Dutchess Community College Proposed Student Housing

Findings Statement

State Environmental Quality Review Act (SEQR)

6 NYCRR Part 617.11

This Findings Statement 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 Board of Trustees of Dutchess Community College (DCC), as Lead Agency, makes the following findings:

Name of Action: Dutchess Community College Proposed Student Dormitory

Description of Action: The Project Sponsor, the Board of Trustees of DCC, is proposing the construction of new student housing on the existing Main Campus site located in the Town of Poughkeepsie, Dutchess County, New York. The new Dormitory Facilities are proposed in the area of an existing soccer field north of the tennis courts. The four-story, 160,000-square-foot dormitory building will contain 465 beds and a courtyard will be constructed adjacent to the new building. Vehicular access to the dormitory will be provided via the existing driveway to Lot "D" off of Cottage Road. No new parking is proposed. Resident students will utilize the existing parking in Lot "D", or other available student parking areas on campus.

The existing soccer field will be relocated to a vacant 24.36-acre parcel north of the campus owned by the County, held in trust for use by DCC, which use is to be determined by the College Board of Trustees. A parking area that will provide approximately 40 new parking spaces is also proposed. The relocated field will be placed in the northwest corner of the vacant parcel along Cottage Road and will be approximately 200 yards away from the closest residences on Creek Road. The proposed parking area will be constructed along Cottage Road across from the College's campus with an access drive directly across from an existing access drive to the campus. A pedestrian path will connect the soccer field to the parking area and to crosswalks located near the access drive. A fence will be installed along the Cottage Road property line to direct students to utilize crosswalks to cross Cottage Road.

The two projects and associated improvements are considered as "one action" for the purpose of SEQRA review. The project area is defined as the 7.5-acre portion of the 26-acre tax parcel that will be disturbed for the proposed new student housing and the 24.36-acre tax parcel that contains the new parking area and relocated soccer field. Both portions of the project site are zoned IN, Institutional, on the Town of Poughkeepsie Zoning Map.

Date Final EIS Filed: June 10, 2010

Applicant: Dutchess Community College, 53 Pendell Road, Poughkeepsie, NY 12601

Facts and Conclusions in the EIS Relied Upon to Support the Decision:

1) **Lead Agency jurisdiction and description of SEQR process.** In accordance with the SEQR Regulations, the following elements of the SEQR process have been undertaken by the Board of Trustees:

   a) **April 28, 2009** - The Board of Trustees declared their intent to be Lead Agency for review of the proposed action and circulated the Notice of Intent, project information, and Part 1 Environmental Assessment Form to all involved agencies.

   b) **August 4, 2009** - The Board of Trustees was designated by the NYSDEC as Lead Agency for review of the proposed Action.

   c) **August 11, 2009** - The Board of Trustees issued a Positive Declaration of Significance for the proposed action, requiring the preparation of a Draft Environmental Impact Statement (DEIS).

   d) **March 23, 2010** - The Board of Trustees accepted the DEIS as complete and adequate for public review. The DEIS and Notice of Completion were duly circulated to all involved and interested agencies, an electronic copy was published on the DCC website, and paper copies were made available for review at Dutchess Community College.

   e) **March 31, 2010** - Notice of Completion of DEIS was published in the NYSDEC Environmental Notice Bulletin.

   f) **April 13, 2010** - A Public Hearing on the DEIS was held by the Board of Trustees at the James & Betty Hall Theater of DCC.

   g) **April 26, 2010** – The written public comment period ended.

   h) **June 10, 2010** – The Board of Trustees adopted the Final Environmental Impact Statement (FEIS).

i) **June 14, 2010** – The FEIS and Notice of Completion were duly circulated to all involved and interested agencies, an electronic copy was published on the DCC website, and paper copies were made available for review at Dutchess Community College.

j) **June 30, 2010** Notice of Completion of FEIS was published in the NYSDEC Environmental Notice Bulletin.

The Board of Trustees has determined that the Draft EIS and Final EIS documents and the public hearing are sufficient to inform the public of all environmental aspects of the proposed project's effects. The Board of Trustees has also determined that the mitigation measures specified in the Draft and Final EISs, as well as the proposed site plans, are adequate to avoid or minimize environmental impacts of the project. All such measures are incorporated by reference in this Findings Statement as if they were enunciated herein.

2) PUBLIC NEED AND BENEFIT

The demographics of the student body at DCC are changing. There are now more full-time students enrolled at DCC than part-time students. Due to the current economy, the enrollment of full-time students has increased, as DCC is perceived as offering a high quality education at an affordable cost. As enrollment has increased, the percentage of Dutchess County residents attending DCC has also increased, and that trend is expected to continue.

More and more full-time students want to transfer to a four-year school after completing their education at DCC, and providing the ability for them to live in a residence hall will enable students to more easily make the transition to living on campus at another college or university in the future. It is important to note that national studies have shown that students living on campus in residence halls do better academically than students who commute to college. Other SUNY community colleges have found that having residence halls enhances the student activities program for all students.

The objective of the project sponsor is to build and operate a residence hall facility that would be in a price range that future students would consider attractive and affordable, and which would provide a safer and more secure environment than other off-campus housing alternatives. Building a resident hall at DCC will not change the mission of the college, just as having student housing has not changed the mission of other community colleges. DCC will remain an open access college dedicated to serving the needs of the residents of Dutchess County and no County resident will be denied admission as a result of building the residence hall.

With regard to the financing of the residence hall project, there will be no cost to Dutchess County or the College. The project will be paid for by issuing bonds, and the interest and

principal on those bonds will be paid off by the fees charged to the students who live in the residence hall. No taxpayer money will be used to build or operate the residence hall.

Finding: The Board of Trustees finds that there has been a need established for the proposed development and that the project will provide benefits to both DCC and the broader community it serves.

3) Geology, Soils, and Topography

The proposed action will disturb a total of approximately 13.98± acres of land for construction of the project (including both sites), which could result in erosion and sedimentation impacts if not properly controlled. Potential impacts to soils and geology will be minimized through the use of sediment and erosion control measures and the establishment of Best Management Practices (BMPs) as outlined in the *New York State Stormwater Management Design Manual* and *New York State Standards and Specifications for Erosion and Sediment Control.* Soil erosion control measures that will be employed include stabilizing disturbed areas, removing sediment from construction site discharges, and minimizing the area and duration of soil disturbance.

Blasting may be required in some areas. If blasting is necessary, the Applicant will comply with Chapter 100, "Explosives," of the Town of Poughkeepsie Code and all Federal and State requirements in order to minimize impacts from blasting.

Finding: The Board of Trustees finds that there will be minor impacts to geology, soils and topography that are inherent in the construction of the proposed project, which will be temporary and will be minimized by compliance with applicable NYSDEC requirements. Compliance with applicable requirements for blasting activities will minimize impacts from blasting, should it be necessary on the project sites.

4) Stormwater Management

Construction of the proposed project could result in temporary impacts to water quality from erosion and sedimentation. In addition, the proposed project will increase the amount of impervious surface area on the DCC campus, which could contribute to downstream pollution of surface water if not properly controlled.

However, in accordance with State requirements, a Preliminary Stormwater Pollution Prevention Plan (SWPPP) has been developed which includes temporary and permanent erosion and sedimentation control measures that will reduce the potential for adverse impacts to stormwater quality. The Preliminary SWPPP also contains permanent quantity

and quality control methods to be implemented to reduce potential impacts from stormwater.

No quantitative impacts to stormwater are anticipated, as the post-development peak runoff rate will be less than or equal to the pre-development runoff rate for all design points and design storms.

Finding: The Board of Trustees finds that all construction-related impacts to water quality and volume will be appropriately minimized by implementation of the measures required by the SWPPP, and no quantitative impacts to stormwater are anticipated.

5) Ecological Resources

Approximately 5.62 acres of the proposed dormitory site and 8.34 acres of the proposed soccer field site will be disturbed. This may cause indirect impacts to wildlife utilizing those areas for habitat, although most species would be expected to relocate off-site or to other areas of the site that are not being disturbed.

Marginally suitable habitat for the endangered Indiana bat was identified in the northeast portion of the proposed soccer field site. All necessary forest clearing will take place between October and March when Indiana bats are hibernating and would not be present at the site.

Wetland B on the proposed soccer field site could potentially be an "associated wetland" for Blanding's turtles, but it is unlikely to be used as such due to its shallow water depth, close proximity to Creek Road, and degraded conditions. This wetland will be indirectly affected by the project due to changes in the site's hydrology. However, the project's impact to Wetland B will be minimal. Direct impacts to Wetland B will be avoided, and indirect impacts to the wetlands will be mitigated through implementation of stormwater quantity and quality control measures. In addition, as a cautionary measure, construction and maintenance workers will be educated to look for turtles under construction and maintenance equipment before operating machinery.

Finding: The Board of Trustees finds that with implementation of the recommended mitigation measures, no endangered, threatened or rare species will be affected by construction of the proposed project, and potential impacts to Blanding's turtle habitat at the soccer field site will be mitigated by implementation of best management practices.

6) Wetland Resources

The dormitory site does not contain any wetlands; therefore, the proposed dormitory project will not have any impacts on wetland resources.

The proposed project will result in direct impacts to two isolated wetlands on the proposed soccer field site. This is not considered a significant impact due to the isolated nature of the wetlands and the low quality of the wetlands. The proposed soccer field relocation will have Indirect impacts on two other wetlands resulting from changes in stormwater runoff patterns.

Finding: The Board of Trustees finds that the removal of the two isolated wetlands is not a significant impact due to their isolated nature and low quality, and that indirect impacts to wetlands will be mitigated by implementation of stormwater quality and quantity control measures as outlined in the DEIS.

7) Transportation

The proposed project is intended to accommodate the needs of existing students and current enrollment trends, and will not result in an increase in traffic. Some improvements are recommended to address existing delays. At the intersection of Creek Road and Cottage Road, it is recommended that pavement markings be installed to designate two turning lanes (left and right) on the Cottage Road approach to formalize the current practice of motorists. This action requires coordination with the Town of Poughkeepsie and/or the Dutchess County Highway Department. At the intersection of Creek Road and Pendell Road, it is recommended that the Town of Poughkeepsie and/or the Dutchess County Highway Department be contacted regarding possible signal timing adjustments at this intersection to facilitate improved efficiency of traffic operations. The actual number of trips may be reduced as commuters become residents.

The existing parking supply is anticipated to be adequate to serve the proposed dormitory. A new 40-space parking lot is proposed to serve the relocated soccer field.

Finding: The Board of Trustees finds that the project will not have a significant impact on traffic in the project area. The recommended improvements would address existing delays and deficiencies.

8) Cultural Resources

The site for the proposed dormitory was previously graded for the construction of the existing soccer field. Documentation of prior disturbance was sent to the Historic Preservation Field Services Bureau of the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP), and in a letter dated February 2, 2010, OPRHP issued an opinion that development of the proposed dormitory would have no impact on cultural resources listed in or eligible for listing in the National Register of Historic Places.

A Phase 1 cultural resources survey conducted on the proposed soccer field site indicated a low to moderate sensitivity for precontact and historic cultural material, except in the vicinity of a former structure (MDS 6) where there was considered to be a high historic sensitivity. However, subsequent testing identified no significant archaeological deposits and no further testing was recommended. The Phase 1 report was sent to OPRHP for review, and in a letter dated July 14, 2009, OPRHP indicated that it has "no concerns" with the proposed soccer field.

Finding: The Board of Trustees finds that no significant cultural resources were identified on the projects sites and no mitigation measures are necessary.

9) Utilities – Water and Wastewater

The average daily water demand for the proposed project was estimated to be 28,740 gallons per day (gpd), with a peak demand of 57,480 gpd. Wastewater generation will equal water demand. The Town's existing water supply and distribution system, and wastewater collection and treatment system, are adequate to serve the project.

Finding: The Board of Trustees finds that the Town's existing water and wastewater systems have sufficient capacity to serve the proposed project.

10) Community Services

The proposed project will not significantly increase the demand for police protection services. The proposed project may result in an increase in demand for fire and emergency medical services. In order to reduce the burden of the project on the Fairview Fire District (FFD), DCC is pursuing an alternative arrangement for ambulance transport for on-campus medical emergencies, which will eliminate the need for the FFD to respond to DCC for such emergencies. Since the majority of calls for service to DCC involve ambulance transport (>70% of DCC calls), this will significantly reduce the number of calls requiring FFD response to DCC. In addition, the Dutchess Community College Association currently contributes $5,000 per year to the Fire District to offset the cost of fire service, which will increase to

$20,000 per year with the opening of the dormitory. This increased contribution will further offset any minor impact on the District.

Finding: The Board of Trustees finds that the proposed project will not significantly affect the provision of community and emergency services. The Board of Trustees also finds that the alternative arrangement for ambulance transport and the increased contribution to the Fairview Fire District from the Dutchess Community College Association will offset any minor impact on demand for fire protection services.

11) Summary of alternatives considered. The following alternatives to the proposed action were considered in the DEIS: 1) the "No Build" alternative; 2) "Alternative Dormitory Location"; 3) "Dormitory Only Alternative"; and 4) "Reduced Scale Alternative."

1) **No-Build Alternative.** The "No Build" alternative is the scenario that would occur if the dormitory were not undertaken and the existing soccer field were not relocated to the Creek Road/Cottage Road site. The Main Campus of DCC would remain as is, with the soccer field and track in their existing condition. DCC would not introduce onsite student housing and would remain a commuter campus. This alternative would not have any environmental impact, but it also would not meet the Applicant's objectives.

2) **Alternative Dormitory Location.** This alternative considers the development of the proposed dormitory on the Creek Road/Cottage Road site. Under this alternative, the existing soccer field would not need to be relocated. Some of the potential impacts of this alternative would be less than those of the preferred alternative, such as less overall construction, and no disturbance to the Main Campus from construction activities. However, it would involve a greater disturbance from earth-moving activities due to the site's topography, and construction would occur in closer proximity to existing residential development than in the preferred alternative. This alternative was rejected for several reasons, including that the site is not located within the Town's sewer district; students would have to cross Cottage Road to get to any buildings on the Main Campus, which could increase the potential for safety conflicts between pedestrians and vehicles; and security and monitoring would be more difficult on this site because it is separate from the Main Campus and would not benefit from the high level of activity that occurs there throughout the day. Therefore, this alternative was rejected on the basis that it did not sufficiently meet the District's needs.

3) **Dormitory Only Alternative.** This alternative would involve development of the dormitory only, with no relocation of the soccer field to the Creek Road/Cottage Road site. In this alternative, that site would remain undeveloped in its current condition. The potential impacts of this alternative would be similar to those of the

preferred alternative, except that the magnitude of the impacts would be less due to the fact that less development would occur. In particular, this alternative would require less grading and earth moving than the preferred alternative and would consequently generate less construction-related traffic, noise, and dust. This alternative was rejected because without relocation of the soccer field, DCC would lose this important recreational and athletic facility.

4) **Reduced Scale Alternative.** The Final Scoping Document required an evaluation of an alternative that reduces the number of beds in the student dormitory, if such an alternative were necessary to mitigate potential significant adverse impacts of the proposed project. The proposed project does not have any significant adverse impacts that cannot be mitigated by measures recommended within the environmental impact evaluation described in the DEIS, FEIS, and this Findings Statement. Therefore, there is no need to evaluate a reduced scale alternative.

Finding: The Board of Trustees finds that after reviewing the alternatives to the proposed project, the action as currently proposed and as qualified by the mitigation measures imposed by this Findings Statement adequately avoids or minimizes significant adverse environmental impacts to the greatest extent possible.

CERTIFICATION OF FINDINGS TO APPROVE

Having considered the Draft and Final EIS, and having considered the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR 617.9, this Statement of Findings certifies that:

1. The Lead Agency hereby concludes that the requirements of Article 8 of the Environmental Conservation Law and Part 617 of the implementing regulations have been met.

2. The Lead Agency concludes that the action to approve, as discussed in the DEIS and FEIS, is consistent with social, economic and other essential considerations from among the reasonable alternatives thereto, and will minimize or avoid adverse environmental effects to the maximum extent practicable; including the effects disclosed in the environmental impact statement.

3. The Lead Agency concludes that consistent with social, economic and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the environmental impact statement process will be minimized or avoided by incorporating as conditions to the decision those mitigation measures that were identified as practicable.

Dutchess Community College

Agency

D David Conklin

Signature of Responsible Official

D. David Conklin

Name of responsible Official

President

Title of Responsible Official

7/13/10

Date

Agency Address and Contact:

Dutchess Community College
53 Pendell Road
Poughkeepsie, NY 12601
Phone (845) 431-8000
W. John Dunn, Vice President and Dean of Administration

A Copy of this Findings Statement is Filed with NYSDEC and Sent to all Involved and Interested Agencies:

Involved Agencies:

1. New York State Department of Environmental Conservation
   Region 3 Headquarters
   21 South Putt Corners Road
   New Paltz, NY 12561

2. Town of Poughkeepsie Highway Department
   Town of Poughkeepsie Town Hall
   1 Overocker Road
   Poughkeepsie, NY 12603

Interested Agencies:

1. State University of New York
   State University Plaza
   353 Broadway
   Albany, New York 12246

2. NYS Office of Parks, Recreation, and Historic Preservation
   State Historic Preservation Office
   Peebles Island Resource Center
   P.O. Box 189
   Waterford, NY 12188-0189

3. NYS Department of Transportation
   Region 8 Headquarters
   Regional Planning and Program Management Group
   4 Burnett Boulevard
   Poughkeepsie, NY 12601

4. Dutchess County Department of Health
   387 Main Street
   Poughkeepsie, NY 12601

5. Dutchess County Department of Planning
   27 High Street
   Poughkeepsie, NY 12601

6. Town of Poughkeepsie Town Supervisor and Town Board
   Town of Poughkeepsie Town Hall
   1 Overocker Road
   Poughkeepsie, NY 12603

7. Town of Poughkeepsie Planning Board
   Town of Poughkeepsie Town Hall
   1 Overocker Road
   Poughkeepsie, NY 12603

8. Fairview Fire District
   258 Violet Avenue
   Poughkeepsie, NY 12601