

**State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance**

Date: October 18, 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 Board of Fire Commissioners of the Pound Ridge Fire District has determined that the proposed action described below will not have a significant environmental impact and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Pound Ridge Fire District – Addition to Firehouse

SEQRA Status: ☐ Type 1

☒ Unlisted

Conditioned Negative Declaration: ☐ Yes

☒ No

Coordinated Review: ☒ Yes

☐ No

Description of Action: The subject property is owned by the Pound Ridge Fire District ("Fire District"), consists of four (4) tax parcels totaling ±10.4 acres of land, and is located at 80 Westchester Avenue, within the Town of Pound Ridge, Westchester County, New York. The subject property is located on the north end of Scott's Corners, the Town's central business district. The following table identifies the various tax parcels, applicable zoning district, and existing use.

TABLE 1 – TAX PARCEL IDENTIFICATION			
Tax Parcel Number	Area (acres)	Zoning	Existing Use
Block 9320, Lot 55	4.08	R-2A	Driveway; 9-11 memorial; woodlands; lawn; pond
Block 9320, Lot 56	5.08	PB-A	Parking; sheds; septic for unrelated offsite uses; woodlands; wetlands
Block 9320, Lot 57	0.81	R-2A	Parking along Westchester Ave; woodlands
Block 9320, Lot 58	0.46	PB-A	Firehouse and related uses; parking; septic; well

While the subject property consists of several parcels totaling ± 10.4 acres of land, the existing firehouse building and related improvements such as septic, water well, shed, generator, fuel pump, underground fuel storage and parking all occur on Tax Lot 58, which consists of ± 0.46 acre. The primary driveway serving the firehouse is located on Tax Lot 55, along with a secondary driveway which leads to an on-site pond and asphalt parking/training area. The Department's 9-11 memorial is also located on Lot 55 along with a maintained lawn area. The existing parking lot located on Tax Lots 56 and 57 is owned by the Fire District; however, these parking spaces are shared with the business community. An existing septic system which serves DiNardo's Restaurant, located at 76 Westchester Avenue, is located below the paved parking area on Lot 56.

The subject property generally slopes in a southwesterly direction away from Westchester Avenue. Wetlands and watercourses are located on Tax Lots 55 and 56 and are regulated by the Town of Pound Ridge, the New York State Department of Environmental Conservation (NYSDEC), and the Army Corps of Engineers. The NYSDEC's 100-foot wetland adjacent area and the Town's 150-foot regulated wetland buffer encompass the majority of Tax Lots 55, 56, and 57 and the Town's 150-foot regulated wetland buffer encroach slightly onto Tax Lot 58, which contains the existing firehouse.

The existing firehouse building is the headquarters for the Pound Ridge Volunteer Fire Department. The existing firehouse building consists of 10,892 s.f. and six (6) apparatus bays, four (4) of which front on Westchester Avenue and two (2) are located on a lower level accessed via the main driveway; the last major modification to the building included a 2-story addition in the early 1990's.

The proposed action includes a 2-story addition on the north end of the existing building. The upper (street) level will include two (2) apparatus bays, the Department's cascade system (used for filling air bottles), and storage space, while the lower level, accessed via the main driveway, will contain an entry vestibule, two (2) utility bays, storage, and building mechanicals. A mezzanine level is proposed above the apparatus

bays on the street level for additional storage. The apparatus bay addition will total ±5,660 s.f. over two (2) floors. A secondary 2-story addition is proposed on the southwesterly side of the building and will include an entry vestibule and a new kitchen on the lower level and office space on the upper level; this addition totals ±1,185 s.f. over two (2) floors. The existing building will be upgraded and portions will be reconfigured or repurposed; all major building mechanicals will be upgraded. To construct the proposed addition on the north end of the existing building, the main driveway will be shifted ±35 feet to the north.

The proposed improvements are intended to serve the needs of the existing membership. Since the building was last updated more than 31 years ago, the fire department has upgraded its capabilities to support the growth in the community and fire apparatus has grown in size; this has resulted in the Department operating at more than 200% capacity within its existing facility. The proposed expansion is required to address serious capacity restraints and to remediate potential firefighter hazards and safety concerns. Further, dated infrastructure within the existing building is at the end of its working life and is in need of replacement.

Location: 80 Westchester Ave, Town of Pound Ridge, Westchester County, NY

Reasons Supporting This Determination: The Board of Fire Commissioners have compared the proposed action with the Criteria for Determining Significance in 6 NYCRR 617.7 (c). Reference is made to the Parts 1, 2 and 3 of the Full Environmental Assessment Form (EAF), prepared by Kellard Sessions Consulting, last revised October 2022, Site Development Plans prepared by Kellard Sessions Consulting, and architectural elevations, renderings, and floor plans prepared by KG+D Architects, all of which are on file with the Fire District.

- 1. The proposed action will not result in a substantial adverse change in the existing air quality; ground or surface water quality or quantity; traffic; noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems. Specifically:**
 - a. The proposed building expansion and use of the subject property will not result in emissions that will reduce ambient air quality.
 - b. The proposed action will not result in any direct impacts or disturbance to the wetland proper; however, the project will result in ±0.16 acre of disturbance within the NYSDEC 100-foot wetland adjacent area and ±0.38 acre within the Town's regulated buffer.
 - c. Land disturbance and development proposed within the NYSDEC wetland adjacent area results from the relocation of the existing access driveway off Westchester Avenue (±830 s.f.); installation of drainage pipe (±112

l.f.) and associated drain inlets and water quality structure; and installation of a concrete training pad ($\pm 1,500$ s.f.), to be located on an existing asphalt driveway/parking area. Proposed development within the Town's regulated buffer area includes the same improvements mentioned above, but also includes the northwesterly corner of the proposed building addition (± 200 s.f.); driveway relocation (additional 1,600 s.f.); a portion of a proposed retaining wall (21 l.f.); approximately one-half of one new parking space (± 85 s.f.); and additional drainage pipe (200 l.f.) and associated drain inlet. Overall, the net increase in impervious cover within the NYSDEC wetland adjacent area is 416 s.f. and within the Town's regulated wetland buffer is 866 s.f. A total of six (6) trees are proposed to be removed with the NYSDEC wetland adjacent area; one additional tree to be removed is located within the Town's regulated wetland buffer.

- d. Disturbance and development within the wetland adjacent area and regulated buffer area is unavoidable. Potential impacts to surface waters, including wetlands and watercourses, has been reduced by project design and will be further mitigated by the implementation of the SWPPP, installation of the water quality structure and other drainage improvements, and landscaping/planting. While a formal landscaping plan has not been prepared to date, the applicant is committed to installing native trees, shrubs and perennials within portions of the disturbed area located within the buffer to offset impacts and to provide habitat.
- e. The majority of the site work is proposed on already developed land and nearly all of the proposed improvements are proposed on previously disturbed land which has since been restored. Potential impacts to wetlands and buffer areas has been reduced by project design and will be sufficiently mitigated through the implementation of the SWPPP. Drainage patterns will not change as a result of the project and the site will continue to drain to the existing pond. Currently, stormwater runoff is either piped to or sheet flows over land to the pond. While not required, the applicant is proposing the installation of a water quality structure to accept storm drainage from the new site driveway and from the roof of the building addition before discharging to the pond. This structure is design to capture coarse particles (sediment), oils, hydrocarbons, trash and floatables.
- f. The 100-year floodplain is located on the subject property and is related to the watercourse that exits the on-site pond. The 100-year floodplain boundary line is depicted on the site development plans prepared by Kellard Sessions Consulting. No disturbance or development is proposed

within the floodplain and, therefore, no impact will result.

- g. As the proposed addition is serving the existing membership and as nearly all of the additional space is allocated for storage, the proposed action will not increase water or sewage demand and, therefore, no new or improvements to the existing systems is proposed or required. While the applicant has met informally with the Westchester County Department of Health (WCDH) to discuss the project and programming and it was determined that improvements to the water and sanitary sewage systems would not be required, once final floor plans are developed, the applicant will meet with the WCDH to confirm they have no objection. This will occur prior to the issuance of a building permit.
- h. Disturbance to steep slopes will result from the reconfiguration of the main site driveway, which is an unavoidable impact. Construction on steep slopes includes the construction of the asphalt driveway and associated grading (fill). A total of eight (8) trees will be removed on steep slopes as a result of the driveway reconstruction and associated grading. A slopes analysis was completed for the subject property and is summarized in the below table.

TABLE 2 – SLOPES ANALYSIS		
Range	Total (acres)	Disturbed (acres)
0-10%	6.97	0.37
10-15%	1.56	0.05
15% or greater	1.87	0.14
Total	10.4	0.56

- i. An earthwork analysis has been performed based upon the proposed grading plan. The proposed action will result in a total cut (export) of 106 c.y. and a total fill (import) of 745 c.y., a net fill (import) of 639 c.y. It is expected that earth/rock materials generated by the earthwork cuts will be utilized as fill material, as appropriate. Fill material to be transported to and used on-site shall consist of “clean” material, free of solid waste and/or hazardous materials and invasive plant species. Depending on the size of the truck used to deliver the fill material (either 40 c.y. or 20 c.y. load capacities), it is estimated that approximately 16 or 32 truckloads of fill materials will be required; this does not include truck trips associated with the transportation of other building materials to and from the site.
- j. It is anticipated that the proposed action will result in ±24,000 s.f. on land disturbance. As land disturbance will be less than 1 acre and given the site’s location outside of the New York City East of Hudson Watershed, coverage under the NYSDEC SPDES General Permit for Stormwater

Discharges from Construction Activity (GP-0-20-001) is not required. However, in accordance with Chapter 91B, Stormwater Management and Erosion and Sediment Control, of the Pound Ridge Town Code, a Stormwater Pollution Prevention Plan (SWPPP) will be required. The SWPPP will be developed in compliance with Chapter 91B-7B of the Town Code and will focus on soil erosion and sediment controls. The final SWPPP will be prepared prior to the commencement of any site work.

- k. To prevent and/or mitigate potential impacts associated with land disturbance, the applicant has developed a Soil Erosion and Sediment Control (SESC) Plan. The primary goal of the SESC plan is to reduce soil erosion from areas stripped of vegetation during construction and to prevent silt from reaching drainage structures, wetlands, watercourses, waterbodies, and downstream properties. The SESC plan is an integral component of construction phasing and project sequencing and will be implemented to control sediment transport and re-establish vegetation as soon as practicable. The SESC plan will be implemented prior to the commencement of work.
- l. The project will be completed in one (1) phase and is expected to take approximately 18 months as measured from the commencement of construction. Site work is limited to excavation for the building additions, building construction, driveway relocation, drainage improvements and utility installation. Much of the time allocated for duration of construction comes from internal construction, reconfiguration of internal space, mechanicals, and upgrading the existing building; actual land development and site work is expected to be completed in shorter period of time, likely six (6) months or less, after which much of the work will be focused on the building. During construction, ambient noise levels may be exceeded from construction related noise; however, this impact will be temporary in nature. Noise from Construction activity is regulated by the Town of Pound Ridge under Chapter 75 of the Town Code and construction activity will comply with the Town's noise ordinance, specifically Section 75-4B which prohibits construction related noise during the hours of 6pm to 8am, Monday through Saturday, from 6pm Saturday until 8am on Monday, and on all holidays.
- m. As the proposed action is meant to serve the existing membership and the intensity of the use is not changing, no traffic related impacts are anticipated. The proposed relocated driveway will result in better visibility for motorists and emergency vehicle operators and will be safer than the existing condition.

2. **The proposed action will not result in the removal or destruction of large quantities of vegetation or fauna; result in substantial interference with the movement of any resident or migratory fish or wildlife species; impact a significant habitat area; result in substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such species; and will not result in other significant adverse impacts to natural resources. Specifically:**

- a. The subject property consists of ±10.4 acres of land and is developed with the existing firehouse building, access driveway, secondary driveway, asphalt parking and related improvements such as septic, water well, shed, generator, fuel pump, and underground fuel storage. Of the ±10.4 acre site, approximately 12% consists of impervious cover, 51% is forested, 8% consists of surface water (pond), 22% is forested, and 7% consists of maintained lawn.
- b. The proposed development will occur on already developed and/or previously disturbed, but since restored, land. No direct wetland impacts will occur and the habitat types described above will remain essentially the same, with only a minor encroachment into an upland wooded area which will result in the removal of eight (8) trees. Five (5) additional trees are proposed to be removed; however, these trees are located in proximity of the building or existing parking lot and are considered landscaping.
- c. The majority of the site work is proposed on already developed land and nearly all of the proposed improvements are proposed on previously disturbed land which has since been restored. In general, disturbance to vegetation and habitat is minimal.
- d. An information request was made to the NYDEC Division of Fish and Wildlife, New York Natural Heritage Program concerning the potential presence of endangered and threatened species within or in proximity of the subject property. Reference is made to a response letter from the NYSDEC, dated July 11, 2022, which identifies that a Bog Turtle (*Glyptemys muhlenbergii*) was documented within one (1) mile of the project site.
- e. According to the U.S. Fish and Wildlife Service, bog turtles occupy shallow wetland habitats. They are semi-aquatic, meaning sometimes they like to spend time in the water and sometimes they like to be on land or on top of hummocky vegetation above the water. The wetlands they occupy tend to be open-canopy herbaceous sedge bogs, fens, or wet meadows. Their preferred wetlands comprise microhabitats that bog turtles rely on

for many parts of their life-cycle activities, such as foraging, nesting, basking, hibernating, and sheltering. These microhabitats are characterized by soft muddy bottoms, interspersed wet and dry pockets, vegetation dominated by low-growing grasses and sedges, and a low volume of standing or slow-moving water, which often forms a network of shallow pools and rivulets. Bog turtles prefer areas with ample sunlight, high humidity in the near-ground microclimate, and perennial saturation of portions of the ground in which to bury themselves to get cool during hot summer months.

- f. There is little, if any, features of the on-site wetland system that exhibit characteristics which could be considered appropriate habitat for the Bog Turtle. The majority of the on-site wetland system is characterized as a Red Maple Hardwood Swamp with a fairly well-developed, closed canopy. Sunlight penetration to the wetland floor is crucial to the Bog Turtle as they rely on sunlight to manage their metabolic process and incubation of eggs. Given the overall lack of preferred habitat, the potential presence of the Bog Turtle on-site is limited. Even if the Bog Turtle were to exist within portions of the wetland system, which is unlikely, the proposed action does not include any direct disturbance to wetlands or to any Bog Turtle habitat. The proposed redevelopment will occur on lands that are already developed or previously disturbed.
3. **The proposed action will not result in the impairment of the environmental characteristics of a Critical Environmental Area (as designated pursuant to 6 NYCRR Part 617.14(g)), as the subject property is not located within or in the vicinity of a Critical Environmental Area.**
- a. A Critical Environmental Area (CEA) listed in 1990 by Westchester County under the general name “Watershed Properties” for its exceptional or unique characteristics is located on a portion of Tax Lots 55 and 57, including the on-street parking area along Westchester Avenue and the on-site pond. This project will not have any significant adverse impact on the CEA as the only development to occur on existing undeveloped portions of the CEA include the proposed modifications (shift) of the main driveway and associated grading. Eight (8) trees are proposed to be removed within the CEA which are required to relocate the driveway.
 - b. Disturbance within the CEA is unavoidable, and it is the Fire District’s position that the proposed improvements within the CEA will not result in a significant adverse impact. Mitigation for disturbance within the CEA includes implementation of the SWPPP and landscaping. It is noted that the CEA was established by Westchester County and the County is included as an Interested Agency for purposes of SEQRA review.

4. The proposed action will not create a material conflict with the Town's current plans or goals as officially approved or adopted. Specifically:

- a. Tax Lots 55 and 57 are located within the Town's Two-Acre Residential District (R-2A) and collectively total ± 4.9 acres of land. These lots are currently developed with approximately 10 parking spaces located along and perpendicular to Westchester Avenue, an existing paved driveway which serves the two (2) lower apparatus bays, as well as the rear off-street parking lot, and a secondary driveway and paved parking lot which is located proximate to an on-site pond. The remainder of Tax Lots 55 and 57 are either wooded or consists of lawn area.
- b. Tax Lots 56 and 58 are located within the Planned Business District A (PB-A) Zone and collectively consist of ± 5.5 acres of land. Tax Lot 56 consists of ± 5.08 acres and contains a parking lot, a septic system serving 76 Westchester Avenue, and a detached shed and garage. The majority of Tax Lot 56 is vacant and the majority of the vacant land contains wetlands and a watercourse. Tax Lot 58 is ± 0.45 acre and contains the existing fire station, parking, a private potable well, a septic system which serves the firehouse, and a detached shed.
- c. Shifting the existing driveway toward the north will result in the reconfiguration of parking spaces along Westchester Avenue. Currently, along Westchester Avenue, there are ten (10) perpendicular parking spaces, including one (1) handicap accessible parking space. These spaces are located on land owned by the Fire District; however, they are frequently used by the public. The relocated driveway will result in a net reduction of one (1) parking space along the road; however, the two (2) relocated spaces between the proposed driveway and the firehouse will be designated for fire department personnel only, as they are needed for incoming responding firefighters. Therefore, while 10 publicly available spaces exists at present, that number will be reduced to eight (8) in the proposed condition. To offset the loss parking spaces available to the public, the Fire District is proposing to install three (3) new publicly available spaces on Tax Lot 56. Further, three (3) new parking spaces will be provided on Tax Lot 58 which will also be designated for firefighters only. These spaces are made available by the removal of an existing shed and by relocating a piece of fire apparatus, presently stored outdoors, into the firehouse. The creation of these three (3) parking spaces on Tax Lot 56 for emergency personnel will reduce the demand on publicly available spaces that are currently being used by firefighters.

- d. The existing firehouse building is currently located within the PB-A Zoning District and the proposed northerly addition will extend over the existing common property line with Tax Lots 55 and 57, which is also the zoning district boundary line separating the PB-A Zone from the R-2A Zone. This common property line will be eliminated and Lots 55, 57 and 58 will be merged. It is expected that that zoning district boundary line will remain as is, unless amended by the Town Board. As fire stations are identifies as an allowable use within R-2A Zoning District, the proposed action will remain zoning compliant.
 - e. The Town's Comprehensive Plan was last adopted on November 4, 2010; however, the Town is in the process of updating the plan. The 2010 plan described the Fire District as a valuable community asset and describes the Fire District's challenges with finding volunteers and changes to equipment necessitated by new larger homes.
 - f. The Comprehensive Plan Update Committee has published a document called "7 Guiding Principles" which is available on the Town's website. One of the goals included in the document states "Expand public safety initiates where shown to be necessary and seek an appropriate level of public services consistent with residents' needs."
 - g. It is the Board's position that the proposed action is consistent with the existing condition and character of the community, local zoning, and the comprehensive plan.
5. **The proposed action will not result in the impairment of the character or quality of important historical, archaeological, or aesthetic resources or of existing community or neighborhood character. Specifically:**
- a. The use of the property will remain the same and the architecture of the building additions will be consistent with the existing building and will be in harmony with the surrounding central business district.
 - b. Reference is made to a letter from the NYS Office of Parks, Recreation and Historic Preservation, dated June 3, 2022, which concludes that the proposed action will not have an impact on archaeological and/or historic resources.
 - c. Exterior pole-mounted lights existing along Westchester Avenue and within the publicly accessible parking area on Lot 56; these lights are relatively new and were installed and are maintained by the Town of Pound Ridge. No changes are proposed to the Town's light fixtures; however, one (1) existing pole light along the existing main drive (off the

northwest corner of the firehouse) is older, does not match the other existing Town fixtures, and will be replaced to match. All other exterior lighting will be building mounted lighting for security and safety purposes. Site lighting will be respectful and directed downward, where appropriate, to minimize night sky light pollution and disruption. Any potential impacts will be temporary and will be adequately mitigated through compliance with the Town's noise ordinance by design of the lighting plan, which will be finalized prior to the commencement of work.

6. The proposed action will not result in a major change in the use of either the quantity or type of energy. Specifically:

- a. While the expansion of the building may result in an increase in energy demand, upgrading the mechanical, electrical, lighting, HVAC and plumbing systems will result in energy efficiency and will mitigate any potential impact.

7. The proposed action will not create a hazard to human health. Specifically:

A review of the NYSDEC Spills Incidents Database identifies the following spill events:

- **DEC Number 9911173** – This spill occurred on December 21, 1999 on the subject property. The cause of the fill was reported to be a failure of a diesel fuel tank. An unknown amount of diesel fuel leaked to the surrounding soil. The spill event was closed on June 1, 2000. This means that the NYSDEC determined that the necessary cleanup or removal actions occurred and no further remedial activity is necessary.
- **DEC Number 9412600** – This spill occurred off-site on July 1, 1993 in the vicinity of 60-80 Westchester Avenue. The source is listed as a gasoline station or other facility and the material spilled is listed as “unknown” and “MTBE” (methyl-tert-butyl ether) affecting groundwater and drinking water. The spill is listed as open.
- **DEC Number 360047** - Listed on the Environmental Site Remediation database and is related to contamination of residential drinking water from a drycleaner located at 72 Westchester Avenue. A filter was installed at a well servicing the dry cleaner and has been sampled periodically since July of 2003.

No open spill or remediation project is located on the subject property. The proposed action will require no disturbance activity in the vicinity of an open spill and will have no adverse effect on any ongoing off-site remediation projects.

- 8. The proposed action will not create a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses. Specifically:**
 - a. The proposed improvements are intended to serve the needs of the existing membership. Since the building was last updated more than 31 years ago, the fire department has upgraded its capabilities to support the growth in the community and fire apparatus has grown in size; this has resulted in the Department's storage capacity being exceeded by 200%. The proposed expansion is required to address serious capacity restraints and to remediate potential firefighter hazards and safety concerns. Further, dated infrastructure within the existing building is at the end of its working life and is in need of replacement.
 - b. The proposed action does not include a change of use and will not intensify the existing use.
- 9. The proposed action will not encourage or attract a large number of people to a place or place for more than a few days, compared to the number of people who would come to such place absent the action. Specifically:**
- 10. The proposed action will not create a material demand for other actions that would result in one of the above consequences.**
- 11. The proposed action will 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.**
- 12. When analyzed with two or more related actions, the proposed action will not have a significant impact on the environment and when considered cumulatively, will not meet one or more of the criteria under 6 NYCRR 617.7(c).**
- 13. The Board of Commissioners has considered reasonably related long-term, short-term, direct, indirect and cumulative impacts, including other simultaneous or subsequent actions.**

For further information contact:

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