlet.

- *(13) Architectural details should be incorporated as necessary to relate the new with the old and to preserve and enhance the inherent characteristics of the area.*

The details shown on the elevations are not sympathetic to one particular style of historic building in the hamlet. The faux foundation is not consistent with other buildings, the window pattern, window design and surrounds are modern, and the proportion of openings to voids is not consistent with any style due to the use of modern building components. The gas station canopy is incongruous with the existing buildings.

- *(14) The setback of the buildings from the street or property line and the other yard setbacks should be visually compatible with the buildings and environment to which they are visually related.*

The Project does not propose to develop the building to match the typical building depth from the street. The gas station building will be set back 34 feet to accommodate a stormwater basin in front of the building, an entirely incongruous utility feature not visible anywhere else in the front yards of hamlet properties.

- *(15) Signs should be of a size, scale, style, materials and illumination that are visually compatible with the building to which they relate and should further be visually compatible with the buildings and environment to which they are visually related.*

The only digital billboard in the HM district is present at the firehouse. The digital billboard with proposed prices is wholly unnecessary within this historic hamlet. The large monument sign is not in keeping with other uses along Route 9D. Existing signage includes freestanding signs made from wood, some with gold leaf lettering. Most existing freestanding signs are not illuminated. The only other large-scale monument sign within the hamlet is for the autobody property which is equally unrelated to the historic character of the hamlet.

No matter how much time is expended on the “skin” of the building, the proposed 24-hour gas station with its large canopy and all its attendant impacts, is architecturally incompatible with the Hughsonville historic hamlet. Approving this project will forever diminish the quality of this location, in a manner inconsistent with the intent of the zoning and comprehensive plan.

C. PROJECT INCONSISTENCY WITH THE COMPREHENSIVE PLAN

The following table provides excerpts of the 2010 Town of Wappinger Comprehensive Plan and addresses the Project’s lack of consistency with same.

Page	Comprehensive Plan	Comments
	The 2010 Town of Wappinger Comprehensive Plan was adopted by the Town Board on September 27, 2010.	As per NYS Town Law, where a comprehensive plan has been adopted, the zoning regulation must be in accordance with the adopted comprehensive plan.
5	Community Appearance and Character excerpt 3. The old Route 9 area from Old Hopewell Road through Middlebush/Myers Corners Road to U.S. Route 9, and the Hughsonville , Chelsea, New Hackensack, Swartoutville, ad Myers Corners Hamlets are existing	The FEAF (p. 1) incorrectly refers to the 24-hour gas station being located in a “suburban” setting. Hughsonville is an established historic hamlet which has been in existence since 1740, according to the Town website ² . It is largely residential, except for several parcels that front to Route 9D or Old Hopewell Road

² <https://townofwappingerny.gov/town-of-wappinger-history/>

Page	Comprehensive Plan	Comments
	centers of activity that can be enhanced and redesigned to promote community character in the Town.	(Map 4). The FEAF ignores and minimizes the historic nature of the community and its settlement pattern. See Map 5 for the dates of buildings within the hamlet, as per data available from the Dutchess County Office of Real Property.
5	The Wheeler Hill District is the only protected historic features in the Town. Other important historic resources may be lost or degraded without regulatory protection.	<p>As per the NYS Cultural Resource Information System (CRIS), the Wheeler Hill District is within 700 feet of the Project Site (Map 6), and no evaluation has been done to determine the potential impact of the Project on this historic district, i.e., is the Project visible, and as a 24-hour operation, will the gas station impact the historic environs.</p> <p>As per the Historic Resource Survey³ prepared by representatives of the Dutchess County Historical Society and the Dutchess County Planning and Development Department, seven (7) properties were identified as historic as per the Historic Resource Survey for which Building-Structure Inventory forms were prepared. Among the properties are the Greek Revival style church across the street from the Project and the two buildings immediately east of it. No evaluation has occurred of the Project’s impact on these sites.</p> <p>Lastly, the Dutchess County Tourism⁴ office has for many years marketed scenic and historic driving tours of the County. Tour 7 is a route which travels in front of the Project Site along Main Street and turns onto New Hamburg Road to travel through the Wheeler Historic District. The historic tour specifically identifies the former Hughsonville Presbyterian Church and the hamlet, noting: <i>HUGHSONVILLE PRESBYTERIAN CHURCH (L) was built as a mission ca. 1843. Hughsonville is a 19th c. commercial/transportation hamlet settled by the Wm. Hughson family ca. 1795. Fields frame Federal houses and shops that cling to the roadside. The Albany Post Rd. and trail to New Hamburg crossed here, linking river landings to inland markets. The tiny business district formerly housed a tannery, tinsmith and carpenter. No where does the FEAF address the potential impact on the historic hamlet community that surrounds the Project Site.</i></p>
6	This land use plan includes changes to improve the function and appearance of existing community centers, including the Hamlets of Chelsea, Hughsonville , New Hackensack, Swartoutville and Myers Corners, and the proposed Old Route 9 District.	The 24-hour gas station is an incompatible use within the Hughsonville hamlet, as it will be discordant visually with the buildings and building pattern within the hamlet, as described in the discussion of architectural standards above.

³ <https://gis.dutchessny.gov/hrs/?parcelgrid=13568900615700010836150000>

⁴ https://dutchesstourism.com/PDF/brochure_rack/drtours.pdf

Page	Comprehensive Plan	Comments
10	<p><i>Objective</i></p> <p>B. Develop the Hughsonville, Chelsea, New Hackensack , Swartoutville and Myers Corners Hamlets, and the Old Route 9 District as vibrant, traditional town/village centers.</p>	<p>A gas station is not a use which adds “vibrance” to a traditional center. Fundamentally, gas stations do not contribute to the community character of a mixed use traditional center⁵. A gas station is not a compatible use within a mixed use, historic hamlet and can simply not be made compatible, regardless of architectural standards, when located in the center of a historic district. As per the Commercial and Mixed Use Development Handbook:</p> <p>- <i>Design Quality – or How Not to Become Anytown, USA - People care about appearances, and much of the alarm about sprawl is really about the loss of individual community character. The proliferation of identical shopping centers, gas stations, franchise restaurants and the like, has transformed thousands of American cities into “Anytown USA”.</i></p> <p>- <i>Parking lots surrounding buildings and highly car-oriented uses like <u>gas stations</u> or drive-ins distort the human scale of the street by making things too far apart. The pedestrian wants interesting things to look at close at hand, such as windows, display cases, sidewalk cafes, and most of all, other people. Without human scale, the pedestrian will feel unwelcome and go elsewhere.</i></p> <p>The proposed 24-hour gas station in the historic hamlet of Hughsonville on Main Street is not a compatible use.</p>
	<p>D. Protect historic buildings and sites.</p>	<p>The Project will result in the demolition of numerous structures as per the FEAF (p. 1). The property is currently occupied by three residential homes, a garage and a bar, all of which will be demolished. As per the Dutchess County Real Property data, 2357 Route 9D includes a house which is estimated to date back to 1870, and the others are identified as being in the “old” style. The 24-hour gas station is being constructed between a dwelling which is estimated to date to 1870, and another which dates back to 1800.</p> <p>The introduction of a modern, canopied, 24-hour gas station will irreparably change the character of the historic hamlet.</p>
11	<p>Water Supply and Sewage Treatment</p> <p>A. Extend utilities at the lowest cost feasible by serving the highest number of users per linear distance of utilities.</p>	<p>A gas station does not offer the opportunity to provide the highest number of users per linear distance of utilities. Redevelopment to a true mixed use infill development, with additional dwelling units and retail or office space, would offer incentive to extend sewer to the hamlet, which would further benefit its</p>

⁵ The Oregon Transportation and Growth Management (TGM) Program, Commercial and Mixed Use Development Handbook, prepared with assistance from an advisory committee and a consultant comprised of architects, developers, city planners, and staff from Oregon’s Department of Transportation (ODOT) and Department of Land Conservation and Development (DLCDD).

Page	Comprehensive Plan	Comments
		redevelopment. As per the FEAF, the Applicant does not even intend to develop both apartments at this time. A 24-hour gas station in the middle of the existing hamlet will not incentivize the extension of sewer service.
37	<p>Goal – Improve housing choice in the Town by encouraging a balance of housing and sizes that meet the needs of existing and future Wappinger residents and employees.</p> <p>E. Development in Existing Centers Housing in mixed use: requiring and conserving. In certain districts, such as the Old Route 9/Main Street district and the Hughsonville Hamlet, the Town should consider requiring new development to include housing either on the floor above a retail use, or in some other location on the site. The Town may consider changing the zoning in these districts to including housing on either on the floor(s) above a retail use, or in some other location in the site. The Town may consider changing the zoning in these districts to reduce building setbacks, and instead require maximum setbacks to achieve greater development potential and encourage pedestrian-oriented development. The Town can reduce parking requirements, and require shared and coordinated parking instead. The Town can also encourage multi-story buildings with offices and apartments above commercial uses on the ground floor.</p>	<p>The Project will result in the demolition of three existing single-family detached dwellings, and will replace same with two, one-bedroom rental apartments. Housing in the hamlet will be reduced by the proposed project. Further, only one apartment is being constructed until such time that utilities are extended to the hamlet – there is no certainty that the second apartment will ever be constructed. On balance, the development of a 24-hour gas station will diminish housing opportunities in the hamlet. In addition, it will likely have a chilling effect on existing dwellings that surround the Project, which will be impacted by the lights, noise, and other impacts of a 24-hour operation, potentially inducing other turnover, deferred improvements, and vacancies.</p> <p>Specifically, studies have identified that living near gas stations can result in adverse health outcomes.⁶ Also, as per US. Department of Housing and Urban Development Standards, an individual is not eligible for an FHA mortgage⁷: “<i>subject property line is located within 300 feet of an aboveground or subsurface stationary storage tank with a capacity of 1,000 gallons or more of flammable or explosive material, the site is ineligible for FHA insurance. This includes domestic and commercial uses as well as automotive service station tanks.</i>”</p> <p>The objective specifically states that housing should be “conserved” – the Project will eliminate housing, which also could have been expanded or converted to accommodate additional dwelling units.</p>
39	<p>Economic Base Issues and Opportunities 5. There is a strong consensus in the Town that any future development of commercial land uses should be well designed to fit in with the sites and show preserve and promote positive neighborhood district features, so that community character is protected and enhanced....</p>	<p>A 24-hour gas station does not show, preserve, or promote positive neighborhood district features. It is an auto-oriented use that serves pass-by trips and does not add any potential market or interest to the Hughsonville hamlet.</p>
49	<p>Community Character and Appearance Issues and Opportunities 3. The Old Route 9 area from Old Hopewell Road through Middlebush/Myers Corner Road to U.S. Route 9, and the Hughsonville, Chelsea New Hackensack, Swartoutville and Myers Corners Hamlets are existing</p>	<p>The discussion of issues and opportunities in the 2010 Town of Wappinger Comprehensive Plan highlights the desire to “enhance and redesign” these centers to promote community character.</p> <p>For the reasons set forth above in this Report, the proposed 24-hour gas station does not result in the</p>

⁶ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3222489/>

⁷ <https://www.hud.gov/sites/dfiles/OCHCO/documents/4000.1hsg Update9.pdf>

Page	Comprehensive Plan	Comments
	<p>centers of activity that can be enhanced and redesigned to promote community character in the Town.</p> <p>5. The Wheeler Hill Historic District is the only protected historic feature in the Town. Other important historic resources may be lost or degraded without regulatory protection.</p>	<p>enhancement or redesign of existing buildings, but results in demolition of same, and introduces a single, 5,000+ square foot building that significantly (by at least 50 percent) the size of buildings in the immediate project vicinity and is completely out of character with same.</p> <p>No analysis has been presented which demonstrates that the Project will not have any impact on the Wheeler Historic District, as per previous comments.</p>
51	<p>Centers</p> <p>Other than the Village of Wappinger Falls, which regulates itself and its lands separately from the Town, Wappinger does not have a town center...The existing hamlets of Hughsonville and Chelsea are not functioning as centers due to a lack of at least two of the following: sufficient passers-by to support local retail, sufficient pedestrian amenities such as sidewalks and public spaces, a cluster of local institutions such as school, churches, a post office, or a government building and sufficient parking. Neighborhoods scale businesses help give a community a sense of place.</p>	<p>The proposed project will reduce the total number of exiting dwellings in the hamlet; one of the proposed apartments is not being constructed at this time and may never be constructed. There is no certainty that the Applicant will move forward with the cost of extending water service to serve a single apartment which is being deferred until a later date.</p> <p>While the Plan is correct in stating that the hamlet is not served by sidewalks, it is served by a Post Office, a church and a firehouse. While the Project proposes a sidewalk, it is not attached to any other existing sidewalks so its benefit is diminished. The Project does not propose a neighborhood scale business, but a 24-gas station with a convenience store.</p>
52	<p>1. Develop District Design Plans. – Hamlet of Hughsonville.</p> <p>2. Review and amend zoning as necessary to encourage appropriate development in areas to be developed as Town Centers. Encourage compact development, mixed use, infill, and higher densities to increase pedestrian activity, make efficient use of public facilities and infrastructure, and create more vibrant commercial centers.</p>	<p>For the reasons already stated, the Project does not achieve the intent of the Plan, which is to have the Hughsonville hamlet evolve into a town center:</p> <ul style="list-style-type: none"> - it reduces the number of dwelling units in the hamlet, and at this time only proposes the actual construction of one dwelling unit; - there is no certainty that sewer lines will be extended after the 24-hour gas station and one apartment is built; and - the 24-hour gas station does not induce activity which would create a more commercial vibrant center, but will negatively impact adjoining uses, including buildings which have been identified as being historic.
54	<p>Protect scenic roadways through formal establishment through appropriate regulation. Roadways considered for Scenic designation:</p> <ul style="list-style-type: none"> - New Hamburg Road <p>Pursue a Scenic Byway designation from the State for Route 9D in cooperation with all for the municipalities involved</p>	<p>The Route 9D corridor was recommended a Scenic Byway in the 2010 Plan. No mention is made of this objective in the FEAF, nor is any evaluation made of introducing a 24-hour gas station to the one historic hamlet, Hughsonville, along the Route 9D/Main Street corridor.</p>
55	<p>3. Ensure that developments adjacent to historic sites are compatible with the setting and the scale of existing features.</p>	<p>As set forth previously, the 24-hour gas station will introduce a building which is approximately 50 percent and greater in size than any other building in the project vicinity, and is much larger than other historic buildings.</p>
64	Route 9D	<p>The 24-gas station will introduce a use which will detract from the scenic and rural character of the Route 9D</p>

Page	Comprehensive Plan	Comments
	2. Maintain and enhance the highway’s scenic and rural character. This includes maintaining the road as a two-lane highway, and removing billboards from the corridor.	corridor. The FEAF fails to examine the Project’s impact on this objective.
89	<p>Land Use Issues and Opportunities</p> <p>1. This land use plan includes changes designed to improve the function and appearance of existing community centers, including the Hamlets of Chelsea, Hughsonville, New Hackensack, Swartoutville and Myers Corners, and the proposed Old Route 9 District.</p>	Again, the 2010 Town Comprehensive Plan acknowledges the importance of Hughsonville as a community center, and desires to improve the function and appearance of same. The 24-hour gas station will not achieve this objective.
93	<p>One historic hamlet within the Town demands special attention in the land use decisionmaking process; Hughsonville. The land use plan designates as a hamlet the existing densely settled portions of this area, and a limited amount of undeveloped land on its perimeter. The plan calls for carefully designed zoning and transportation improvements needed to preserve the character of this area and to ensure that surrounding development pressures will not destroy the functionality of its road system and historic character.</p> <p>In Hughsonville, mixed residential and commercial uses and building renovations are needed, along with a plan for accommodating increasing traffic volumes through the hamlet....Also, dimensional requirements for lots within this hamlet should be revised to reflect the existing, traditional development pattern and bring the majority of the lots into conformance with zoning. For instance, many attractive lots in Hughsonville are between 50 feet and 70 feet wide, and between 90 and 170 feet deep. Total lot size in the hamlet ranges from 3,500 square feet to 25,000 square feet. Lots of 4,000 to 5,000 square feet are in keeping with village and hamlet patterns through the region, and generally function well were central utilities are present.</p>	<p>With regard to the dimensional requirements, the objective of the Plan is to encourage small lots which are consistent with and reminiscent of historic hamlets. The Hughsonville hamlet has been evolving since 1740, and its pattern evolved before the introduction of automobiles. As a result, buildings were clustered and tighter together within a walkable environment, with small lots and buildings fronting closely to Main Street and the other roads that feed into the hamlet.</p> <p>The FEAF (p. 1) specifically notes that the parcels involved in the Project are 0.21, 0.20, 0.69, and 0.14 acres. With the exception of a residence on a lot located to the rear of the three parcels with frontage to Main Street, All parcels are small lots where the front lot line is approximately 30 feet to 85 feet in width according to Dutchess County Parcel Viewer. Lot lengths are between 110-180 feet. As the lots presently exist and are configured, they represent the traditional lot pattern that is found in historic traditional hamlets.</p> <p>The Project will eliminate this pattern by demolishing existing buildings which front to the street, merging four parcels into one large parcel, and create one very large building on a lot whose frontage will now be in excess of 160 feet, and dominated by a gas station entrance, digital changeboard illuminated sign, and gas station canopy which is 2,362.5 square feet, as large as building footprints in this historic hamlet. The building footprint is significant out-of-scale with the buildings surrounding it (Maps 7 and 8).</p> <p>This Project is simply not consistent with the community character of Main Street or historic Hughsonville.</p>

D. SEQRA IS INCOMPLETE

1. The FEAF does not study the impacts of a 24-hour gas station on a primarily residential hamlet.

The FEAF fails to take a hard look at the potential impacts of this proposed project on the environment. Specifically, the FEAF fails to address the following:

- Noise impacts associated with the operation of a 24-hour gas station adjacent to sensitive noise receptors, e.g., residences. No discussion exists of the specific additional accessory activities which may be present, including air pumps and vacuuming equipment. A noise analysis has not been submitted;
- Air emissions that will emanate from fuel dispensing and vehicles at the station;
- The photometric plan (Sheet C190) does not illustrate light levels in footcandles. It cannot be determined whether or not lighting meets § 240-23, Exterior lighting, of the Zoning chapter, which requires that no use shall produce glare so as to cause illumination beyond the property on which it is located in excess of 0.5 footcandles. In a letter from Chazen addressed to the Planning Board (October 13, 2020), the consultant indicates that an average of 1 footcandle is provided in the pavement area, but does not demonstrate if the 0.5 footcandles are met;
- The potential for fuel spills and how they will be contained;
- The impact on historic resources – no analysis is conducted of the impact of demolishing buildings which are identified as being constructed in 1870s to 1930s. Building surveys have not been submitted which would demonstrate the existing buildings are in such a state of disrepair that demolition is required;
- A visual impact analysis has not been conducted. The SEQRA analysis fails to address the gas stations impact on the historic church across from it, and other historic buildings in the hamlet. It also does not address the potential of the property to be visible from the Wheeler Historic District, including the potential for its lights to be visible at night. A photosimulation showing the proposed gas station building with the proposed canopy is not provided to show the scale of the building relative to buildings it will adjoin.
- The impact on Hughsonville’s historic community character is not addressed.
- The long-term potential for this gas station to induce change in the surrounding land use pattern, including an increase in vacancies due to the impact of the gas station on adjoining residential uses, is not addressed.

2. Traffic

The Project was reviewed by a traffic engineer with Nelson & Pope, an affiliate firm. The Traffic Impact Study, last revised October 6, 2020, and prepared by Maser Consulting, was reviewed. We offer the following comments on the Traffic Impact Study:

- The overall study methodology followed standard traffic engineering practice.
- The development of traffic volumes from the existing conditions through the No Build and Build conditions appears to be arithmetically correct.
- The proposed site access is a rights in/rights out only driveway on NYS Route 9D which requires all vehicles to access the site via a westbound right in and a southbound right out. Vehicles coming from the east or heading west to/from the site will have to do so by making a U-turn further from

the site. However, the trip distribution and analyses did not take into account the intersections where these U-turns will be made. These locations should be identified and included in the analyses.

- In the development of trip generation both pass-by and primary trip generations were considered. This methodology is acceptable, however, separate trip distributions for pass-by and primary trips need to be developed. ITE defines pass-by trips as trips made as intermediate stops on the way from an origin to a primary trip destination without diversion. Pass-by trips are attracted from adjacent streets that offer direct access to the use, in this case from NYS Route 9D. Therefore, in this case nearly all the pass-by trips will originate from NYS Route 9D east. The primary trips are destination trips and could come from the east and west of the site. Therefore, the pass-by and primary trips should be distributed separately and added to the No Build volumes to develop the Build volumes and the Build traffic analyses updated.
- As stated in the report, significant queues extending beyond the proposed site access from the intersection of NYS Route 9D and New Hamburg Road were observed during the peak periods. These long queues could create traffic safety concerns for vehicles exiting the site driveway. Long queues could occur on the site and create on-site circulation issues. Gap analyses need to be conducted to determine the availability of gaps on NYS Route 9D for vehicles to safely exit the driveway during peak periods.
- Based on the traffic analyses, it appears that the westbound approach at the intersection of NYS Route 9D and the site access will be designed to provide a shared through/right turn lane. To facilitate the ease of accessing the site a separate west bound right turn lane should be provided especially with the long westbound queues on NYS Route 9D.
- From the review of the capacity analyses, several traffic movements are operating at LOS E and F during the peak hours and long 95th percentile queues on the NYS Route 9D approaches. The signal timing modification recommended by the applicant's engineer slightly improved the overall levels of service of the intersection but exacerbated the 95th percentile queues on NYS Route 9D. Any traffic signal mitigation measures recommended should be fully analyzed to show that real improvements will be made at the intersections and the site access.

With regard to the site plan, the following is noted:

- It is unclear if any improvements that are required can be made within the existing state highway right-of-way. The plans do not include surveyed boundaries in those areas showing improvements.

3. Historic/Visual Resources

Hughsonville hamlet, as per the Town website, was established in 1740:

"According to legend, in 1696 Captain Kidd set sail from New York Harbor up the river to Hughsonville, since the area was not settled, Kidd buried his stolen treasure somewhere within the hamlet, will you be the one to find it? Hughsonville became a commercial center of the Town throughout the 19th century. Settled initially by William Hughson and his three brothers circa 1740, the hamlet grew to one of a church and many commercial enterprises. The Hasbrook family went on

to develop much of the commercial structures that are centered around the hamlet's main intersection. Most notably, the bright pink Nesting Doll shop, is a remnant of the Hasbrook's development. The Hughsonville Presbyterian Church was constructed in 1840 and became the center of the hamlet's activities. In 1847, the Hughsonville Post Office was established. By 1912, the Hughsonville Fire Company, first fire company within the Town of Wappinger, was created. Located along the Hudson River corridor sits the elegant manors and estates of some of New York's most wealthy families. The Wheeler Hill Historic District centered around Wheeler Hill Road and Old Troy Road, is home to many Victorian mansions that sit high above the majestic river."

Hughsonville was not part of the Town of Wappinger but was part of the Town of Fishkill in its early history. The hamlet has had an association with the estates along the Hudson River, and has always been located at the strategic crossroads of Hopewell Turnpike (now Old Hopewell Road) which led to the historic New Hamburg river hamlet and access to the railroad. The Hughsonville hamlet is largely intact and several buildings have been renovated and revived. There are few incompatible buildings that have been constructed, especially along Main Street (Route 9D) in the project vicinity.

The Wheeler Historic District is only 700 feet west of the Project. The hamlet is considered a gateway into what is now the Town of Wappinger, and is the gateway to not only the Wheeler Historic District but several historic districts in the New Hamburg hamlet and the historic Village of Wappingers Falls to the north. The 2010 Comprehensive Plan had recommended that the Town and adjoining municipalities seek to make Route 9D a scenic byway – Route 9D has been in existence as a road prior to the 1800s, and the historic buildings along it give evidence to its age.

Given the history of the hamlet, the FEAF should analyze in full detail the potential impact of a 24-hour gas station on the historic hamlet that surrounds it. As mentioned previously, Dutchess County Historical Society and the Dutchess County Planning Department recognized several buildings in the hamlet as being of historic significance⁸ - see image below. While the Stormwater Pollution Prevention Plan indicates that as per a response dated April 14, 2020, the New York State Office of Parks, Recreation and Historic Preservation has determined there will be no impact to any archaeological or historic resources, no such information, as presented to the agency, has been submitted to the Planning Board for its SEQRA determination. While the SWPPP states that the project is not located in an archaeological sensitive area, a Figure in Appendix G of the FEAF clearly shows that the site is in an archaeological sensitive area.

⁸ <https://gis.dutchessny.gov/hrs/?parcelgrid=13568900615700010446090000>

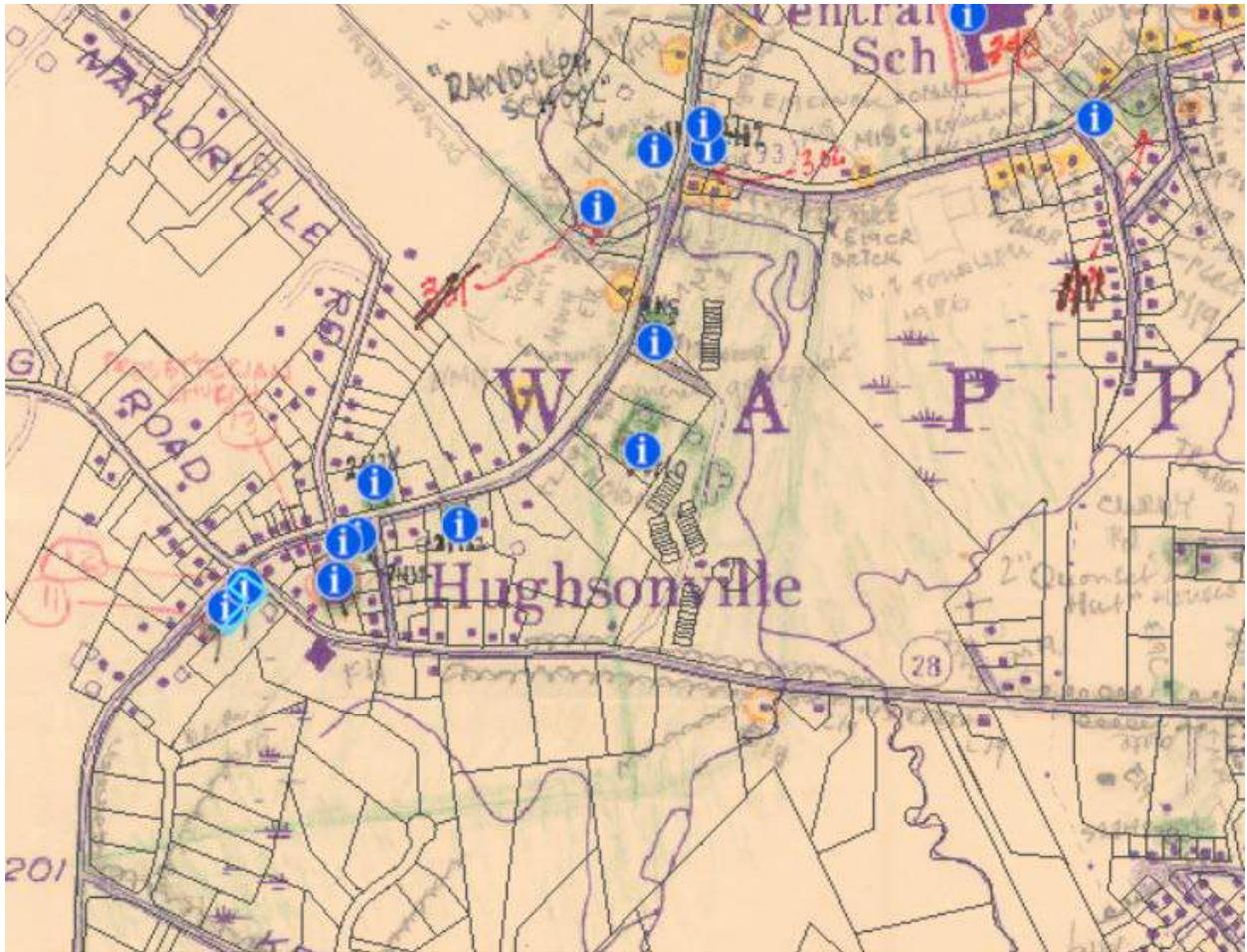


Figure 1. Screen Shot of Historic Properties in Hughsonville hamlet. Every "i" is an identified historic property. See also Map 6.

MAPS

Gas Land Review Report Hughsonville, NY

Map 1: Study Area

Legend

-  Study Area
-  Project Site



0 0.03 0.05 0.1 Miles

Source:
New York State, GeoEye, Maxar, Microsoft;
Dutchess County Department of Planning
& Development



Gas Land Review Report Hughsonville, NY

Map 2: Zoning

Legend

-  Study Area
-  Project Site

RESIDENTIAL

- R-10: One-Family Residence District
- R-20: One-Family Residence District
- R-20/40: One-Family Residence District
- R-40: One-Family Residence District
- R-40/80: One-Family Residence District
- R-80: One-Family Residence District
- RMF-3: Multi-Family Residence District
- RMF-5: Multi-Family Residence District

NON-RESIDENTIAL

- HM: Hamlet Mixed Use District



0 0.03 0.05 0.1 Miles

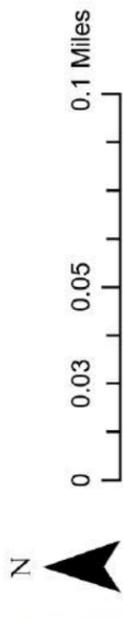
Source:
New York State, GeoEye, Maxar, Microsoft;
Dutchess County Department of Planning
& Development



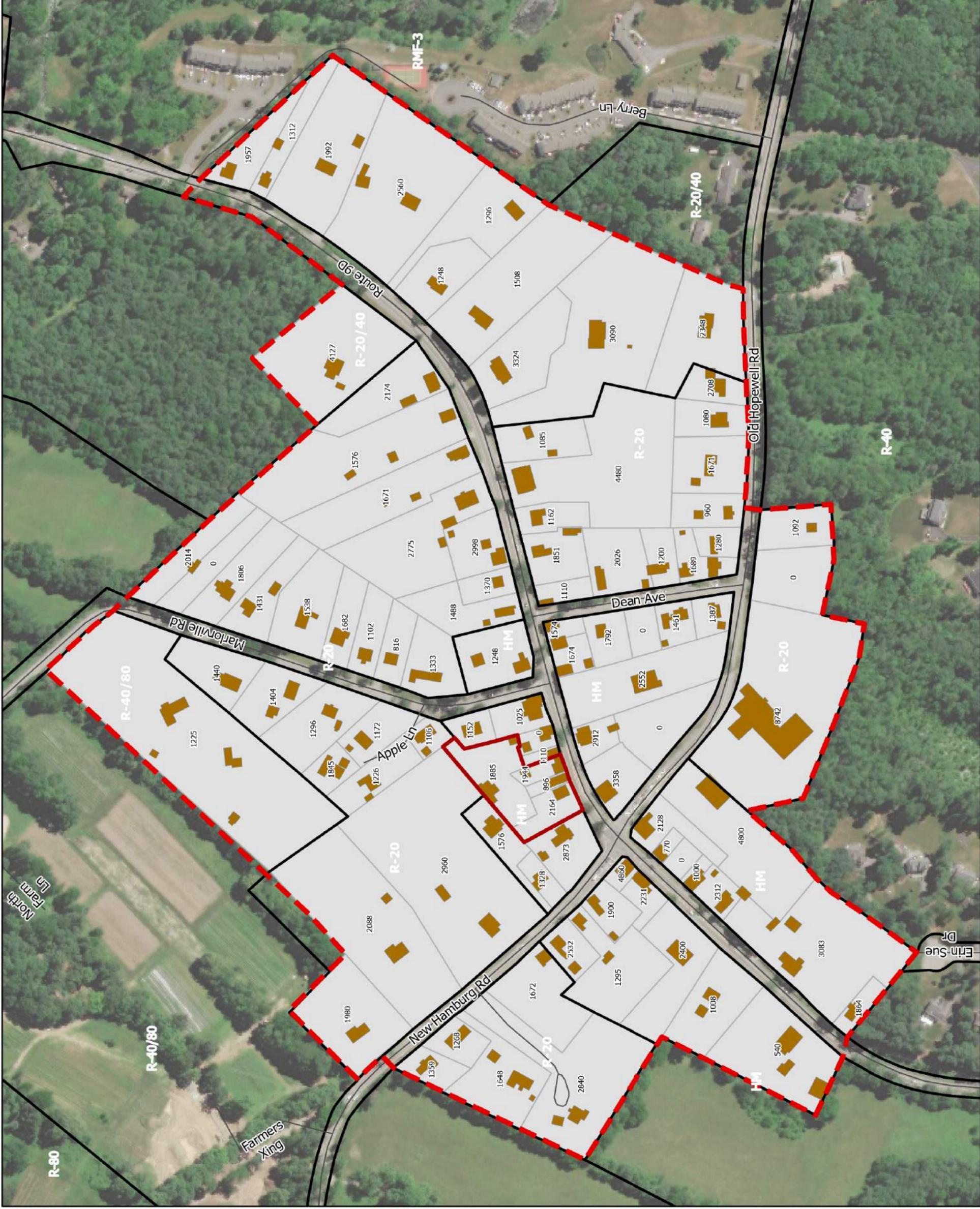
Gas Land Review Report Hughsonville, NY

Map 3: Gross Floor Area of Principal Building

- Legend**
- Study Area
 - Project Site
 - Building
 - 1234 Gross Floor Area (SF)



Source: New York State, GeoEye, Maxar, Microsoft; Dutchess County Department of Planning & Development



Gas Land Review Report Hughsonville, NY

Map 4: Land Use

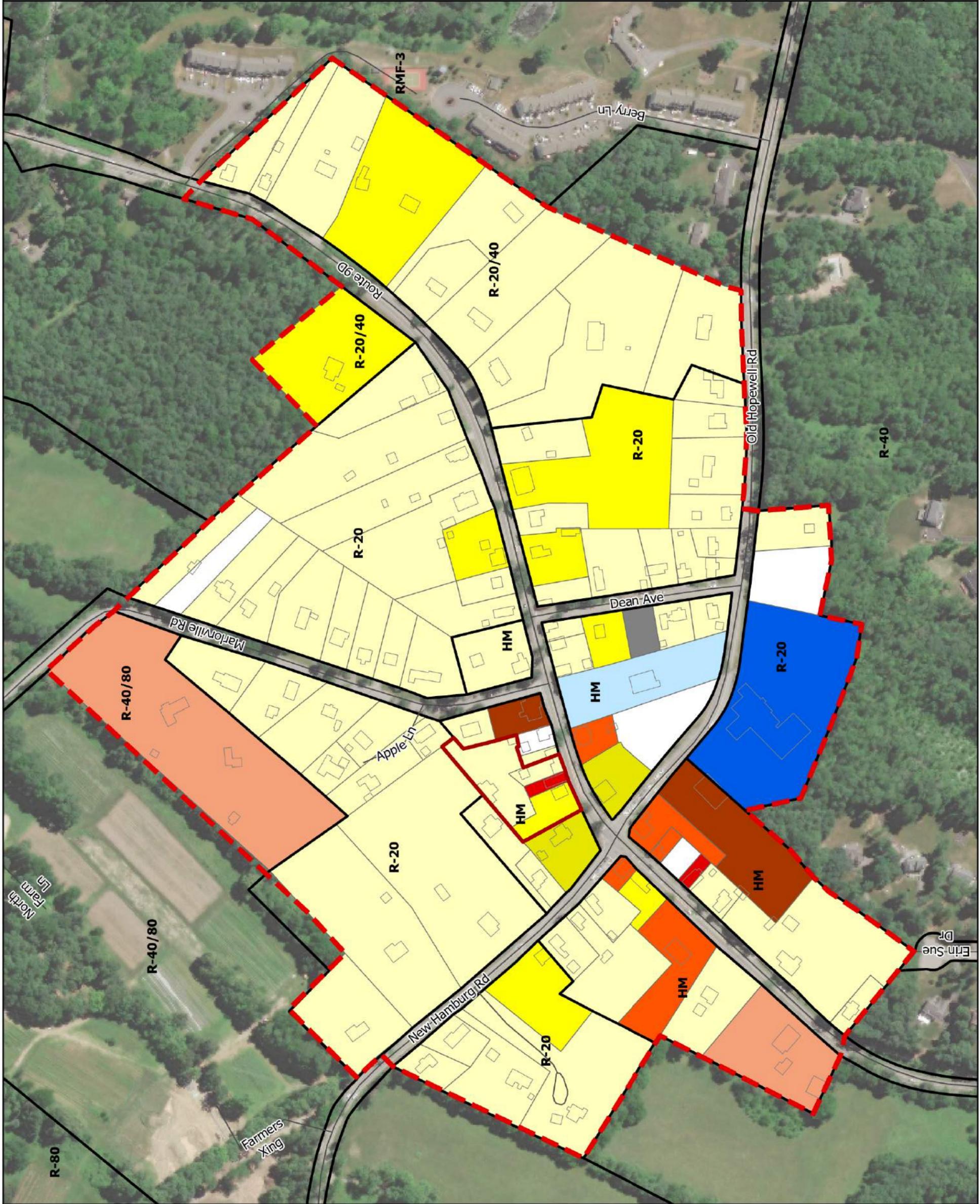
Legend

- Study Area
- Project Site
- Building
- Land Use
- Vacant
- One-Family Detached
- Two and Three-Family
- Multifamily and Multiple Dwellings
- Residential Mixed Use
- Retail and Office Commercial
- Fire Protection
- Restaurant and Bar
- Religious
- Auto-related use
- Utility

N

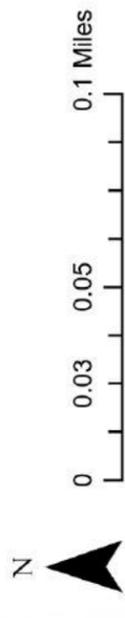
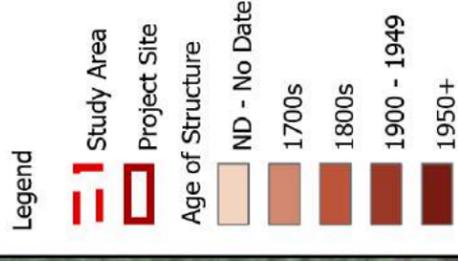
0 0.03 0.05 0.1 Miles

Source: New York State, GeoEye, Maxar, Microsoft; Dutchess County Department of Planning & Development



Gas Land Review Report Hughsonville, NY

Map 5: Age of Structure



Source: New York State, GeoEye, Maxar, Microsoft;
Dutchess County Department of Planning
& Development

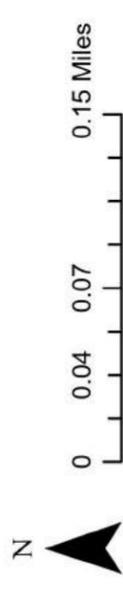


Gas Land Review Report Hughsonville, NY

Map 6: Historic Resources

Legend

-  Study Area
-  Project Site
-  Dutchess County Historic Tour Route
-  Wheeler Hill National Historic District
-  Dutchess County Historic Property



Source:
NYS SHPO CRIS System, 2020; New York State,
GeoEye, Maxar, Microsoft;
Dutchess County Department of Planning &
Development



Gas Land Review Report Hughsonville, NY

Map 7: Building Footprint Before Project

Legend

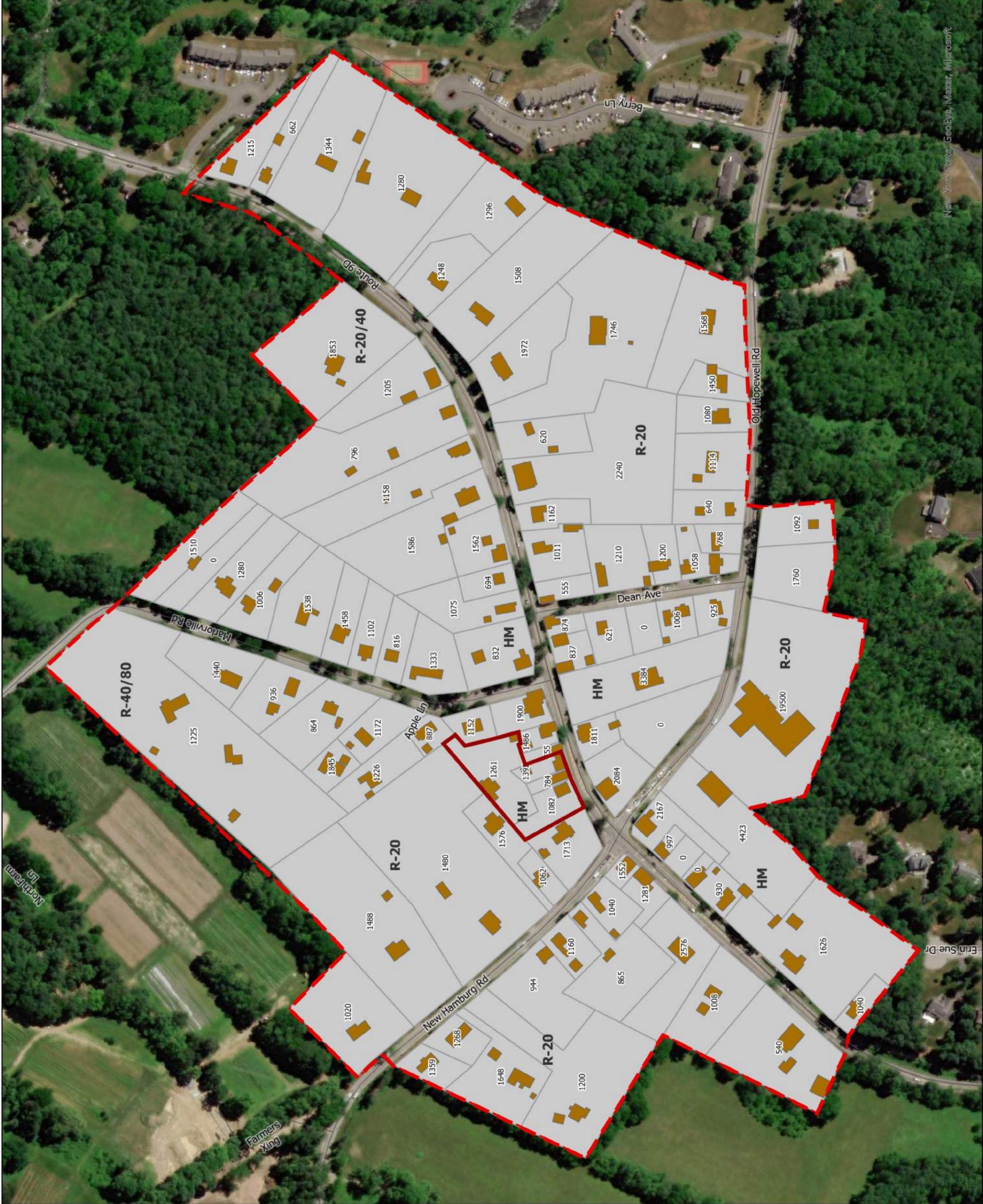
- Study Area
- Project Site
- Building
- Building Footprint (SF) of Principal Building



0 0.03 0.05 0.1 Miles

Source:

New York State, GeoEye, Maxar, Microsoft;
Dutchess County Department of Real Property



New York State, GeoEye, Maxar, Microsoft

Gas Land Review Report Hughsonville, NY

Map 8: Building Footprint with Proposed Project

Legend

- Study Area
- Project Site
- Building
- Building Footprint (SF) of Principal Building

1234



Source:

New York State, GeoEye, Maxar, Microsoft;
Dutchess County Department of Real Property

