



**Resolution**  
**Board of Supervisors**  
**County of Columbia**  
**New York**

**RESOLUTION NO. 284-2011**

**DATE: August 31, 2011**

**BY SUPERVISOR \_\_\_\_\_**  
**PUBLIC WORKS COMMITTEE**  
**CHAIRMAN: BART. DELANEY, JR.**  
**CHAIRMAN: ROY BROWN**  
**FROM THE FLOOR**

**ISSUING A NEGATIVE DECLARATION FOR PURPOSES OF SEQRA IN CONNECTION WITH THE PURCHASE, FINANCE AND RE-PURPOSING OF A FORMER 128,000 +/- SQUARE FEET FORMER BOX STORE BUILDING LOCATED ON NYS ROUTE 9 IN THE TOWN OF GREENPORT**

**WHEREAS,** upon the recommendation of the Columbia County Finance Committee; and

**WHEREAS,** Columbia County provides a wide variety of services to residents of the County; and

**WHEREAS,** Columbia County employs approximately 900 personnel with their primary focus being the delivery of these services; and

**WHEREAS,** Columbia County occupies several buildings within the County; and

**WHEREAS,** seven of these buildings are located within the City of Hudson: 325 Columbia Street, 401 Union Street, Annex to 401 Union Street, 401 State Street, 560 Warren Street, 610 State Street, and 25 Railroad Avenue; and,

**WHEREAS,** buildings outside the City of Hudson include 178 Route 23B Highway Garage (T/O Greenport), County Facilities Shop (T/O Claverack), Solid Waste Transfer Station (T/O Greenport), Public Safety Building (T/O Greenport), Nutrition Center (V/O Philmont), Pine Haven Nursing Home (T/O Claverack), Five highway outposts (T/O Livingston, T/O New Lebanon, T/O Copake, T/O Kinderhook, T/O Ghent), and eight solid waste convenience stations (T/O Copake, T/O Hillsdale, T/O Gallatin, T/O Kinderhook, T/O Chatham, T/O New Lebanon, T/O Germantown, T/O Livingston); and

**WHEREAS,** Columbia County owns all of these facilities with the exception of 25 Railroad Avenue, which is occupied through a 20 year lease which will expire in 2011; and

**WHEREAS,** decisions need to be made as to whether the County will remain at the 25 Railroad Avenue site after the expiration of the current lease in 2011; and

**WHEREAS,** the Columbia County Department of Social Services is the current occupant of 25 Railroad Avenue; and

**WHEREAS,** the Columbia County Board of Supervisors has also understands the need for additional professional office and storage space which should be addressed in addition to the expiration of the DSS lease; and

**WHEREAS**, in or around February 27, 2007 a subcommittee of the Columbia County Facilities Committee was formed (Subcommittee) to research the County space needs and the available options to address the space needs including the expiration of the DSS lease; and

**WHEREAS**, the Board of Supervisors has continued to search for a solution to their space needs after the work of the subcommittee of the Columbia County Facilities Committee was completed; and

**WHEREAS**, the Columbia County Capital Resource Corporation (CRC) approached the Columbia County Board of Supervisors in or around the last quarter of 2010 to solicit interest as a tenant for the re-purposing of the former Wal-Mart building (property) located at 353 Fairview Avenue, Hudson, NY (Town of Greenport); and

**WHEREAS**, the Columbia County Capital Resource Corporation (CRC) executed an agreement of sale with Wal-Mart TRS LLC dated February 8, 2011 for the purpose of purchasing a  $\pm 14.5$  acre property inclusive of a  $\pm 128,000$  sf single story building located at 353 Fairview Avenue, Hudson, NY (Town of Greenport) for the purpose of re-purposing the building for use as County office space with a residual amount for incubator business start-up businesses; and

**WHEREAS**, Columbia County identified the following list as perspective departments for occupancy of professional space at the property:

- Department of Social Services
- Department of Aging
- Office of the Aging
- Office of the Aging Nutrition Center
- Health Department
- Mental Health Department
- Health Care Consortium
- Planning / Tourism / Economic Development
- Columbia County Economic Development Corporation
- Central Services / Central Printing / Central Garage
- Public Defender
- Department of Probation
- Youth Department
- Veterans Office
- Facilities Department
- County Historian
- Department of Engineering
- Short term / active file storage
- Common space / conference rooms; and

**WHEREAS**, the County has estimated that the total floor area needed if all the above uses relocated would be  $\pm 115,000$  sf; and

**WHEREAS**, the County concluded that it is in their best interest to undertake the project under their ownership; and

**WHEREAS**, the CRC transferred an assignment of their interests in the purchase contract for the property to the County; and

**WHEREAS**, in accordance with Resolution No. 191-2011 the County secured the assignment from the CRC and undertook the necessary due diligence actions in consideration of purchasing the property; and

**WHEREAS**, the County commissioned an Appraisal by Grubb & Ellis Landlauer, Phase I Environmental Site Assessment by Summit Environmental Services, LLC, Structural Assessment by Ryan-Biggs Associates, PC, Traffic Impact Analysis by Morris Associates and a Title Search; and

**WHEREAS**, the appraisal report, structural analysis, traffic impact analysis and Phase I Environmental Site Assessments were considered by the County and are on file with the Clerk of the Columbia County Board of Supervisors; and

**WHEREAS**, the appraisal report identified the value of the property at \$2.1M; and

**WHEREAS**, the structural analysis found that the property is structurally sound with no deficits which would hinder its re-purposing as County office space; and

**WHEREAS**, the Phase I Environmental Impact Analysis assessment has revealed no evidence of existing recognized environmental conditions in connection with the Property, as defined by ASTM; and

**WHEREAS**, the traffic impact analysis shows that there is no significant impact to the operation of the intersection resulting from the re-purposing of the property and that the intersection will operate better or at the same level as when Wal-Mart occupied the site; and

**WHEREAS**, the County recognizes that the re-purposing of the property at 353 Fairview Avenue represents the lowest capital cost alternative that is available at this time; and

**WHEREAS**, the purchase price for this property is \$2.1 million dollars, which is consistent with the Appraisal commissioned by Columbia County by Grubb & Ellis Landauer dated May 20, 2011; and

**WHEREAS**, the Columbia County Board of Supervisors solicited for Lead Agency in accordance with 6NYCRR617 on July 13, 2011. This solicitation included a description of the Action, a completed Long Environmental Assessment Form (LEAF) Part I, and a notice that should the agency not agree with the Columbia County Board of Supervisors designation as Lead Agency for this Action that they should follow the procedures outlined in Title 6 part 617; and

**WHEREAS**, the following Involved or Interested Agencies were solicited:

- Town of Greenport, Town Board
- Town of Greenport Planning Board
- NYS Department of Transportation, Region 8
- New York State Office of Parks, Recreation and Historic Preservation
- NYS Department of Environmental Conservation, Region 4
- Columbia County Department of Planning
- Columbia County Department of Health
- Greenport Fire Company

- Greenport Rescue Squad
- Town of Greenport Building Inspector
- Columbia County Board of Supervisors; and

**WHEREAS**, the NYSDEC and New York State Office of Parks Recreation and Historic Preservation responded to the Lead Agency solicitation under cover letter dated June 26, 2011 and August 2, 2011 respectively which stated that neither has objection to Columbia County being Lead Agency for this action; and

**WHEREAS**, no other involved or interested agencies responded to the lead agency solicitation; and

**WHEREAS**, the County acknowledges the project would cause the relocation of certain departments. The County also acknowledges that certain services currently offered from County buildings located in the City of Hudson may move to the 353 Fairview Avenue property. Such a relocation of certain departments and services approximately  $\pm 1$  mile from the City of Hudson would change the destination point for employees as well as persons seeking services.

**WHEREAS**, the County has recognized the need for and is committed to providing a public transportation system from the City of Hudson to the proposed 353 Fairview Avenue property for residents of the City of Hudson that use County services and need transportation; and

**WHEREAS**, based upon an evaluation of public transportation demands completed in 2007, it is estimated that less than 50 persons / day currently walk or use existing public transportation for County services within the City of Hudson. The needs of those individuals will be met by the County of Columbia providing public transportation to the 353 Fairview Avenue site from the City of Hudson; and

**WHEREAS**, the County has an existing transportation program for the benefit of the residents of the County of Columbia administered under contract with Coxsackie Transport, Inc. for County transportation needs; and

**WHEREAS**, this public transportation system will be available to not only clients and visitors to the 353 Fairview Avenue site, but also to employees, alleviating any potential concerns about transportation needs involving the City of Hudson; and

**WHEREAS**, the potential relocation of County services from the City of Hudson to the 353 Fairview Avenue site, a distance of approximately one mile from the City of Hudson limits, is not herein recognized as a significant socioeconomic impact, as it will not alter existing patterns of population concentration, distribution or growth, or affect the existing community or neighborhood character of the City of Hudson; and

**WHEREAS**, relocation of services to the 353 Fairview avenue site will not impact the Town of Greenport since the site is preexisting, has a history of use equal to, or greater than the intensity that is proposed, and is located along a major state highway thereby providing appropriate access; and

**WHEREAS**, relocation of services to the 353 Fairview Avenue site will not impact clients or visitors from outside the City of Hudson or outlying areas of the County as the 353 Fairview Avenue site is centrally located in a business / commercial area of the County of Columbia; and

**WHEREAS**, all services needed and necessary to support the re-purposing of the 353 Fairview Avenue site as a County office building will be provided for on-site, no other development will be needed or encouraged from this project; and

**WHEREAS**, the potential relocation of County services from the City of Hudson to the 353 Fairview Avenue site, a distance of approximately one mile from the City of Hudson limits, is not

herein recognized as a significant socioeconomic impact, as it will not alter existing patterns of population concentration, distribution or growth, or affect the existing community or neighborhood character of the Town of Greenport; and

**WHEREAS**, the capital cost for this project may further be reduced by the following:

- Sale of 610 State Street;
- Sale of Philmont Nutrition Center;
- Sale of 401 State Street;
- Sale of the County's Ockawamick property; and

**WHEREAS**, the Net Capital Cost for this project is estimated to be equal to \$15 million, which represents the purchase price of \$2.1 million; and

**WHEREAS**, the annual operation and maintenance costs will further be reduced by consolidating county services into the 353 Fairview Avenue building by the following:

- Sale of 610 State Street;
- Sale of 401 State Street;
- Abandonment of 25 Railroad Avenue;
- Sale of the Philmont Nutrition Center; and

**WHEREAS**, prior to making a final determination and commitment to release the purchase agreement contingencies, the County must undertake and complete a SEQRA review and determination of the potential for significant environmental impacts of such a proposed action, and

**WHEREAS**, the County now after analyzing and addressing areas of possible environmental concerns, undertaking a "hard look" and all potential impacts, during and through the County's due diligence and contingency period, proposes herein to determine on the Long EAF part II, annexed hereto as follows:

1. Will the proposed Impact result in any physical change to the project site?  
**Proposed answer:** No. No site changes are anticipated. The bulk of the project consists of renovating the inside of an existing building.
2. Will there be an effect to any unique or unusual landforms found on the site?  
**Proposed Answer:** No. There are no effects to the unique or unusual landforms by the proposed project.
3. Will Proposed Action affect any water body designated as protected?  
**Proposed Answer:** No. There are not any protected water bodies to be affected upon the site.
4. Will Proposed Action affect any non-protected existing or new body of water?  
**Proposed Answer:** No. There are not any water bodies to be affected upon the site.
5. Will the Proposed Action affect surface or groundwater quality or quantity?  
**Proposed Answer:** No. The County proposes no actions or modifications to surface conditions, subsurface conditions, or groundwater conditions so as to cause any impacts to groundwater quality or quantity.
6. Will the Proposed Action alter drainage flow or patterns, or surface water runoff?  
**Proposed Answer:** No. The project will not have any effect upon drainage flow, patterns or surface water runoff.

7. Will Proposed Action affect air quality?  
**Proposed Answer:** No. There will be no significant increases in traffic or volume, i.e. no trips of more than 1,000 vehicles per hour, no incineration of 1 ton of refuse per hour, no effects on industrial activities are related to the site, and therefore, will not cause any impacts to air quality.
8. Will Proposed Action affect any threatened or endangered species?  
**Proposed Answer:** No. There are no threatened or endangered species located or existing upon the site that would be affected by this action.
9. Will Proposed Action affect any non-threatened or non-endangered species?  
**Proposed Answer:** No. There are no non-threatened or non-endangered species located or existing upon the site that would be affected by this action.
10. Will the Proposed Action affect agricultural land resources?  
**Proposed Answer:** No. There will be no affect on agricultural land resources or a reduction in agricultural resources.
11. Will the Proposed Action affect aesthetic resources?  
**Proposed Answer:** No. The County proposes to re-utilize existing facilities and therefore will have no affect on aesthetic resources.
12. Will the Proposed Action impact any site or structure of historic, prehistoric or paleontological importance?  
**Proposed Answer:** No. The project includes the re-purposing of an existing building with no significant changes to the remainder of the site.
13. Will Proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?  
**Proposed Answer:** No. The project will have no affect to the quality or quantity of recreational open space or opportunities.
14. Will the Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6 NYCRR 617.14(g)?  
**Proposed Answer:** No. There are no critical environmental areas affected by the proposed action.
15. Will there be an effect to existing transportation systems?  
**Proposed Answer:** No. As indicated by the traffic analysis performed in the consideration of this action, there will be no significant traffic impacts cause by utilization of the existing site as a County office building.
16. Will Proposed Action affect the community's sources of fuel or energy supply?  
**Proposed Answer:** No. There will be no affect on the community's sources of fuel or energy supply.
17. Will there be objectionable odors, noise or vibration as a result of the Proposed Action?  
**Proposed Answer:** No. There will be no generation of objectionable odors, noise or vibration as a result of this action.
18. Will Proposed Action affect public health and safety?  
**Proposed Answer:** No. The proposed action creates no affects to health and safety by reason of risk of explosion, hazards substances, hazardous waste or actions near a hazardous sites.

19. Will Proposed Action affect the character of the existing community?  
**Proposed Answer:** No. The County proposes to re-purpose the existing facilities, therefore the proposed action creates no affects on the existing community. Further, said re-purposing of the property is consistent with the surrounding land use in the Town of Greenport.
- 20 Is there, or is there likely to be, public controversy related to potential adverse environment impacts?  
**Proposed Answer:** No. The public comment revealed public concerns as to the impacts on the City of Hudson and impacts to recipients of County services that reside in the City of Hudson if County services are potentially relocated to the 353 Fairview Avenue site. To that end, the County's work in undertaking the project analysis did include consideration of the service population demographics and resultant transportation needs. The County found that this action, regardless of which County department(s) are relocated to the 353 Fairview avenue site, will not alter existing patterns of population concentration, distribution or growth, or affect the existing community or neighborhood character of the County of Columbia, City of Hudson or Town of Greenport. Also, as to transportation needs, the County has committed to provide public transportation opportunities for visitors, employees and recipients of County services that reside within the City of Hudson to and from the 353 Fairview Avenue site. Therefore, the public controversy relating to potential environmental impacts, including socioeconomic elements, has been sufficiently studied and addressed.

Regarding economic impacts, this project will not result in any job loss. To that end, the project will not have any County wide economic impact. From a local perspective, the project will move some County employees from the City of Hudson, which may decrease the amount of money spent locally by County employees during the work day. However, the County is committed to maintaining a presence in the City of Hudson and will continue to have upwards of 400 employees within or within 1/2 mile of the City limits after development of the 353 Fairview Avenue site, which is only  $\pm 1$  mile from the City of Hudson limits; and

**WHEREAS,** the Columbia County Board of Supervisors has chosen to elaborate on question 20 in the SEQRA Long Environmental Assessment Form Part III as follows:

Part III of the LEAF is intended to further discuss impacts found to be large or, impacts that cannot be mitigated with project change. Notwithstanding the fact that the County has not identified impacts through the SEQRA process which are potentially large or, that cannot be mitigated with a project change, the County has deemed it appropriate to further elaborate its response to Question 20 in Part II concerning public controversy. In this regard, there has been open publication/disclosure of the County plan for this Action to its +62,000 residents and has invited County residents to express their comments and concerns regarding this action. To date, less than 50 County residents have generated comments or concerns about this Action. Moreover, the substantial majority of those comments are in regards to the relocation of the Department of Social Services from the City of Hudson to the 353 Fairview avenue site.

The proposed Action is to purchase, finance, and re-purpose a  $\pm 14.5$  acre 353 Fairview Avenue site in the town of Greenport consisting of an existing  $\pm 128,000$  sf former box store to County offices. The County did evaluate the socio-economic and environmental impacts associated with the relocation of County services and departments from the City of Hudson to the Town of Greenport. Also, the County considered the transportation impacts associated with the Action under a worst case scenario by grouping County departments together resulting in the highest level of employees and client / customer visits. No potentially large socio-economic impacts were identified. Notwithstanding, the County is committed to addressing expressed concerns, such as assisting clients and visitors that live in the City of Hudson and normally walk to their service providers.

In regards to economic impacts, this project will not result in any job loss nor will it have a negative County wide economic impact. From a local perspective, the project will move some County employees from the City of Hudson, which may decrease the amount of money spent locally by County employees during the work day. However, the County is committed to maintaining a presence in the City of Hudson and to that end will continue to have upwards of 400 employees within or within 1/2 mile of the City limits after development of the 353 Fairview Avenue site.

The Columbia County Board of Supervisors does not find this approval to constitute improper segmentation but finds this approach authorized by 6NYCRR 617 (3)(g)(1) and finds this approach to be no less protective of the environment. In short, this Action is authorizing the purchase, finance and development of the former ±128,000 sf box store on ±14.5 acres located at 353 Fairview Avenue in the Town of Greenport to secure a site for County offices. Again, the County's work in undertaking this Action did include consideration of the service population demographics and resultant transportation needs. The County found that this Action, regardless of which County agencies are eventually relocated to the site, will not alter existing patterns of population concentration, distribution or growth, or affect the existing community or neighborhood character of the County of Columbia, City of Hudson or Town of Greenport.

**NOW, THEREFORE BE IT**

**RESOLVED**, that based upon the forgoing review, consideration, analysis of the proposed action, and after consultation with numerous other agencies and consultants commissioned to report on said proposed action, and in consideration of the Full Environmental Assessment form Parts I, II and the comments under Part III, as well as the information and findings in this resolution; the Columbia County Board of Supervisors herein issues a Negative Declaration for purpose of SEQRA on the proposed action, this resolution and associated forms incorporated by reference being the findings as to the determination, and be it further

**RESOLVED**, that the Columbia County Chairman of the Board of Supervisors is authorized to execute any and all documents consistent with the intent of this resolution, and be it further

**RESOLVED**, that copies of this resolution be forwarded to all Involved and Interested agencies and departments, and be it further

**RESOLVED**, that certified copies be forwarded to all interested and involved agencies pursuant to 6 NYCRR 617, the Commissioner of Public Works, the Columbia County Attorney and the Columbia County Treasurer.

**Approved:**

\_\_\_\_\_  
County Attorney

**Resolution  
Committee**

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