



# Town of Poughkeepsie Planning Department

1 Overocker Road  
Poughkeepsie, NY 12603

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State Environmental Quality Review  
**NEGATIVE DECLARATION**  
Notice of Determination of Non-Significance  
May 19, 2022

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The **TOWN OF POUGHKEEPSIE PLANNING BOARD**, as lead agency, has determined that the proposed action described below will not have a significant adverse environmental impact and therefore a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Guardian Self-Storage – Love Road

**SEQR Status:** Type 1   
Unlisted

**Coordinated SEQRA Review:**  Yes  
 No

**Conditioned Negative Declaration:**  Yes  
 No

**Location**

20-50 Love Road  
B-H (Highway Business) Zoning District  
± 4.59 acres  
Grid # 6261-01-187898

**Description of Action**

The proposed action proposes a ±71,200 square foot, climate-controlled storage facility with associated parking and other site improvements.

**Required Permits and Approvals**

- Town of Poughkeepsie Planning Board – Special Use Permit, Site Plan, and Architectural Review approval
- Town of Poughkeepsie Zoning Board of Appeals – Area Variances
- Town of Poughkeepsie Water Department – Lateral connections to Town’s Water District
- Town of Poughkeepsie Sewer Department – Lateral connections to Arlington Hamlet’s Sewer District
- Town of Poughkeepsie Floodplain Administrator – Floodplain Permit
- Dutchess County Planning – GML 239-M Referral
- NYS Department of Environmental Conservation (NYSDEC) – State Pollutant Discharge Elimination System (SPDES) General Permit GP-0-20-001, and Stormwater Pollution Prevention Plan (SWPPP)
- NYS Department of Transportation (DOT) – Highway Work Permit
- NYS Office of Parks, Recreation, and Historic Preservation (OPRHP) – SHPO Consultation

**Documents, Studies, Materials and Comments Reviewed and Considered by the Lead Agency**

A Site Plan and Special Use Permit application was submitted to the Town Planning Department for review, along with Part I of a Full Environmental Assessment Form for SEQR review. A complete list of materials reviewed may be found at the end of this document.

**Reasons Supporting This Determination:**

**1. Land**

The total acreage involved in the proposed action is ±4.59 acres with ±2.88 acres being physically disturbed. Due to the fact that the proposed action will physically disturb greater than one (1) acre of land, it is subject to receipt of a State Pollutant Discharge Elimination System (SPDES) General Permit, thereby resulting in the preparation of a project specific Stormwater Pollution Prevent Plan (SWPPP). Additionally, the proposed action is subject to the applicable erosion and sediment controls and measures. These required controls and measures are anticipated to mitigate land disturbance impacts. Prior to the commencement of any site work, the applicant's contractor and consulting engineer are required to meet with the Town's Planning Department, the Town's Building Department, and the Town Engineer. Upon meeting, required erosion control measures to be implemented will be identified. There are no moderate to large-scale stormwater impacts anticipated as a result of this proposed action. No significant adverse environmental impacts are anticipated.

**2. Geologic Features**

There are no unique or unusual land forms within the project site (e.g. cliffs, dunes, minerals, fossils, caves). No significant adverse environmental impacts are anticipated.

**3. Surface Water**

The proposed action is not anticipated to affect one or more wetlands or other surface water bodies (streams, rivers, ponds, lakes). No significant adverse environmental impacts are anticipated.

**4. Groundwater**

The proposed action is not anticipated to result in new or additional use of groundwater, or have the potential to introduce contaminants to ground water or an aquifer. No significant adverse environmental impacts are anticipated.

**5. Flooding**

The proposed action site is not located within the 100-year or 500-year floodplain. No significant adverse environmental impacts are anticipated.

**6. Air**

The proposed action will not require a state regulated air emission source. No significant adverse environmental impacts are anticipated.

**7. Plants and Animals**

According to the United States Fish and Wildlife Services (USFWS) IPaC system, accessed on May 11, 2022, there is one (1) species listed as threatened or endangered in this region of New York State and it is the Indiana Bat (endangered). There is also one (1) candidate species listed and it is the Monarch Butterfly. Per USFWS, there are no critical habitats found on the proposed action site. The IPaC mapper also identified six (6) migratory Birds of Conservation Concern (BCC). The six (6) bird species are the Blue-winged Warbler, Bobolink, Canada Warbler, Prairie Warbler, Red-headed Woodpecker, and Wood Thrush. In addition, the Bald Eagle is listed, but is not a BCC in this area. All proposed tree clearing will be restricted to occur between October 15 and March 31. Although there are no anticipated impacts to any Blanding's turtle habitat in this area, the following trap hazard protections will be required to be placed by the applicant during any site work:

- a. Any excavation work on the site that is done between April 14th and October 15th shall be backfilled on the same day as excavated, or if not backfilled, the project sponsor shall install ramps at a 30 degree maximum angle inside the excavated area to enable turtles to climb out until backfilling is complete.
- b. Water control structures, such as drain-pipes, may create a trap hazard to Blanding's turtles. To prevent entrapment of Blanding's turtles, the storm drain grates or other water control structures should be designed with the smallest possible grate opening without compromising safety or necessary flow rate.
- c. Fences or other barriers around in-ground swimming pools shall be constructed to exclude Blanding's turtles of any size, specifically fine grade wire cloth (1/4 inch square mesh size) shall be installed at the base of a fence or a 10" to 12" high barrier shall be used to prevent turtles from traveling into the pool area.
- d. Window wells shall have grates that are 1 inch square mesh size or less or a 10" - 12" high vertical barrier surrounding the wells.

No significant adverse environmental impacts are anticipated.

**8. Agricultural Resources**

The proposed action is not located in or adjacent to an Agricultural District. No significant adverse environmental impacts are anticipated.

**9. Aesthetic Resources**

The proposed land use is not obviously different from, or in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. No significant adverse environmental impacts are anticipated.

**10. Historic and Agricultural Resources**

The proposed action is not anticipated to occur in or adjacent to a historic or archeological resource per the applicant's consultation with the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) dated November 22, 2021. No adverse environmental impacts are anticipated.

**11. Open Space and Recreation**

There is no anticipated loss of recreational opportunities or a reduction of an open space resource as designated in any Town-adopted open space plan. No adverse environmental impacts are anticipated.

**12. Critical Environmental Areas**

The proposed action is not located in or adjacent to a Critical Environmental Area (CEA). No significant adverse environmental impacts are anticipated.

**13. Transportation**

The proposed action is not anticipated to result in a change to the existing transportation system. Data provided by the applicant and supported by the Trip Generation Manual, 11<sup>th</sup> Edition of the Institute of Transportation Engineers (ITE) indicates that the proposed project will generate six (6) total trips in the weekday morning and 11 total trips in the evening peak periods. No significant adverse environmental impacts are anticipated.

**14. Energy**

The proposed action will utilize the local energy grid, electric and gas. Therefore, no significant adverse environmental impacts are anticipated.

**15. Noise, Odor, and Light**

The proposed action will not result in a permanent increase in noise. Construction related noise must adhere to Town Code requirements. The proposed action will not result in outdoor odors. Any lighting proposed as a result of the proposed action will be subject to the Town Code lighting regulations. No significant adverse environmental impacts are anticipated.

**16. Human Health**

The proposed action site previously served as a petroleum bulk storage facility, a lumber supply yard, and a gasoline service station. Since then, remedial actions have successfully achieved soil cleanup objectives for restricted-residential use. Remaining contamination in the soil and groundwater is being managed by a site cover and a NYSDEC-approved Site Management Plan (SMP). In the SMP, a 24-inch cover system is required within the southern portion of the project site; therefore, stormwater practices will be constructed above this so that there is no interaction with contaminated soils. A new vapor mitigation system will be installed. Measures are in place to control the potential for coming in contact with subsurface soil and groundwater contamination remaining on the site. The area is served by a public water supply that is not affected by this contamination. Sampling indicates soil vapor intrusion is not a concern for off-site buildings. The applicant will consult with the NYS DEC to ensure that the proposed action complies with the NYSDEC-approved SMP. As the applicant is proposing a self-storage facility, with limited personnel on site, no significant adverse impacts on public health are anticipated. No significant adverse environmental impacts are anticipated.

**17. Consistency with Community Plans**

The proposed action is not inconsistent with adopted land use plans. No significant adverse environmental impacts are anticipated.

**18. Consistency with Community Character**

The proposed action is not inconsistent with the existing community character. No significant adverse environmental impacts are anticipated.

**Other Potential Impacts**

In addition to the discussion of impacts in the sections above, the Lead Agency has also considered, and hereby issues a determination, concerning the following:

1. The proposed action would not result in a substantial adverse change in existing air quality, ground water quality or quantity, or noise levels; a substantial increase in solid waste production; a substantial increase in potential for flooding, or leaching problems.
2. The proposed action would not result in the impairment or the environmental characteristics of a Critical Environmental Area.
3. The proposed action would not create a material conflict with the community's current plans or goals as officially approved or adopted.
4. The proposed activity would not impair the character or quality of important aesthetic resources.
5. The proposed action would not result in a major change in the use of either the quantity or type of energy.
6. The proposed action would not create a hazard to human health.
7. The proposed activity would not result in a substantial change in the use, or intensity of use, of land devoted to agricultural, open space, or recreational use.
8. The proposed action would not result in the creation of material demand for other actions that would result in one of the above consequences.
9. The proposed action would not result in changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment.

10. When analyzed with two or more related actions, the proposed action would not have a significant impact on the environment and when considered cumulatively, would not meet one or more of the criteria under 6 NYCRR 617.7.

For Further Information:

Michael A. Welti, AICP, Director of Municipal Development  
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Poughkeepsie, New York 12603  
Phone: (845) 485-3657

**This negative declaration was authorized at a meeting by the Planning Board held on May 19, 2022.**

**MATERIALS REVIEWED**

- Application for Site Plan Review, Special Use Permit Review, Floodplain Development Permit Review, and Architectural Review, as prepared by The Chazen Companies and Mauri Architects
- Full Environmental Assessment Form Part 1, as prepared by The Chazen Companies and Mauri Architects
- Site Plan Set, as prepared by The Chazen Companies and Mauri Architects
- SWPPP, as prepared by The Chazen Companies
- Wetland and Site Habitat Suitability Assessment, as prepared by Ecological Solutions, LLC
- Town Engineering (CPL Engineering) Consultant Reviews
- Town Environmental Consultant (Aspen Environmental) Reviews
- Comments discussed with the Planning Board
- Written response to comments by Town Departments and other Agencies