

A. INTRODUCTION

This chapter presents the existing conditions and discusses the Proposed Action’s potential effects on and consistency with land use, zoning, and public policy within the Fjord Trail North Corridor. An evaluation of the proposed Fjord Trail South is provided in Chapter IV.A, “Land Use and Zoning – Fjord Trail South,” of this DGEIS.

This chapter provides a description of existing conditions and an assessment of the future conditions with and without the Fjord Trail North section of the proposed Fjord Trail. This chapter describes existing land uses along the Fjord Trail North Corridor and assesses compatibility of the Proposed Action with existing and future land uses along the Corridor. In addition, this chapter evaluates consistency of the Proposed Action within Fjord Trail North with applicable zoning ordinances and public policy documents specified in the Final Scoping Document.¹ As demonstrated in the following sections of this chapter, the Proposed Action within Fjord Trail North would have no significant adverse impacts related to land use, zoning, or consistency with adopted public policies.

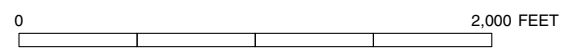
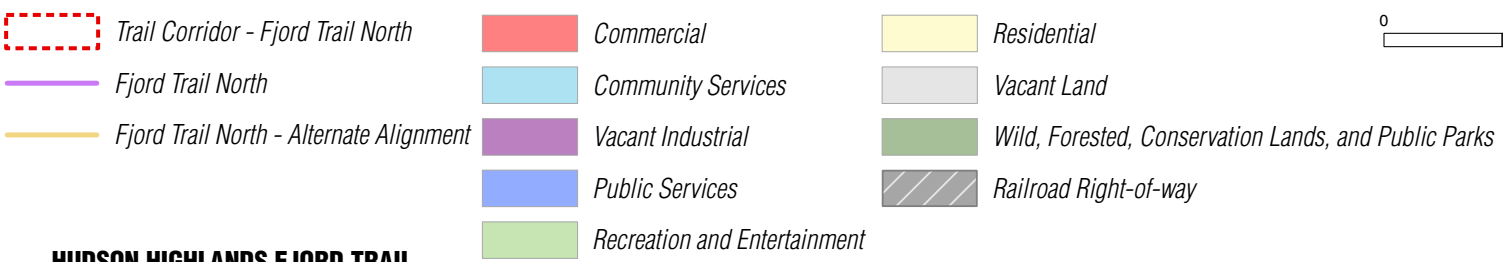
B. EXISTING CONDITIONS**LAND USE**

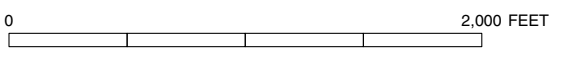
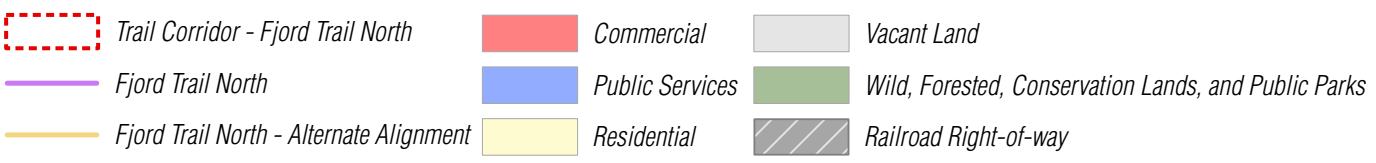
Existing land uses along the Fjord Trail North Corridor are shown in **Figures III.A-1a and III.A-1b**.

The northern terminus of the Fjord Trail North Corridor is in Long Dock Park, a 19-acre active and passive recreation area on the Hudson River waterfront in the City of Beacon. Long Dock Park contains walking paths, a kayak pavilion and canoe and kayak launch, an outdoor classroom area, and Scenic Hudson’s River Center. Long Dock Park has several parking areas with approximately 80 parking spaces for park users and visitors to Scenic Hudson’s River Center. Just north of Long Dock Park is a pier that serves the Newburgh-Beacon Ferry and the Pete and Toshi Seeger Riverfront Park, which together create an active public waterfront space in the City of Beacon. There are roughly 30 dedicated parking spaces provided at the Pete and Toshi Seeger Riverfront Park. Adjacent to the waterfront is the Metro-North Railroad (MNR) Beacon station and associated parking area. The MNR tracks run north-south parallel to the Hudson River shoreline and the Fjord Trail North Corridor.

South of Long Dock Park, the Fjord Trail North Corridor encompasses the existing Klara Sauer Trail and runs through Denning’s Point. Within this area, the MNR tracks and right-of-way continue along the east side of the Klara Sauer Trail with the Hudson River immediately to the

¹ The Final Scoping Document references a discussion of land uses that may comprise historic fill areas and remediation sites within the proposed Trail Corridor. Any discussion of these sites, their current location, and status can be found in Chapters III.P, “Hazardous Materials Assessment – Fjord Trail North,” and IV.P, “Hazardous Materials Assessment – Fjord Trail South,” of this DGEIS.





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west. On the east side of the MNR tracks are the Dia Beacon art museum, single-family residences, commercial properties, the City of Beacon transfer station and wastewater treatment facility, and a large field of solar panels adjacent to the wastewater treatment facility. An informal (unmarked) parking area for the wastewater treatment facility and Denning's Point is located on Dennings Avenue that provides space for roughly 35 vehicles. An extension of Dennings Avenue (restricted to authorized vehicles and pedestrians only) travels on an existing bridge over the MNR tracks to connect to Denning's Point and Madam Brett Park.

Denning's Point is a peninsula in the Hudson River that is part of the Hudson Highlands State Park Preserve (HHSPP). OPRHP is planning a cleanup of an existing steel structure at Denning's Point and plans to install photovoltaic (PV) solar panels.

South of Denning's Point, the Fjord Trail North Corridor encompasses a section of MNR's Beacon Line, an inactive rail corridor that stretches east-west from Beacon to Hopewell Junction. A portion of the Beacon Line in this area is currently used by MNR for storage and staging of materials and equipment. The Fjord Trail North Corridor follows the Beacon Line on a bridge over the active MNR Hudson Line tracks and then continues on the east side of the MNR right-of-way to the north shore of Fishkill Creek. Land uses along the Fjord Trail North Corridor in this area include Madam Brett Park, a 12-acre park with trails, and the vacant industrial buildings of the former Tioronda Hat Works Factory. The former factory is a complex of brick buildings in various states of disrepair. Single-family residences along Newlins Mill Road and Paye Avenue are also adjacent to the Fjord Trail North Corridor. East of the Fjord Trail North Corridor are the stone abutments of the former Tioronda Bridge that crossed Fishkill Creek. The eastern entrance to Madam Brett Park is located on the north side of Fishkill Creek, near the former Tioronda Bridge. A small parking lot at the entrance provides approximately 15 parking spaces.

South of Fishkill Creek, the Fjord Trail North Corridor travels along an existing clearing for power lines through wooded areas on two private properties and continues onto Town of Fishkill property. Land uses along the Fjord Trail North Corridor in this area include single-family residential properties and forested land. The houses on these properties are located south and east of the Fjord Trail North Corridor, with frontages along High Goal Lane, Slocum Road, and Fairways Lane. A townhome development is located on North River Drive. South of Fairways Lane, the Fjord Trail North Corridor is within the Dutchess Junction area (also known as The Notch) of HHSPP. The Notch comprises flat and gently sloping forested land. A small pull-off parking area for The Notch is located along NYS Route 9D that accommodates approximately four vehicles.

To the south, the Fjord Trail North Corridor is primarily within forested areas of HHSPP, with the MNR tracks and Hudson River to the west and limited large lot single-family residential uses to the east (see **Figure III.A-1b**). These residential uses have frontage on NYS Route 9D, with tracts of land that extend west to the MNR right-of-way. The Fjord Trail North Corridor travels across several private properties, as well as the Dutchess Manor property, a former event venue that includes a 19th century house and parking areas that is currently owned by HHFT, Inc. and used to host occasional public events. The east side of NYS Route 9D in this area is mostly undeveloped and comprises mountainous terrain of the Hudson Highlands within HHSPP.

Land uses at the southern end of the Fjord Trail North Corridor include HHSPP and the MNR right-of-way. An existing viewing platform for Bannerman Castle, which is situated on an island in the Hudson River, is located at the southernmost extent of the Fjord Trail North Corridor. At its southern terminus, the Fjord Trail North Corridor connects to the Breakneck Connector and Bridge Project (BNCB). This area is a popular destination for hikers, with the Wilkinson Memorial

Trailhead and Breakneck Ridge Trailhead along NYS Route 9D just south of the Fjord Trail North Corridor. Visitors to the Wilkinson Memorial and Breakneck Ridge Trails are currently provided parallel parking on both sides of NYS Route 9D starting just north of the Breakneck tunnel and extending north for roughly half a mile. This stretch of NYS Route 9D accommodates approximately 160 cars. The BNCB will construct formal parking in this area, at the southern end of the Fjord Trail North Corridor.

LOCAL ZONING DISTRICTS

To the extent applicable, this section provides an overview of existing local zoning districts within or adjacent to the Fjord Trail North Corridor, as shown on **Figures III.A-2a and III.A-2b**.

CITY OF BEACON

Within the City of Beacon, the Fjord Trail North Corridor passes through the following Zoning Districts: Waterfront Park (WP), Light Industrial (LI) and Fishkill Creek Development District (FCD), as defined and delineated by the City of Beacon Zoning Code (Chapter 223 of the City Code) and Map.

The WP Zone is intended to maintain, enhance, and increase public accessibility to the waterfront, encouraging public pedestrian access along the water's edge in a manner compatible with the adjoining privately owned land uses. As described in the City of Beacon Comprehensive Plan Update (2017), the WP Zone is intended to encourage recreation and use of the waterfront, while preserving and enhancing the waterfront's scenic beauty and other coastal resources.

Permitted principal uses within the WP Zone include, but are not limited to, park facilities providing passive recreation and water-related recreation activities and recreational activities that depend on access to coastal waters. Proposed activities and projects in the WP Zone require site plan approval by the Planning Board. Certain activities and projects, including piers, docks, marinas and boat-launching facilities, also require a special permit from the Beacon City Council.

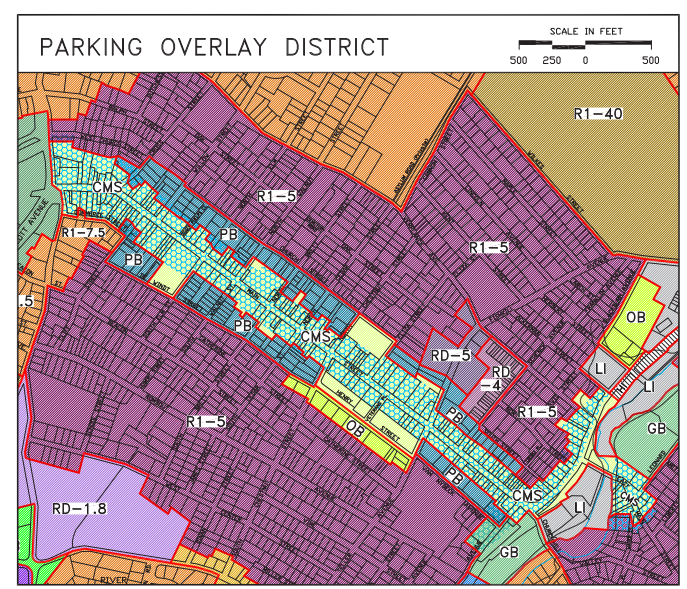
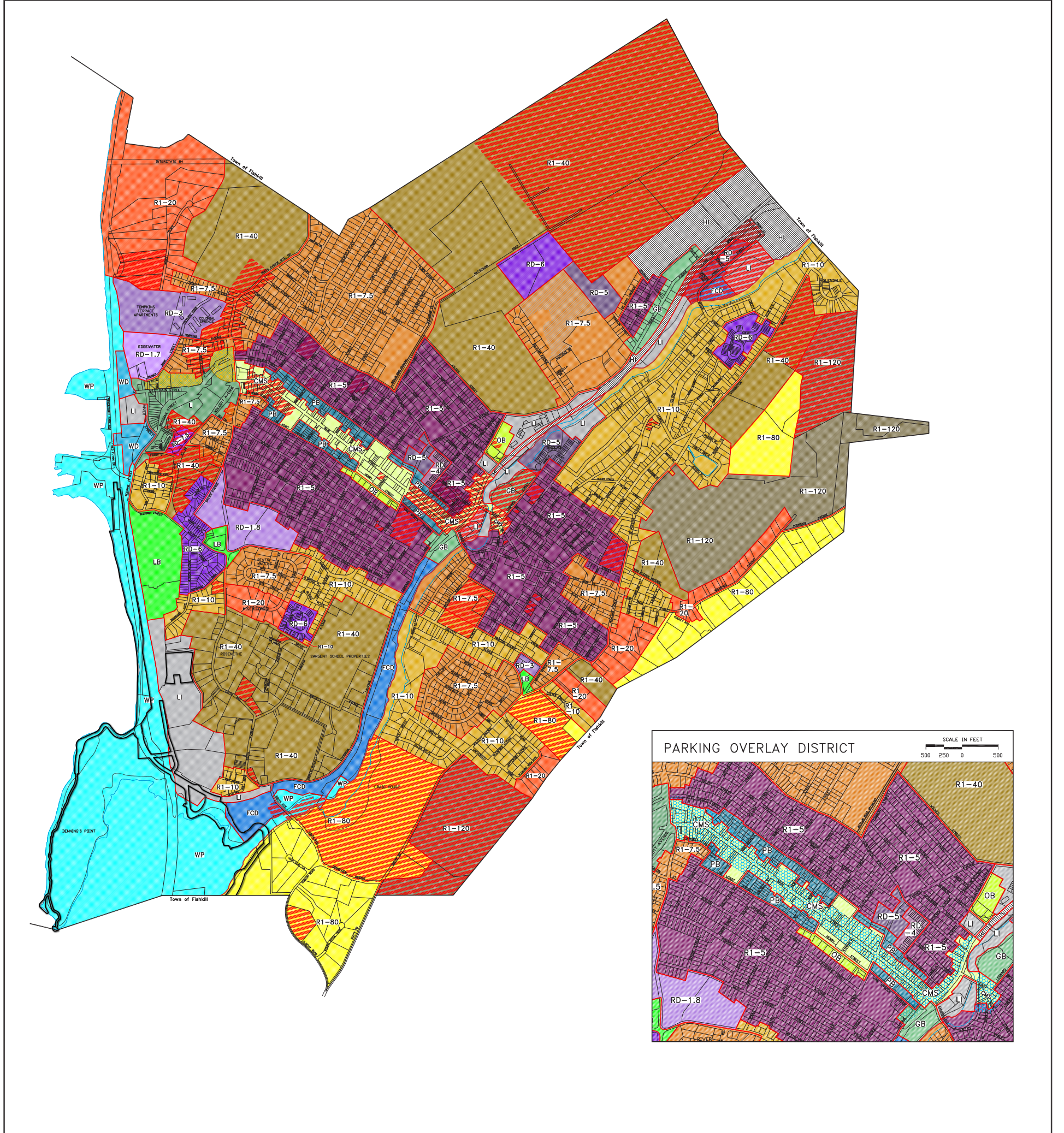
Principal permitted uses in the City of Beacon LI Zone include, but are not limited to, park, preserve, and community gardens, and theater, concerts or conference spaces.

The FCD District is intended to continue to develop greenways along the waterfront. Within the FCD District, the City of Beacon seeks to implement pedestrian and bicycle uses along abandoned/inactive former rail lines, encourage new uses for undeveloped/underutilized industrial properties along Fishkill Creek, establish and preserve open space corridors along Fishkill Creek and seek open space linkages between large areas of open space in the Hudson Highlands. Principal uses permitted in the FCD District include, but are not limited to, community facilities that complement residential and commercial uses, such as a gazebo or cultural center.

TOWN OF FISHKILL

Within the Town of Fishkill, the Fjord Trail North Corridor passes through the following Zoning Districts: Multi-Family Residence (R-MF-5), One-Family Residence District (R-2A), Planned Industry District (PI), and Restricted Business (RB) District, as defined and delineated by the Town of Fishkill Zoning Code (Chapter 150 of the Town Code) and Map.

The R-MF-5 District is a medium density residential zone permitting multifamily housing with minimum lot size of 10 acres. The R-MF-5 District is intended to provide multifamily housing, in order to create affordable, safe and walkable residential developments. The R-2A District is intended to encourage a low-density residential zone with a minimum lot size of two acres. The PI District is intended for the location of industrial and light industrial uses. A portion of the Fjord



LEGEND

- Historic District and Landmark Overlay Zone
- Parking Overlay District
- Senior Affordable Housing Overlay District
- Within 400 Feet of the Rt. 9D/Beekman Street Intersection
- Zoning District Boundary
- Flood Prone Area Boundary

INDUSTRIAL DISTRICTS

- LI Light Industrial
- HI Heavy Industrial

WATERFRONT DISTRICTS

- WP Waterfront Park
- WD Waterfront Development
- FCD Fishkill Creek Development

FORM BASED DISTRICTS

- CMS Central Main Street
- L Linkage

COMMERCIAL DISTRICTS

- PB Business Off-Street Parking
- OB Office Business
- LB Local Business
- CB Central Business
- GB General Business

RESIDENTIAL DISTRICTS

- R1-120 One Family 120,000 sq.ft./dwelling
- R1-80 One Family 80,000 sq.ft./dwelling
- R1-40 One Family 40,000 sq.ft./dwelling
- R1-20 One Family 20,000 sq.ft./dwelling
- R1-10 One Family 10,000 sq.ft./dwelling
- R1-7.5 One Family 7,500 sq.ft./dwelling
- R1-5 One Family 5,000 sq.ft./dwelling
- RD-7.5 Designed Residence 7,500 sq.ft./dwelling
- RD-6 Designed Residence 6,000 sq.ft./dwelling
- RD-5 Designed Residence 5,000 sq.ft./dwelling
- RD-4 Designed Residence 4,000 sq.ft./dwelling
- RD-3 Designed Residence 3,000 sq.ft./dwelling
- RD-1.8 Designed Residence 1,800 sq.ft./dwelling
- RD-1.7 Designed Residence 1,700 sq.ft./dwelling
- RMF-1.5 Multi-Family 1,500 sq.ft./dwelling
- RMF-.8 Multi-Family 800 sq.ft./dwelling

GRAPHIC SCALE

0 200 400 600 800 1000 1200 1400
 (IN FEET)
 1 inch = 600 ft.

ZONING
September 24, 2018

CITY OF BEACON, NY

LANC & TULLY
ENGINEERING AND SURVEYING, P.C.
P.O. Box 687, Rt. 207, Goshen, NY 10924

Revised: 9/24/18
 Date: 6/7/96
 Drawn By: PRV
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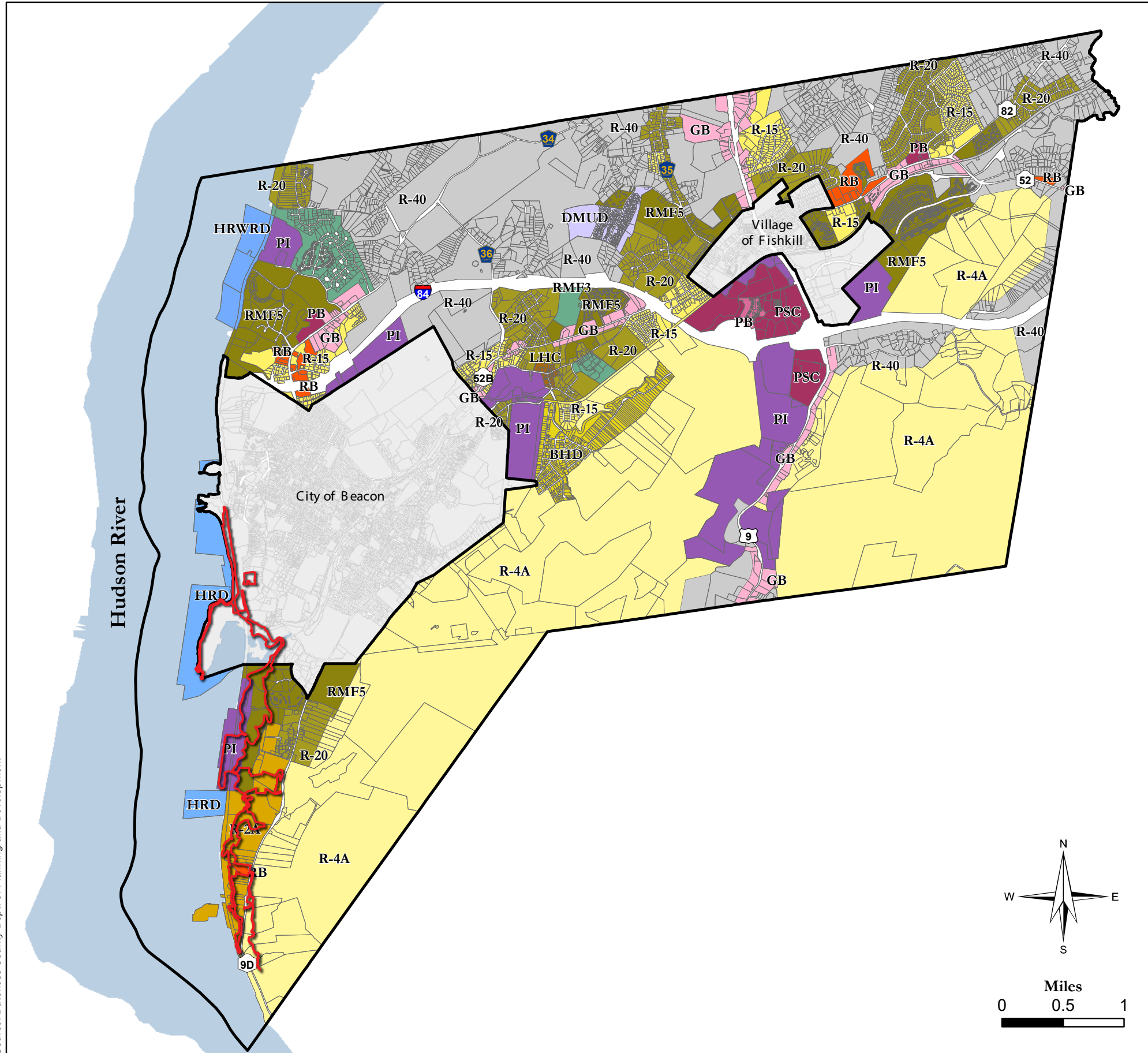
Trail Corridor

Town of Fishkill Zoning Map



Map Prepared By Dutchess County
Department of Planning and Development
March 2016
Revised: November 1, 2017
Revised: August 22, 2018

Zoning District boundaries are enacted by the
Municipalities. These maps are based on
information supplied by the Municipalities,
per agreement with Dutchess County Department of
Planning and Development. Zoning district lines
are updated at the pleasure of the Municipality.
Check with local municipal officials for most
recent boundary delineations.



Trail Corridor

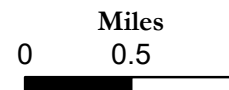
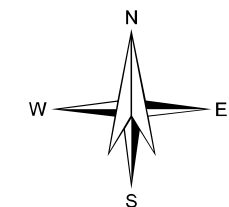
Legend

MUNICIPAL BOUNDARIES

PARCEL BOUNDARIES

Zoning Districts

- BHD, BEACON HILLS DISTRICT
- DMUD, DESIGNED MULTIPLE USE DEVELOPMENT DISTRICT
- GB, GENERAL BUSINESS DISTRICT
- HRD, HUDSON RIVER DISTRICT
- HRWRD, HUDSON RIVER WATERFRONT RECREATION DISTRICT
- LHC, LOCAL HISTORIC DISTRICT
- PB, PLANNED BUSINESS DISTRICT
- PI, PLANNED INDUSTRY DISTRICT
- PSC, PLANNED SHOPPING CENTER DISTRICT
- R-2A, 1-FAMILY RESIDENTIAL DISTRICT
- R-4A, 1-FAMILY RESIDENTIAL DISTRICT
- R-15, 1-FAMILY RESIDENTIAL DISTRICT
- R-20, 1-FAMILY RESIDENTIAL DISTRICT
- R-40, 1-FAMILY RESIDENTIAL DISTRICT
- RB, RESTRICTED BUSINESS DISTRICT
- RMF-3, 3 MULTI-FAMILY RESIDENTIAL DISTRICT
- RMF-5, 5 MULTI-FAMILY RESIDENTIAL DISTRICT



Source: Dutchess County Dept. of Planning and Development

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Trail North Corridor also traverses the RB District (at Dutchess Manor), which allows certain professional office, business, institutional, and recreational and cultural uses, which are appropriate adjacent to residential areas.

PUBLIC POLICY

This section identifies governmental public policies relevant to land use and the proposed Fjord Trail North as identified in the Final Scoping Document.²

*FAHNESTOCK/HUDSON HIGHLANDS MASTER PLAN/EIS (2010)*³

Much of the Fjord Trail North Corridor is within or adjacent to HHSPP. In 2010, a *Final Master Plan/Final EIS* for Clarence Fahnestock Memorial State Park and HHSPP was adopted by OPRHP. The overall goal of the *Final Master Plan/Final EIS* is to “achieve a balance between recreation and the protection of natural and cultural resources of these two parks.” Among its recreation goals, the plan includes goals “to provide year-round facilities,” “to expand the trail system for hiking, horse-back riding, biking, cross-country skiing, and snowshoeing,” and “to identify recreational activities that are compatible with the natural and cultural resources of both parks; and provide appropriate support facilities for those activities to meet the recreation demands for the region.” The Final Master Plan designated the entirety of Hudson Highlands State Park as a Park Preserve. The Park Preserve Law (Article 20 of the Parks, Recreation, and Historic Preservation Law) provides for designation of park land containing wildlife, flora, scenic, historical and archeological sites that are unique and rare in New York State. Designating the park as a preserve provides legal protection to all of the park’s resources—natural, historic, and archeological. In 2010, the majority of HHSPP was also designated as a Bird Conservation Area (BCA)—which provides recognition of its elevated importance for bird habitat, particularly for migratory waterfowl, neo-tropical migratory songbirds, and state-listed species—and as a Natural Heritage Area (NHA), defined at Article 5, Title 11, Section 0539 of the New York State Environmental Conservation Law, which allows for the dedication of state-owned lands with rare species and/or significant natural communities. These designations have been considered during planning efforts for the proposed Fjord Trail. They are discussed in more detail in Chapter III.E, “Biological Resources – Fjord Trail North.”

In addition, the OPRHP's Native Plant Policy is being used to help guide the planning of the Fjord Trail design and alignment where it is proposed within HHSPP.

*CITY OF BEACON COMPREHENSIVE PLAN UPDATE (2017)*⁴

The City of Beacon, located at the northern end of the Fjord Trail North Corridor, adopted the *City of Beacon Comprehensive Plan Update (2017 Update)* in April 2017. The 2017 Update reflects land use and demographic and socio-economic changes that occurred since the City’s prior Comprehensive Plan was adopted in 2007. The 2017 Update focuses on the City’s Hudson River waterfront and the MNR station area, with the goal of creating a destination that serves as a gateway to Beacon and links downtown Beacon to the riverfront. To further this goal, the 2017

² In addition to the public policy documents identified in the Final Scoping Document, the Applicant reviewed relevant policy documents that were subsequently adopted, such as the Town of Fishkill Comprehensive Plan Update (2023) and City of Beacon Comprehensive Plan Update (2017).

³ <https://parks.ny.gov/documents/inside-our-agency/Masterplans/ClarenceFahnestockHudsonHighlandsStatePark/CFHHStateParkMasterPlan.pdf>

⁴ <https://beaconny.gov/wp-content/uploads/2019/10/Beacon-Comprehensive-Plan-Final.pdf>

Update recommended rezoning all land west of the MNR station and railroad tracks to the Waterfront Park (WP) Zoning District. This zoning change was adopted by the City of Beacon on April 3, 2017, thereby maintaining open space and recreation uses on the waterfront, preserving upland views of the Hudson River, and restricting development along the Hudson River waterfront.

The 2017 Update also identifies a potential rail trail/greenway along the MTA’s Beacon Line, an inactive east-west rail line between Denning’s Point and Hopewell Junction that runs generally parallel to Fishkill Creek. The 2017 Update states that a trail for recreational (biking and hiking) purposes could be a draw for tourism to Beacon, and would help generate revenue for MTA through increased ridership.

The 2017 Update references “Walk Bike Dutchess” (2014) (additional detail provided in this section) that recommends “creating a walking and bicycling connection between the Beacon Waterfront, Madam Brett Park, and Main Street.”⁵

*CITY OF BEACON LOCAL WATERFRONT REVITALIZATION PROGRAM (1992, AMENDED 2011)*⁶

The City of Beacon adopted the *City of Beacon Local Waterfront Revitalization Program (LWRP)* in 1991 (approved/concurred by the New York State Secretary of State and U.S. Office of Ocean and Coastal Resource Management in 1992). The City subsequently amended the LWRP in 2011, with approvals and concurrence from the above-referenced agencies in 2011 and 2012, respectively.

The LWRP gives preference to water-dependent and water-enhanced uses within the waterfront area. The LWRP identifies as an opportunity the “Deteriorated and Underutilized Waterfront”: “the underutilized areas on the waterfront provide Beacon with valuable opportunities for waterfront use and development.”⁷ The LWRP identifies Denning’s Point as an undeveloped 60-acre parcel that should be made more accessible to the public.

TOWN OF FISHKILL COMPREHENSIVE PLAN UPDATE (2023)

The Town of Fishkill, NY, adopted *The Town of Fishkill Comprehensive Plan* on September 23, 2009. Within the “Connect People and Places” goal, the Plan recommends that “a network of shared pedestrian-bicycle trails that link neighborhoods and encourage travel options should be planned and developed throughout the Town.”⁸ The Plan identifies, as an objective, the creation of a greenway trail to enhance recreation opportunities and connect neighborhoods and parks in the Town. In the Plan’s “Create Places for People” goal, the Plan states as a key objective, the development of parks and trails that provide recreational opportunities and foster social interaction.

The Town of Fishkill prepared an update to its 2009 Comprehensive Plan, *The Town of Fishkill Comprehensive Plan Update (CPU)*, which was adopted by the Town Board on May 3, 2023.⁹ In

⁵ City of Beacon, NY Comprehensive Plan Update, adopted April 3, 2017. Page 90.

⁶ https://docs.dos.ny.gov/opd-lwrp/LWRP/Beacon_C/Amendment1/Beacon_Final_LWRP_2012.pdf

⁷ City of Beacon, NY Local Waterfront Revitalization Program, adopted March 7, 2011.

⁸ Town of Fishkill, NY Comprehensive Plan, adopted September 23, 2009.

⁹ Town of Fishkill, NY, Comprehensive Plan Update, adopted May 3, 2023, available at: <https://www.fishkill-ny.gov/comprehensive-plan-committee.html>

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support of the Comprehensive Plan goal to “create great places for people and animals, including...parks and trails that provide opportunities for active and passive recreation,” the CPU identifies, as an objective, that the Town “design and create new recreational facilities.” In support of the goal to “connect people and places,” the CPU identifies, as one objective, to “connect the community with a town-wide network of hiking trails and bicycle paths that link neighborhoods, parks, shopping areas, and regional trails, including the future Hudson Highlands Fjord Trail.”

*WALK BIKE DUTCHESS: THE PEDESTRIAN AND BICYCLE PLAN FOR DUTCHESS COUNTY, NEW YORK (MARCH 2014)*¹⁰

The Poughkeepsie-Dutchess County Transportation Council (PDCTC) (now known as the Dutchess County Transportation Council; DCTC) adopted *Walk Bike Dutchess: The Pedestrian & Bicycle Plan for Dutchess County, New York* in March 2014 (“*Walk Bike Dutchess*”). *Walk Bike Dutchess* was prepared by the Dutchess County Department of Planning and Development as a resource for municipalities to improve the safety and convenience of pedestrian and bicycling infrastructure. The plan discusses bridging the gap between this key goal and the current limitations of the built environment. The plan prioritizes physical improvements that would facilitate walking and bicycling as transportation, with goals related to improving bicycle safety on roads and building sidewalks.

For the Lower Hudson region, which includes the City of Beacon and the Town of Fishkill, *Walk Bike Dutchess* specifically recommends the development of the Hudson Highlands Fjord Trail. That plan raises concerns about the trail-bound pedestrians walking along the shoulder of NYS Route 9D to access Breakneck Ridge and other hiking trails. The plan cites the need for a separated path or trail along NYS Route 9D or the Hudson River shoreline, connecting the Beacon MNR station to the Village of Cold Spring MNR station and providing access to HHSP, including Little Stony Point and Mount Beacon.¹¹

MOVING DUTCHESS FORWARD (2020)

Prepared by the Dutchess County Transportation Council (DCTC)—the County’s Metropolitan Planning Organization (MPO)—*Moving Dutchess Forward* is Dutchess County’s long-range transportation plan, setting recommendations for transportation improvements in the County over a 25-year time horizon.¹² The DCTC comprises 16 voting members from local communities and agencies, including the Metropolitan Transportation Authority (MTA) and the New York State Department of Transportation (NYSDOT). *Moving Dutchess Forward* cites a lack of safe walking routes and bicycling routes as two of the leading transportation challenges for Dutchess County and identifies rail trails as a means to provide safe walking and bicycling routes. *Moving Dutchess Forward* recommends a Transformational Package for Shared-use Paths and Rail Trails, which would include maintaining the rail trail system, constructing new shared-use paths and rail trails, and improving existing rail trails and paths, including offering better connections to basic need destinations such as schools and parks. This package would address existing barriers related to safe access, reliable access, and equity. *Moving Dutchess Forward* also recommends a

¹⁰ <https://www.dutchessny.gov/Departments/Transportation-Council/Walking-Bicycling-Resources.htm#con3>

¹¹ Poughkeepsie-Dutchess County Transportation Council, *Walk Bike Dutchess: The Pedestrian & Bicycle Plan for Dutchess County, New York*, adopted March 27, 2014.

¹² Dutchess County Transportation Council, *Moving Dutchess Forward*, accessible at <https://movingdutchessforward.com/>

Transformational Package for Train Access Improvements, which would include improving walking, bicycling, and transit access to train stations.

RAILS WITH TRAILS: BEST PRACTICES AND LESSONS LEARNED (2021)

The Federal Railroad Administration and Federal Highway Administration released the publication *Rails with Trails: Best Practices and Lessons Learned* in May 2021. The report documents the current state of rails-with-trails and effective practices for each phase of a rail-with-trail project, including development, design, construction, operation, and maintenance. A rail-with-trail is a shared-use path or trail located on or adjacent to the rights-of-way of an active railroad or rail transit corridor. The report observes that a successful rail-with-trail design “delicately balances the operational, maintenance, and safety requirements of a railroad with the specific needs and characteristics of trail users and the surrounding community.”¹³ The report notes that there are no national standards or guidelines for rail-with-trail design, and offers design guidelines related to recommended dimensions and designs of setbacks, separation, at-grade crossings, grade-separated crossings, accommodating future tracks, and access to stations.

AMERICA’S RAILS-WITH-TRAILS (2013)

The Rails-to-Trails Conservancy provides technical assistance for rail-trail projects throughout the country and serves as a national voice advocating for the growth and development of rail-trails. In September 2013, the Rails-to-Trails Conservancy produced the report *America’s Rails-with-Trails* as a resource for planners, agencies and advocates of trails located adjacent to active rail lines, to provide updated information on national rail-with-trail trends. The report includes liability reduction and risk management tools. The report observes that rails-with-trails demonstrate a strong safety record, and often include a barrier between the trail and the active railway as well as carefully planned intersections if the trail crosses tracks.

DUTCHESS COUNTY’S GREENWAY COMPACT

Dutchess County is a Greenway Compact county and the City of Beacon and Town of Fishkill are Greenway Compact Communities, identifying them as members of the New York State Hudson River Valley Greenway Communities Council’s Greenway Compact. The Greenway Communities Council works with local and county governments to enhance local land use planning and has developed the voluntary regional Greenway Compact to further Greenway Criteria. The Greenway Compact intends to further the Greenway Criteria, including improvement of public access to the Hudson River.

The Dutchess County Greenway Compact (2004–2014) describes the Centers and Greenspaces initiative, which encourages municipalities to identify greenspaces and to protect and prioritize growth centers for concentrated development. The Compact identifies four patterns for an interconnected natural and human ecosystem: centers, greenspaces, greenway corridors, and greenway routes. The latter is defined as “transportation linkages between centers, forming a landscaped Greenway network from trails to sidewalk systems and from regional rail lines and parkways to boulevards and tree-lined main streets.”¹⁴ The Compact includes guidelines for developing shared-use paths, recommending that they have a separate right-of-way, such as a rail

¹³ *Rails with Trails: Best Practices and Lessons Learned*, prepared by the Federal Railroad Administration and Federal Highway Administration, May 2021.

¹⁴ *Dutchess Compact*, prepared by Dutchess County Planning and Development, 2004–2014, accessed at <https://hudsongreenway.ny.gov/community-planning>

trail, measure a minimum of 10 feet, or 11 to 14 feet wide if there are more than 300 peak hour users, and fewer than five intersections or driveways per mile.

C. FUTURE WITHOUT THE PROPOSED ACTION

In the future without the proposed Fjord Trail North, overall land uses along the Fjord Trail North Corridor would be expected to remain substantially the same as in the current condition. However, several land use changes are planned along the Corridor.

HHFT, Inc. plans to repurpose the Dutchess Manor property, which it owns, where the existing manor house would be stripped of its modern additions (totaling approximately 13,500 square feet), renovated, and restored to the original 1889 structure. The renovated building would serve as offices for HHFT, Inc., and would include a visitor center for trail users. The existing parking area would be expanded to accommodate up to approximately 180 spaces, inclusive of a grassy overflow parking area. The Dutchess Manor improvements are the subject of land use applications to the Town of Fishkill, which is undertaking a SEQR review of the Dutchess Manor restoration project.

At the southern end of the Fjord Trail North Corridor, HHFT, Inc. is advancing the BNCB, which will include improvements that would provide safer access to the Breakneck Ridge Trail in HHSPP, including new parking areas along NYS Route 9D, restroom buildings, new high-level platforms with ramps at the MNR Breakneck Ridge station, upgrades to the Breakneck Ridge Trail, and a 0.6-mile off-road shared-use path connecting these amenities.

MNR's Beacon Line is currently the subject of a feasibility study by the Dutchess County Transportation Council (DCTC) for a rail trail between the City of Beacon and Hopewell Junction in the Town of East Fishkill,¹⁵ which includes the rail bridge between Denning's Point and Madam Brett Park within the Fjord Trail North Corridor. At this time, funding has not been identified for this rail trail beyond the feasibility study and the timing of this potential project is not known.

The site of the former Tioronda Hat Works Factory, adjacent to Madam Brett Park, has been the subject of a private development interest. The developer's website indicates that future development could include mixed-used residential and commercial spaces, but specific plans and timeline are not known at this time.¹⁶ Scenic Hudson Land Trust currently holds an easement for existing trails on the property of the former Tioronda Hat Works Factory. HHFT, Inc. will coordinate with the property owner as plans develop, as needed.

No substantial changes in zoning regulations along the Fjord Trail North Corridor are anticipated in the future without the Proposed Action. The adaptive re-use of Dutchess Manor may involve zoning modifications at the site, pending review and coordination with the Town of Fishkill.

In the future without the Proposed Action, stated goals in the various public policy documents would continue to be unmet, especially those that reference necessary safety and accessibility improvements and prioritize shared-use recreational and commuting trails with express reference to the Fjord Trail concept.

¹⁵ <https://www.beaconhopewellrailtrail.com>. Accessed April 24, 2024.

¹⁶ https://weberprojectsllc.com/555_south_avenue. Accessed July 15, 2024.

D. FUTURE WITH THE PROPOSED ACTION

To the extent applicable, the analysis below addresses the proposed Fjord Trail North’s consistency and compatibility with the project area’s current land use, zoning, and governmental public policies.

LAND USE

The Fjord Trail would expand the trail network in Putnam and Dutchess Counties, in the City of Beacon, the Towns of Fishkill and Philipstown, and the Village of Cold Spring. Specifically, the Fjord Trail North section would expand the trail network in the City of Beacon and the Town of Fishkill. Fjord Trail North would increase passive recreation opportunities for residents and visitors, provide additional commuter opportunities, expand public access to the Hudson River waterfront, and create new biking and hiking linkages to local and regional destinations. Construction of the Fjord Trail in general—including the Fjord Trail North section—would augment recreational activities as well as their amenities by connecting existing open spaces, trailheads, and parks along its alignment. Fjord Trail North would provide public access to and through a variety of resources including natural habitats, parks, and open space, while offering scenic views of the Hudson River and Hudson Highlands. Fjord Trail North would be consistent with existing adjacent uses (many of which are similarly recreational in nature), would provide much needed safety improvements (including improved parking conditions, roadway conditions, and pedestrian protections), and would provide connections to and among the Hudson River waterfront, local parks and recreation areas, and eight regional trail networks.

As noted above and discussed further in Chapter III.B, “Land Ownership, Management, and Maintenance – Fjord Trail North,” Fjord Trail North would traverse some private residential properties in the City of Beacon and the Town of Fishkill south of Fishkill Creek. These residential properties contain single family residences, with the houses located primarily in the eastern portions of the properties and the proposed Fjord Trail North alignment in wooded areas in the western portion of the properties, providing separation between the proposed trail and the residences. Just south of Fishkill Creek, two alignment options for the Main Trail are being considered. Option 1 would travel farther west near the MNR tracks and Hudson River shoreline and Option 2 would travel farther east closer to multiple existing residential properties. Both options would traverse Town of Fishkill and HHSPP land. Option 1 and Option 2 would be about 200-300 feet from the nearest residence (see **Figure III.A-1a**). The alignment in Option 2 would also cross a driveway used for a private residence. The driveway is within HHSPP and is surrounded by HHSPP land. Option 2 would not affect use of the private driveway and safety measures, such as signage and a painted crosswalk, would be implemented. Neither alignment would adversely affect land uses in the Trail Corridor.

Fjord Trail North is proposed to travel along a section of MNR’s inactive Beacon Line, where MNR currently stores equipment and material. Plans to use this portion of the line would require further coordination, environmental review, and agreement with MNR to ensure this portion does not result in any significant adverse land use impacts.

As noted above, the Beacon Line is also the subject of a rail trail feasibility study by DCTC, the implementation of which is yet to be determined. HHFT, Inc. will coordinate with MNR, DCTC, and other relevant parties, as appropriate, as design advances for this section of Fjord Trail North.

The proposed Fjord Trail would include construction of a new maintenance facility to be used by HHFT, Inc., which would be located along Dennings Avenue in the City of Beacon at the site of

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the existing Beacon Transfer Station. The building would be a 4,500-6,000-square-foot prefabricated steel building and would include a parking area with up to 20 employee parking spaces. This building would be compatible with the existing surrounding industrial buildings associated with the Beacon Transfer Station and adjacent wastewater treatment facility, and the use is permitted in the LI (Light Industrial) zoning district.

The Proposed Action would create two new parking areas along the Fjord Trail North Corridor (as shown on **Figure III.A-1** and Figure II-1 in Chapter II, “Project Description”). This would include development of a parking area at The Notch with up to 80 parking spaces, which would have an entry directly off the western side of NYS Route 9D. A Connector trail would be provided between the parking area and the Main Trail of Fjord Trail North, and the new parking area would also accommodate access to the Notch Trailhead on the eastern side of NYS Route 9D. Pending a future traffic signal warrant study and coordination with NYSDOT, a traffic signal may be installed at The Notch parking entrance to facilitate safe ingress/egress, as needed. Another parking area (referred to as Wade’s Hill Lot) with about 90 spaces would be constructed on the east side of NYS Route 9D, across from Hartsook Lane. Each of these parking lots would be accessed from NYS Route 9D, in areas of low-density residential development, and contained within HHSP lands. Additionally, Fjord Trail North would include a Connector trail between the Main Trail and the planned Dutchess Manor visitor center and parking area, providing additional parking options for future Fjord Trail users. These uses are compatible with existing surrounding land uses.

To help alleviate the need for additional parking, a shuttle would be incorporated into the operations of the Fjord Trail, with potential stops at the MNR Beacon Train Station, Long Dock Park, Beacon Housing Authority, Mount Beacon, the Notch, Dutchess Manor, Breakneck Ridge, Little Stony Point/Washburn Trailhead, and the MNR Cold Spring Train Station. The proposed shuttle would travel along NYS Route 9D between Beacon and Cold Spring, using local streets at either end to access the MNR Beacon and MNR Cold Spring stations, such as Beekman Street in Beacon and Main Street and/or Fair Street and Lunn Terrace in Cold Spring. The proposed shuttle service route is shown on **Figure III.A-3**. Additionally, parking facilities at the Boscobel House and Gardens just south of the Village of Cold Spring may be available for Fjord Trail users, pending further coordination with the owners of that site, which could also be served by the shuttle.

Based on what is known at this time, Fjord Trail North is not anticipated to result in any significant adverse land use impacts.

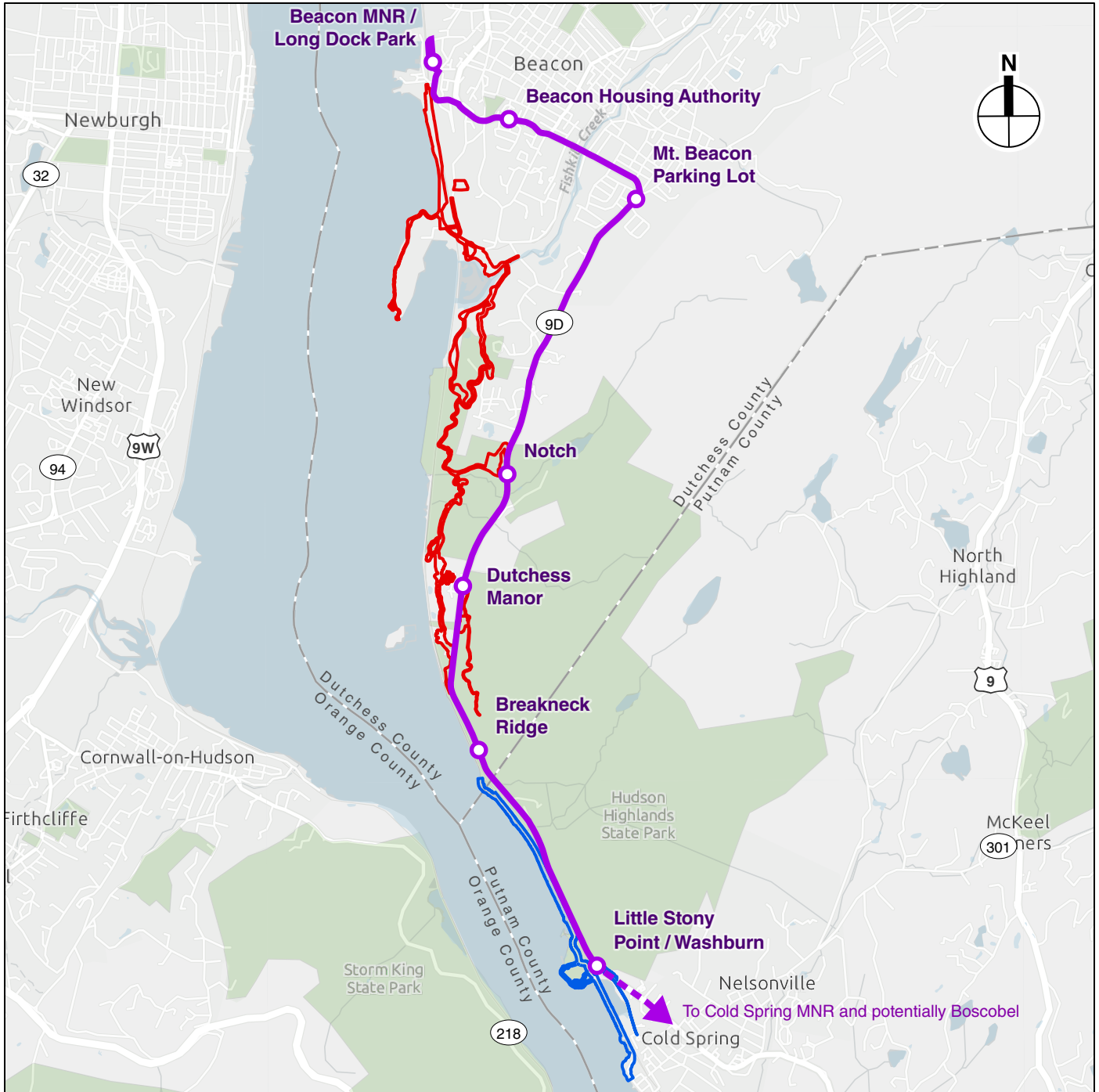
LOCAL ZONING DISTRICTS

To the extent applicable, development of the Fjord Trail North section of the Fjord Trail would not require changes to existing zoning in the municipalities through which it would traverse. As such, Fjord Trail North is not anticipated to result in any significant adverse impacts related to zoning.

PUBLIC POLICY

This section analyzes the consistency of Fjord Trail North with relevant governmental public policies on land use.

A common theme throughout the public policies assessed for this DGEIS is the importance of protecting open space resources, augmenting recreational hiking and biking amenities, and protecting rare and vulnerable plant and animal species and natural communities. The Fjord Trail,



- Trail Corridor - Fjord Trail North
- Trail Corridor - Fjord Trail South
- Shuttle Route
- Proposed Shuttle Stop



including the Fjord Trail North section, would be consistent with many of the goals and objectives established through local, regional, state, and federal public policies.

FAHNESTOCK/HUDSON HIGHLANDS MASTER PLAN/EIS (2010)

The proposed Fjord Trail North would expand hiking and bicycling opportunities and amenities (e.g., restrooms and parking) within and near HHSPP while being designed to limit its footprint and disturbance area to the extent possible, consistent with goal of the *Fahnestock/Hudson Highlands Master Plan/EIS* to “achieve a balance between recreation and the protection of natural and cultural resources of these two parks.” With respect to goals related to biodiversity conservation or conservation of rare and vulnerable plant and animal species and natural communities, the Fjord Trail North is being designed in consideration of the goals and legal protections identified in Article 20 of Parks, Recreation and Historic Preservation Law (PRHPL), which applies to environmentally sensitive parkland that is additionally designated as “park preserve.” Efforts were made to incorporate the vision and management goals identified in the *Final Master Plan/Final EIS for Fahnestock State Park and HHSPP* (OPRHP 2010) for providing opportunities for passive recreation and connection with the Hudson River while protecting native plants and animals (see Chapter III.E, “Biological Resources – Fjord Trail North,” for further discussion).

CITY OF BEACON COMPREHENSIVE PLAN UPDATE (2017)

Implementation of Fjord Trail North would be consistent with the goals of the *City of Beacon Comprehensive Plan Update*. The Plan focuses on transforming the waterfront and land around the MNR station and providing necessary links between the riverfront and downtown Beacon. The Plan recommends limiting riverfront development to preserve upland views and augmenting open space and recreational uses. Fjord Trail North would positively contribute to achieving these goals, including preserving the viewshed, increasing access to and providing recreation and open space along the Hudson River waterfront. Fjord Trail North would be located on the existing trail within the City of Beacon, enhancing the trail corridor.

CITY OF BEACON LOCAL WATERFRONT REVITALIZATION PROGRAM (1992, AMENDED 2011)

Incorporating Fjord Trail North into the existing railway network would be consistent with the goals and objectives identified in the *City of Beacon Local Waterfront Revitalization Program (LWRP)*. The LWRP identifies opportunities for improved public access to the waterfront, including the undeveloped 60-acre Denning’s Point. Fjord Trail North would include a Meander that would incorporate and improve the existing trail along the west side of Denning’s Point, enhancing walking and potentially bicycle access along the extent of the peninsula on a seasonal basis. Amenities, including a kayak launch and other shoreline access improvements, would add to and improve the existing public access afforded by this trail.

TOWN OF FISHKILL COMPREHENSIVE PLAN UPDATE (2023)

The *Town of Fishkill Comprehensive Plan Update (2023)* includes goals related to developing more opportunities for active and passive recreation in the Town. It specifically suggests establishing a town-wide network of hiking trails and bicycle paths that link different areas of the Town, and which connect to regional trails, including the Fjord Trail. The Fjord Trail/Fjord Trail North would develop a pedestrian-bicycle trail for recreational use and would connect recreational spaces in the Town to each other, and to other resources in the broader region. As such, the Fjord

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Trail North section of the Fjord Trail would be consistent with Town of Fishkill's recent *Comprehensive Plan Update* (2023).

WALK BIKE DUTCHESS: THE PEDESTRIAN AND BICYCLE PLAN FOR DUTCHESS COUNTY, NEW YORK (MARCH 2014)

The Fjord Trail, including Fjord Trail North, would be consistent with and specifically address several priorities and issues identified in the Dutchess County Department of Planning and Development's "*Walk Bike Dutchess: The Pedestrian & Bicycle Plan for Dutchess County, New York.*" The Plan sets goals to increase walking and bicycling as transportation, improve bicycle safety on roads and build sidewalks. Fjord Trail North would be entirely off-road, providing a safe through route for commuters and recreational users to connect with existing open spaces and also reach local and regional trail networks such as The Notch trailhead, and those on Denning's Point and at Madam Brett Park. *Walk Bike Dutchess* references safety issues along NYS Route 9D where pedestrians destined for hiking destinations walk along the shoulder adjacent to fast-moving vehicular traffic. The Fjord Trail, including Fjord Trail North, directly addresses this safety concern by providing a pedestrian-friendly trail roughly parallel to the problematic section of NYS Route 9D with access to popular hiking trailheads in the HHSP.

MOVING DUTCHESS FORWARD (2020)

The Fjord Trail, including Fjord Trail North, would be consistent with the recommendations set forth in *Moving Dutchess Forward*, Dutchess County's long-range transportation plan. *Moving Dutchess Forward* cites a lack of safe walking routes and bicycling routes as two of the leading transportation challenges for Dutchess County and identifies rail trails as a means to provide safe walking and bicycling routes. Fjord Trail North would contribute additional miles of shared-use paths in Dutchess County, and it would improve and maintain existing trails in the rail trail network. Fjord Trail North would also connect to train stations, contributing to the plan's goal of providing and enhancing walking and bicycling access to train stations.

RAILS WITH TRAILS: BEST PRACTICES AND LESSONS LEARNED (2021)

The Federal Railroad Administration and Federal Highway Administration's *Rails with Trails: Best Practices and Lessons Learned* presents design guidelines for rails-with-trails. The report states that rails-with-trails should be set back from railroad tracks as much as reasonably possible. The separation between the two uses can take the form of fencing, ditches, berms, vegetation, or a combination of these options. The current proposed design of Fjord Trail North remains at least 50 feet away from the MNR tracks, except for the section that is proposed to travel along MNR's inactive Beacon Line, which travels on a bridge over the MNR Hudson Line tracks. Where the Fjord Trail North alignment would be near the MNR right-of-way, the Trail would be set back from railroad tracks pursuant to MNR requirements and fencing may be used to provide physical separation from the tracks. HHFT, Inc. will continue to coordinate with MNR as design advances, as needed.

The report recommends overcrossings or undercrossings as a more preferable solution to at-grade railroad crossings. Fjord Trail North would not include any at-grade railroad crossings and would utilize existing bridges over the MNR tracks, specifically at Denning's Point (via the Dennings Avenue bridge) and between Denning's Point and Madam Brett Park (via the Beacon Line rail bridge). The southern terminus of Fjord Trail North would connect to the existing pedestrian foot bridge at the north end of the BNCB that provides access to the MNR Breakneck Ridge southbound platform. The BNCB would also introduce a new bridge overcrossing just north of the Breakneck Ridge tunnels, which would connect to the north end of Fjord Trail South and

provide limited vehicle access for NYCDEP personnel to the NYCDEP facility at the base of Breakneck Ridge.

Consistent with the dimensions recommended in the Rails with Trails Best Practices Guide, the Main Trail portion of Fjord Trail North would be designed as an Accessible shared-use path, 10-14 feet wide, excluding shoulders.

AMERICA'S RAILS-WITH-TRAILS (2013)

The Rails-to-Trails Conservancy's "*America's Rails-with-Trails*" addresses safety concerns for rails-with-trail, specifically related to railroad collisions. The document recommends barriers between trails and active railway lines, with careful planning at at-grade intersections where recreational trails cross tracks. As noted previously, in locations where the Fjord Trail North alignment would be near the MNR right-of-way, the trail would be set back from railroad tracks pursuant to MNR requirements and fencing may be used to provide physical separation from the tracks. Coordination with MNR is ongoing and any area where the offset from the tracks would be less than specified by MNR would need approval from the MTA. At grade crossings are not proposed with Fjord Trail North.

DUTCHESS COUNTY'S GREENWAY COMPACT

The Greenway Compact, which has been adopted by local communities along Fjord Trail North, intends to further the Greenway Criteria, including improvement of public access to the Hudson River. Fjord Trail North would improve public access to the Hudson River by establishing a single trail from the City of Beacon at Long Dock Park to Denning's Point, to Madam Brett Park, and on to Breakneck Ridge all of which provide, or will provide, access to the Hudson River or Fishkill Creek. The Main Trail portion of Fjord Trail North, which would improve the existing Klara Sauer Trail that runs along the Hudson River waterfront between Long Dock Park and Denning's Point, would be designed as an Accessible shared-use path.

E. CONCLUSION

The Fjord Trail North section of the Fjord Trail, by providing connections to existing and access to new recreational opportunities, increasing access to the Hudson River and other natural and cultural resources, incorporating parking that would increase safety along NYS Route 9D and offering recreational opportunities for all, would be consistent with existing land uses and zoning, and would be consistent with public policies that guide development in the area. To the extent applicable, Fjord Trail North is consistent with existing land use, zoning and adopted public policies. As a result, no related adverse impacts are anticipated and mitigation is not required. *