

WHITEMAN
OSTERMAN
& HANNA LLP

Attorneys at Law
www.woh.com

One Commerce Plaza
Albany, New York 12260
518.487.7600 phone
518.487.7777 fax

Charles J. Gottlieb
Associate
518.487.7612 phone
cgottlieb@woh.com

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VIA HAND DELIVERY

Chairman Walter Chatham and
Members of the Planning Board
City of Hudson
429 Warren Street
Hudson, NY 12534

**RE: Hudson Housing Authority
Site Plan Application
Property: State & Columbia / North 2nd Streets (Tax ID 109.35-2-19)**

Dear Chairman Chatham and Members of the Planning Board:

On behalf of the Hudson Housing Authority ("HHA"), we respectfully submit this letter and attachments in furtherance of HHA's proposed development/rehabilitation of its property located at the corner of State Street and North 2nd Street and Columbia Street and North 2nd Street, identified on the tax map as parcel 109.35-2-19 (the "Property"). As the owner of the Property, HHA proposes new low-income/public housing dwelling units in addition to rehabilitating existing low-income/public housing buildings on the Property.

HHA is a public housing authority created under New York's Public Housing Law. The Project will be constructed, leased and operated by a public housing corporation created pursuant to New York law. Said public housing corporation will include HHA and PRC/DB, LLC (a joint venture between Property Resources Corporation and Duvernay + Brooks, LLC) as members and will be created to provide low-income/public housing.

This letter will set forth the procedural requirements under New York's Public Housing Law ("PHL") and the City of Hudson Zoning Code ("Zoning Code"), provide a Project description, and include a brief discussion of the requirements under New York's State Environmental Quality Review Act ("SEQRA").

The Project

Although one tax lot, the Property is split into two parcels. The State Street parcel is approximately 1.412 acres and is currently improved with a parking lot and recreational uses (the “State Street Parcel”). The Columbia Street parcel is approximately 2.995 acres and is currently improved with four (4) low-income/public housing multifamily buildings, including a high-rise public housing building known as Bliss Towers (the “Columbia Street Parcel”).

HHA proposes to redevelop the State Street Parcel with two (2) multifamily buildings. Each proposed building will provide low-income/public housing units, including age restricted senior units. In total, HHA proposes 73 new dwelling units on the State Street Parcel, 33 of which will be senior units. The 33 age restricted senior units will be broken up as follows: 18 studio units and 15 one-bedroom units. The 40 traditional family dwelling units will be broken up as follows: 11 one-bedroom units, 21 two-bedrooms units and 8 three-bedroom units. Permitted commercial space will be located on the ground floor of the senior building.

HHA also proposes to rehabilitate the existing 9-story multifamily housing building on the Columbia Street Parcel known as Bliss Towers. The remaining three low rise multifamily housing buildings located on the Columbia Street Parcel will eventually be redeveloped during Phase 2 of the Project. For purposes of the Project’s SEQRA review, HHA has included the proposed site master plan in connection with the Phase 2 development, which includes additional buildings on the Columbia Street Parcel.

HHA is not currently seeking any land use approvals from the City related to these Phase 2 buildings. However, HHA will be considering the environmental impacts of the master plan during the Planning Board’s environmental review to ensure compliance with SEQRA and its implementing regulations. This additional development will undergo a separate approval process by your Board when formally proposed to amend the site plan.

While there are no off-street parking requirements in the General Commercial (“G-C”) zoning district (see below), HHA has proposed parking in compliance with its internal parking policies for its public housing facilities.

Zoning

The Property (including both the State Street and Columbia Street Parcels) is located in the G-C zoning district. In the G-C zoning district, the following use is permitted:

Multifamily dwellings owned and operated by a municipal housing authority providing housing for low-income families pursuant to any federal or state law; a limited dividend nonprofit or cooperative corporation for low- or moderate-income families pursuant to any federal or state law.

Zoning Code §§ 325-15(A)(4), 325-11(A)(2). As noted above, HHA (the applicant and Property owner) is a public housing authority created by New York statute. Further, the Project will be

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constructed, leased and operated by a cooperative public housing corporation created pursuant to New York law. Therefore, the Project is a permitted use under the Zoning Code and therefore in harmony with the City's general zoning plan.

The G-C zoning district does not have any area and bulk regulations. *See* City of Hudson Zoning Code, Schedule of Bulk and Area Regulations. HHA has designed the Project in compliance with its internal design policies. The Project's design is also a result of community input obtained during public charrette meetings. The proposed design and buildings are intended to blend with the existing neighborhood while enhancing the aesthetics of the Property. The Property is surrounded by similar multifamily buildings, one and two-family residences, and commercial and industrial uses.

New York Public Housing Law

In addition to site plan review under the Zoning Code, the Project will also require approval under New York's Public Housing Law because HHA is a public housing authority created under the PHL. The below PHL procedure is in addition to the site plan review required under the Zoning Code and review pursuant to SEQRA.

Per PHL Section 150, the Project shall be submitted to the Planning Board for review. The Planning Board is required to hold a public hearing (with 10 day notice pursuant to PHL Section 150). After the public hearing, the Planning Board may approve the Project by issuing a "report". Once the Planning Board's report is complete, the Project plan and the Planning Board's report are submitted to the City Council for approval.

It is HHA's intent to complete the Planning Board's site plan, SEQRA and PHL review of the Project in whole prior to submitting the Project to the City Council. As discussed in more detail below, HHA respectfully submits that the Planning Board should be the "lead agency" for purposes of the SEQRA review and complete the SEQRA process prior to submission to the City Council.

SEQRA Review

As noted above, the Project will be completed in two phases. While the Planning Board will review and approve the Phase 2 at a later date, for purposes of SEQRA review the Planning Board should consider applicable potential environmental impacts of both phases at this time. HHA respectfully submits that the Planning Board should be the lead agency for the Project because of its role in the site planning process.

Due to the timing of this application, the Project must comply with the most recent amendments to the SEQRA regulations. Thus, HHA considers this application a Type 1 Action under SEQRA because of the Project's location nearby properties listed as "eligible" by the NYS State Historic Preservation Office. Pursuant to the amended SEQRA regulations, a Type 1 Action includes any "Unlisted Action" that exceeds 25 percent of any threshold of another listed Type 1 Action and that is also "occurring wholly or partially within, or substantially contiguous

to” any listed or eligible historic building, structure, facility, site or district or prehistoric site. *See* 6 NYCRR 617.4(b)(9).

Per the new SEQRA amendments, the construction of 200 units in the City of Hudson would be a Type I Action. *See* 6 NYCRR 617.4(b)(5)(iii). Here, all phases of the development will result in more than 25% of this 200 unit threshold (25% being 50 units). Accordingly, the Project should be listed as a Type 1 Action notwithstanding its overall benefit to the environment and the community as a whole.

A Type I Action does not automatically require that the Planning Board issue a Positive Declaration requiring the preparation of a Draft Environmental Impact Statement (“DEIS”). *See Matter of Shop-Rite Supermarkets, Inc. v. Planning Bd. of Town of Wawarsing*, 82 A.D.3d 1384, 1386 (3d Dept. 2011) (“the Planning Board’s designation of the project as a type I action did not, per se, necessitate the filing of an environmental impact statement”); *see also Matter of Mombaccus Excavating, Inc. v. Town of Rochester, N.Y.*, 89 A.D.3d 1209, 1211 (3d Dept. 2011) (same).

The Planning Board should issue a negative declaration, obviating the need for a DEIS, if HHA has demonstrated that no significant adverse environmental impacts will result from the Project. *See Matter of Gabrielli v. Town of New Paltz*, 116 A.D.3d 1315, 1316 (3d Dept. 2014); *see also* 6 NYCRR § 617.7(a)(2). HHA has provided a full Environmental Assessment Form with this application analyzing both phases of the Project. HHA will also provide additional environmental reports for the Planning Board’s review to demonstrate that no significant adverse environmental impacts will result from the Project (e.g. a traffic analysis). Future submissions will include Project and SEQRA narratives discussing the Project’s impacts and compliance with all state and local review requirements. The Project will beautify the neighborhood and provide much needed public housing in the City of Hudson.

To initiate the SEQRA process, we respectfully request that the Planning Board declare its intent to be lead agency for the Project and start the SEQRA coordination process at the December 13, 2018 Planning Board meeting.

Conclusion

The Project has been reviewed by the City of Hudson Code Enforcement Officer (“CEO”) and is now being formally submitted to the Planning Board. As requested, we have submitted 10 copies of this letter and the following additional documents:

- 1) Planning Board Application; and
- 2) Long Environmental Assessment Form.

Based on conversations with the CEO, 10 sets of site plans, elevations, and existing conditions prepared by Insite Engineering, Surveying & Landscape Architecture, P.C. and Peter Clements Architect, PC, will also be submitted to the Planning Board.

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We look forward to working with the Planning Board on this exciting new project. We hope to be placed on the Planning Board's December 13, 2018 meeting agenda to discuss the Project and obtain initial feedback. In the meantime, please do not hesitate to contact my office with any questions.

Very truly yours,



Charles J. Gottlieb

Enclosures

cc: Craig Haigh, Code Enforcement Officer (w/o attachments)
Mitchell Khosrova, Esq., Law Office of Mitchell Khosrova (w/o attachments)
Andrew B. Howard, Esq. Howard Freeman, P.C. (w/o attachments)
Tim Mattice, HHA (w/o attachments)
Brian Heeger, PRC/DB, LLC (w/o attachments)
Frank Linde, PRC/DB, LLC (w/o attachments)
Peter Clements, Peter Clements Architect, PC (w/o attachments)
Dawn McKenzie, RLA, Insite Engineering, Surveying & Landscape Architecture, P.C.
(w/o attachments)