

# WATERFRONT CONSISTENCY REVIEW

118 Attachment 1

## Appendix A Coastal Assessment Form

### A. INSTRUCTIONS (Please print or type all answers)

1. Applicants, or in the case of direct actions, Town of Rhinebeck agencies, shall complete this CAF for proposed actions which are subject to the Consistency Review Law. This assessment is intended to supplement other information used by a Town of Rhinebeck agency in making a determination of consistency.
2. Before answering the questions in Section C, the preparer of this form should review the policies and explanations of policy contained in the Local Waterfront Revitalization Program (LWRP), a copy of which is on file in the Town of Rhinebeck Clerk's office. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the coastal area.
3. If any question(s) in Section C on this form is answered "yes," then the proposed action may affect the achievement of the LWRP policy standards contained in the Consistency Review Law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to making a determination that it is consistent with the LWRP policy standards. If an action cannot be certified as consistent with the LWRP policy standards, it shall not be undertaken.

### B. DESCRIPTION OF SITE AND PROPOSED ACTION

#### 1. Type of agency action (check appropriate response):

- Directly undertaken (e.g., capital construction, planning activity, agency regulation, land transaction)  
 Financial assistance (e.g., grant, loan, subsidy)  
 Permit, approval, license, certification

Agency undertaking action: Town of Rhinebeck

#### 2. Describe nature and extent of action:

Four multifamily buildings are proposed to be constructed with associated driveway, parking areas, landscaping, and associated infrastructure.

#### 3. Address & Tax Map Parcel (last 6):

Lot Number 223336, Rhinecliff Road

#### 4. Size of site: 23.3 acres

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5. Present land use: Rural Vacant >10 (322)

6. Present zoning classification: Village Gateway (VG)

7. Describe any unique or unusual land forms on the project site (e.g., steep slopes, swales, ground depressions, other geological formations)  
There are steep slopes and rock outcroppings on the site.

8. Percentage of site which contains slopes of 15% or greater: 42.5%

9. Streams, lakes, ponds or wetlands existing within or contiguous to the project area?

a) Name: PFO1A

b) Size (in acres): 13.61 acres total, with less than 0.5 acres on the site.

10. If an application for the proposed action has been filed with the agency, the following information shall be provided:

(a) Name of applicant: Kearney Realty & Development and Housing Partnership Development Corp.

(b) Mailing address: PO Box 925, Baldwin Place, NY 10505 (Kearney)  
253 W. 35th St., 3rd Floor, New York, NY 10001 (HPDC)

(c) Telephone number: Area Code (845) 306-7705 (Kearney)  
(646) 217-3372 (HPDC)

(d) Application number, if any: \_\_\_\_\_

11. Will the action be directly undertaken, require funding, or approval by a state or federal agency?

Yes x No \_\_\_\_\_

If yes, which state or federal agency? NYS Housing and Community Development (funding only)

C. COASTAL ASSESSMENT

(Check either "Yes" or "No" for each of the following questions)

	<u>YES</u>	<u>NO</u>
1. Will the proposed action be located in, or contiguous to to, or have a potentially adverse effect upon any of the the resource areas identified on the coastal area map?	<u>X</u>	_____
(a) Significant fish or wildlife habitats?	_____	<u>X</u>
(b) Scenic resources of local or statewide significance?	_____	<u>X</u>

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- (c) Important agricultural lands?   X
- (d) Natural protective features in an erosion hazard area?        X

If the answer to any question above is "Yes," please explain in Section D any measures which will be undertaken to mitigate any adverse effects.

2. Will the proposed action have a significant effect upon:   YES     NO
- (a) Commercial or recreational use of fish and wildlife resources?        X
- (b) Scenic quality of the coastal environment?        X
- (c) Development of future or existing water-dependent uses?        X
- (d) Operation of the state's major ports?        X
- (e) Land or water uses within a small harbor area?        X
- (f) Stability of the shoreline?        X
- (g) Surface or groundwater quality?        X
- (h) Existing or potential public recreation opportunities?        X
- (i) Structures, sites or districts of historic, archeological or cultural significance to the Town of Rhinebeck, state or nation?        X
3. Will the proposed action involve or result in any of the following:   YES     NO
- (a) Physical alteration of land along the shoreline, land under water or coastal waters?        X
- (b) Physical alteration of two acres or more of land located elsewhere in the coastal area?   X
- (c) Expansion of existing public services or infrastructure in undeveloped or low-density areas of the coastal area?   X
- (d) Energy facility not subject to Article VII or VIII of the Public Service Law?        X
- (e) Mining, excavation, filling or dredging in coastal waters?        X
- (f) Reduction of existing or potential public access to or along the shore?        X

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- |   |          |              |
|---|----------|--------------|
| (g) Sale or change in use of publicly owned lands located on the shoreline or underwater? | ___      | ___ <u>x</u> |
| (h) Development within a designated flood- or erosion-hazard area?                        | ___      | ___ <u>x</u> |
| (i) Development on beach, dune, barrier island or other structures?                       | ___      | ___ <u>x</u> |
| (j) Construction or reconstruction of erosion-protective structures?                      | ___      | ___ <u>x</u> |
| (k) Diminished surface water or groundwater quality?                                      |          | x            |
| (l) Removal of ground cover from the site?  | <u>x</u> | ___          |

### 4. PROJECT

- |   |     |            |           |
|---|-----|------------|-----------|
| (a) If a project is to be located adjacent to shore:  | N/A | <u>YES</u> | <u>NO</u> |
| (1) Will water-related recreation be provided?  |     | ___        | ___       |
| (2) Will public access to the foreshore be provided?  |     | ___        | ___       |
| (3) Does the project require a waterfront site?   |     | ___        | ___       |
| (4) Will it supplant a recreational or maritime use?  |     | ___        | ___       |
| (5) Do essential public services and facilities presently exist at or near the site?  |     | ___        | ___       |
| (6) Is it located in a flood-prone area?  |     | ___        | ___       |
| (7) Is it located in an area of high erosion?   |     | ___        | ___       |
| (b) If the project site is publicly owned:  | N/A | <u>YES</u> | <u>NO</u> |
| (1) Will the project protect, maintain and/or increase the level and types of public access to water-related recreation resources and facilities? |     | ___        | ___       |
| (2) If located in the foreshore, will access to those and adjacent lands be provided?   |     | ___        | ___       |
| (3) Will it involve the siting and construction of major energy facilities  |     | ___        | ___       |
| (4) Will it involve the discharge of effluents from major steam electric generating and industrial facilities into coastal facilities?            |     | ___        | ___       |

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- |  |              |              |     |
|--|--------------|--------------|-----|
| (c) Is the project site presently used by the community neighborhood as an open space or recreation area?  | ___          | <u>  x  </u> |     |
| (d) Does the present site offer or include scenic views or vistas known to be important to the community?  | ___          | <u>  x  </u> |     |
| (e) Is the project site presently used for commercial fishing or fish processing?  | ___          | <u>  x  </u> |     |
| (f) Will the surface area of any waterways or wetland areas be increased or decreased by the proposal?   | <u>  x  </u> | ___          |     |
| (g) Does any mature forest (over 100 years old) or other locally important vegetation exist on this site which will be removed by the project?     | ___          | <u>  x  </u> |     |
| (h) Will the project involve any waste discharges into coastal waters?   | ___          | <u>  x  </u> |     |
| (i) Does the project involve surface or subsurface liquid waste disposal?  | ___          | <u>  x  </u> |     |
| Does the project involve transport, storage, treatment or disposal of solid waste or hazardous materials?  | ___          | <u>  x  </u> |     |
| (k) Does the project involve shipment or storage of petroleum products?  | ___          | <u>  x  </u> |     |
| (l) Does the project involve discharge of toxics, hazardous substances or other pollutants into coastal waters?                                    | ___          | <u>  x  </u> |     |
| (m) Does the project involve or change existing ice-management practices?  | ___          | <u>  x  </u> |     |
| (n) Will the project affect any area designated as a tidal or freshwater wetland?  | <u>  x  </u> | ___          |     |
| (o) Will the project alter drainage flow, patterns or surface water runoff on or from the site?  | <u>  x  </u> | ___          |     |
| (p) Will best-management practices be utilized to control stormwater runoff into coastal waters?   | ___          | ___          | N/A |
| (q) Will the project utilize or affect the quality or quantity of sole source or surface water supplies?   | ___          | <u>  x  </u> |     |
| (r) Will the project cause emissions, which exceed federal or state air quality standards or generate significant amounts of nitrates or sulfates? | ___          | <u>  x  </u> |     |

D. REMARKS OR ADDITIONAL INFORMATION

The area of disturbance will be reduced to the maximum extent practicable to minimize disturbance of agriculturally significant soils.

If assistance or further information is needed to complete this form, please contact Town of Rhinebeck Planning Board Clerk or ZEO at (845) 876-7207.

Preparer's Name: Andrew Learn, P.E.

Title: Associate, Project Engineer

Agency: CPL

Date: March 9, 2022