
CHAPTER 1

Proposed Action Background

**Long Dock Beacon
City of Beacon
Dutchess County, New York**

CHAPTER 1: PROPOSED ACTION BACKGROUND

1.1 PROPOSED ACTION BACKGROUND

The proposed action, Long Dock Beacon, is a planned waterfront revitalization project for a significant tract of land, consisting of three separate abutting parcels (formerly known as Garrett Storm, Kellam and Beacon Salvage), which collectively total approximately 89.53 acres (approximately 64.60 acres consists of submerged land under the Hudson River and approximately 24.93 acres of upland). Long Dock Beacon was originally proposed pursuant to a development agreement between The Scenic Hudson Land Trust, Inc. (Scenic Hudson), a non-profit environmental organization dedicated to protecting and restoring the Hudson River, its riverfront, its majestic vistas and working landscapes beyond, and Foss Group Beacon, LLC (Foss Group), a single purpose entity formed to own and operate the mixed-use development, and which shares Scenic Hudson's values regarding environmentally responsible development, sustainability principles, and community participation.

Since then, Scenic Hudson has transferred ownership of the portion of the project site proposed to be developed as the Hotel and Conference Center to Beacon Waterfront, LLC, whose sole member is Scenic Hudson. The remainder of the project site which will be developed and maintained as a Park remains under ownership by The Scenic Hudson Land Trust, Inc. Additionally, Foss Group has entered into a Joint Venture Agreement with Hudson River Beacon Development, LLC (which is comprised of some of the principals of Doral Arrowwood), forming the development entity named Long Dock Beacon Associates, LLC. Long Dock Beacon Associates, LLC is leasing the land and will develop and operate the proposed Hotel and Conference Center, and will also manage and maintain other related aspects of the proposed action within the Park portion of the project site.

1.1.1 History of the Project

In 1998, with a generic development plan, Scenic Hudson initiated development application review process with the City of Beacon. Since then and prior to the acceptance of the Draft Environmental Impact Statement (DEIS) by the lead agency, the proposed action progressed to a site-specific development review project. The project history can be summarized as follows:

- In the late 1990's, as the work on the generic environmental review progressed it became apparent that the site-specific details of a development might require a very different environmental review than the generic one undertaken by Scenic Hudson.
- After further consideration Scenic Hudson decided to seek a developer before completing the required EIS, and eventually selected Foss Group Beacon.
- Scenic Hudson and Foss Group Beacon, as co-project sponsors, conducted an RFP search for a qualified architect and related design team professionals.
- Once the project architect was selected, design development began, ultimately leading to adoption of a revised final Scoping Outline by the City of Beacon Planning Board, as lead agency. On July 13, 2004, the lead agency adopted a revised final Scoping Outline (which Scoping Outline also addresses comments received from involved and interested agencies, and the public).

- The project sponsors submitted a preliminary DEIS, which was further revised to address comments of the lead agency and its consultants and re-submitted.
- On August 9, 2005, the City of Beacon Planning Board, as lead agency, accepted as complete the DEIS for public review, circulation and comment.
- A SEQR public hearing was duly noticed and held on September 13, 2005, and the DEIS was available for public review and comment through September 27, 2005.
- Since the public hearing, an additional involved agency has been identified. In March, 2007, in connection with Dutchess County Industrial Development Agency (DCIDA) Special Bond funding mechanism related to the commercial aspects of the proposed action, the project sponsor submitted an application to the DCIDA. An application to the DCIDA for funding for the park improvements has also been submitted. Consideration of those applications and DCIDA decision for funding is subject to SEQR. On January 29, 2008, the DCIDA consented to the City of Beacon Planning Board serving as Lead Agency (*refer to Appendix A, Correspondence*).
- In February, 2008 a draft of the Final Environmental Impact Statement (FEIS) was submitted and comments were provided by the City of Beacon Planning Board, as lead agency, and its consultants.
- On June 7, 2008, the Town of Fishkill Town Board adopted Local Law #4 of 2008 establishing a new Town Zoning District called the “Hudson River District (HRD)” and adopting related zoning special permit regulations governing the land use and development of those portions of the project site located in the Town of Fishkill consisting of lands submerged under water of Hudson River (refer to Appendix A, Correspondence for a copy of the adopted Town of Fishkill Local Law).
- On August 26, 2008, the project sponsor submitted a revised draft FEIS for review and acceptance by the City of Beacon Planning Board, as lead agency.
- On September 9, 2008, the City of Beacon Planning Board, as lead agency, accepted as a complete the submitted FEIS.

1.1.2 Progress on Obtaining Needed Permits and Approvals

Since the time of the SEQR public hearing and the close of the public comment period, the project sponsors have been proceeding with the details of the project’s development aspects, including schematic design, evaluating construction costs, preparing overall project budgets, as well as capital structuring and the selection of the hotel and conference center operator. Also during this time, the project sponsors have been proceeding with NYS Brownfield Clean-up Program approvals and various permitting activities associated with obtaining waterfront development permits involving the U.S. Army Corps of Engineers, New York State Department of Environmental Conservation and the New York State Department of State. *Refer to Chapter 2, Proposed Action Update.*

1.1.3 Final Environmental Impact Statement (FEIS)

The document herein consists of the Final Environmental Impact Statement (FEIS), which pursuant to SEQR 6 NYCRR Part 617 incorporates the DEIS (*refer to Chapter 3 of this FEIS*). Furthermore, this FEIS presents and responds to all of the substantive verbal comments (*refer to Chapter 4 and 6 of this FEIS*) heard at the September 13, 2005, Public Hearing and all of the

written comments (*refer to Chapter 4 and 5 of this FEIS*) received through the September 27, 2005, public comment period. This FEIS document also provides detailed information on aspects of the site plan that have changed during advancement of the design and funding process. These aspects are discussed in *Chapter 2 of this FEIS in Section 2.1, Proposed Action Update*.

1.1.4 Project Schedule

It is anticipated that LDB construction will start during the first quarter of 2009. Construction will take approximately 14 months. Funding coming from New Market Tax Credit banks require that all approvals, and a project finance closing, occur in November, 2008.