

Village of Millbrook Board of Trustees

Wednesday, 1/10/2024 - 6 PM

Millbrook Firehouse, 20 Front Street, Millbrook NY, 12545

1. **Roll Call:** Mayor Collopy, Deputy Mayor Doro, Trustee Herzog, Trustee Murphy, Fire Department (FD) Chief Boscardin, Matt Rochfort (FD President), Scott Osborn (VRI), OIC Witt, Attorney Butts, and Clerk Witt
2. **Open meeting – 6:00 PM with Pledge of Allegiance.**
3. **Administrative Business:**

Minutes Approval: *Motion* made by Deputy Mayor Doro to approve the minutes of November, seconded by Trustee Herzog and all were in favor.

Voucher Approval: *Motion* made by Deputy Mayor Doro to accept the Voucher fund totals as presented, seconded by Trustee Herzog and all were in favor (attached).

Agenda: Mayor Collopy said he would like to add an executive session about personnel at the end of the meeting. Mayor Collopy announced that since the documents for the Short-Term Rental Local Law weren't ready, the Board will open the public hearing tonight and keep the public hearing open and vote on it at the next meeting.
4. **Department Reports:**
 - a. **Fire & Rescue** – Chief Boscardin Read from attached report. FD President Rochfort said there will be an EMT training class at the firehouse- more information to follow. There was no update to give on the HVAC system grant for the firehouse.
 - b. **Police** – OIC Witt read from attached monthly report. OIC Witt said police car 250 will be going out to Ford for transmission work. Mayor Collopy said the PD Chief of Millerton will be coming to do a general assessment of the Millbrook Village PD- he will be coming once a month and is doing this at no charge. Ongoing project- Lexipol training for updating the police policies.
 - c. **Highway** – PWS Collocola read highlights from the attached monthly report. The Board authorized Clerk Witt to solicit bank bids for the new highway truck. She will bring rates to the next board meeting.
 - d. **Water & Sewer** – S. Osborn: read from attached monthly reports. Said there are issues with the generator at the sewer plant. The estimated cost to repair would be around \$7000. Bill Bright of Delaware Engineering came to discuss the wastewater treatment plant (WWTP) upgrade plans. Mayor Collopy asked if he would come to a later meeting (possibly its own dedicated WWTP upgrade meeting) to discuss in more detail. *Motion* made by Mayor Collopy to approve Resolution 2024-002 which authorizes Mayor Collopy to sign the WIIA Grant acknowledgment and acceptance letter, seconded by Deputy Mayor Doro- in a roll call vote 5 ayes 0 nays (attached). *Motion* made by Mayor Collopy to accept Resolution 2024-001 which adds a flat fee of \$20.00 meter charge to every water user's bill, seconded by Trustee Herzog - in a roll call vote 5 ayes 0 nays (attached).
 - e. **Treasurer & Building Dept** – Clerk Witt: read from attached reports.
5. **Old Business: Short Term Rental (STR) Code: Resolution LL0022024.1-** Enacting Local Law no. 2 of 2024 Amending Chapter 230 of the Village Code Entitled "Zoning" to Establish Rules and Regulations for Short-Term Rentals- Public hearing: *Motion* made by Mayor Collopy to open the public hearing, seconded by Deputy Mayor Doro and all were in favor. Kevin McGrane commented he has an issue with the section of the proposed law having to do with STRs being the primary residence for applicants and is questioning why if the owner lives within a few properties of the STR or even next-door to the property why they wouldn't be able to have an STR on another property. The law is written for STRs to be the owner's primary residence. He would like the Board to consider grandfathering in the STRs that are already in operation and not primary residence- if the owner or manager is nearby. Tonya Jackson commented that she would like the six-occupant maximum to be modified and the number to be higher or be on a STR-to-STR basis. She would also like the Board to reconsider grandfathering in the STRs that are not the owner's primary residence (same as Mr. McGrane). Jonathan Edwards asks the Board if the 15 STR maximum is too low of a number. Mayor Collopy said to date there are only 14 in operation, and the Board thinks 15 is a good number. Mr. Edwards asked what the turnaround time is after Local Law is filed with the State. Mayor Collopy said approximately a month. The Board heard all the comments but plans for no changes being made to the current Local Law that was presented at this meeting. Mayor Collopy said he would like to see this version passed- he said in a

year or so if the Board deems it necessary, they can amend the STR Local Law. No other public comments were made. Mayor Collopy said the Board will be keeping this Public Hearing open until the next meeting (2/14/24).

Speed Limit Reduction- V&T Code: Resolution No. 2023-017 -Enacting Local Law No. 1 of 2024 Amending Chapter 220 of the Village Code Entitled “Vehicles and Traffic” to Reduce the Speed Limit on Certain Village Roads to 25 Miles Per Hour- *Motion* made by Mayor Collopy to open the public hearing, seconded by Deputy Mayor Doro and all were in favor. The only comment came from Ms. Jackson saying she is in favor of this Local Law. *Motion* made by Mayor Collopy to close this public hearing, seconded by Deputy Mayor Doro and all were in favor. *Motion* to accept Resolution LL0012024.1(SEQRA docs) and Resolution LL0012024.2 (Enacting Local Law No. 1 of 2024) as presented, seconded by Trustee Herzog- Roll Call Vote 5 Ayes 0 Nays. Local Law No. 1 of 2024 has passed (attached) and Clerk Witt will file with NYS.

6. **Public Comments-** No additional comments.

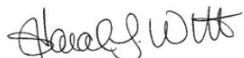
7. **Board Member Updates**

8. **Executive Session:** *Motion* made by Mayor Collopy to enter into Executive Session at 7:24 PM to discuss personnel matters, seconded by Trustee Murphy and all were in favor. *Motion* to re-enter the meeting was made at 7:31 PM by Mayor Collopy, seconded by Trustee Contino and all were in favor. *Motion* made by Mayor Collopy to reactivate Matt Hurst as the sidewalk plow operator at \$40/hour, seconded by Trustee Contino and all were in favor.

9. **Next board meeting: Regular Business Meeting- February 14, 2024, at 6 PM- Firehouse.**

10. **Adjournment:** *Motion* to adjourn at 7:45 PM was made by Mayor Collopy seconded by Deputy Mayor Doro and all were in favor.

Respectfully submitted by Village Clerk


Sarah J. Witt

Village Millbrook Board of Trustees

Resolution #2024-001

January 10, 2024

WHEREAS, at a duly convened meeting of the Village of Millbrook Board of Trustees the Board has reviewed and hereby adds the following changes to the water and sewer quarterly billing:

- A water meter charge of \$20.00 (twenty) to be added to every water user's bill each quarter.

THEREFORE, BE IT RESOLVED, the abovementioned meter charge will go in effect for the January water and sewer quarterly billing.

Dated: January 10, 2024

Moved by:

Seconded by:

Mayor Collopy: X Aye Nay

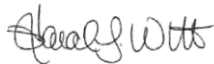
Deputy Mayor Doro: X Aye Nay

Trustee Herzog: X Aye Nay

Trustee Contino: X Aye Nay

Trustee Murphy: X Aye Nay

Certified by:



Sarah J. Witt
Village Clerk
01.10.2024

Resolution 2024-002

Village of Millbrook- Board of Trustees
1/10/2024 BoT Meeting
20 Front St- Millbrook, NY 12545

A RESOLUTION AUTHORIZING MAYOR COLLOPY TO SIGN THE WIIA GRANT AWARD ACKNOWLEDGEMENT AND ACCEPTANCE LETTER

The Village of Millbrook has been awarded a NYS Water Infrastructure Improvement Act (WIIA) grant in the amount of \$1,837,500 and by resolution is authorizing Mayor Collopy to sign the attached letter.

Moved by: Mayor Collopy

Seconded by: Deputy Mayor Doro

Mayor Collopy: X Aye ____ Nay

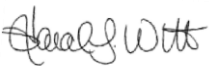
Deputy Mayor Doro: X Aye ____ Nay

Trustee Herzog: X Aye ____ Nay

Trustee Contino: X Aye ____ Nay

Trustee Murphy: X Aye ____ Nay

Certified by:



Sarah J. Witt Village Clerk
01/10/2024



Environmental Facilities Corporation

KATHY HOCHUL
Governor

MAUREEN A. COLEMAN
President and CEO

December 12, 2023

The Honorable Tim Collopy
Mayor
Village of Millbrook
35 Merrit Avenue
P.O. Box 349
Millbrook, NY 12545

RE: Clean Water State Revolving Fund (CWSRF) Project No. C3-7327-02-00
Wastewater Treatment Plant Upgrade

Dear Mayor Collopy:

On behalf of Governor Kathy Hochul, I am pleased to inform you that your community has been awarded a NYS Water Infrastructure Improvement Act (WIIA) grant for the above referenced project.

Your WIIA grant has been awarded in an amount not to exceed \$1,837,500, based on information provided in your application, including total estimated eligible project costs. The Environmental Facilities Corporation (EFC) will determine the actual amount of your grant when the project is complete and final project costs have been confirmed. Your grant may be reduced if total project costs are less than anticipated or if your project receives grant from another source.

Please confirm your acceptance of the grant award and intent to proceed with this project by completing and signing the enclosed form and e-mailing it to nyswatergrants@efc.ny.gov no later than January 19, 2024. Without your confirmation, we may bypass your project and award these grant funds to another community.

As means of advancing this project, members of our EFC team will contact you to guide you through the program requirements and related processes, and to answer any of your questions. In order to remain eligible for these funds, your community must enter into a Project Finance Agreement or a Grant Agreement for the above project by September 30, 2025.

We appreciate your interest in the WIIA program and look forward to working with you on your water quality improvement project.

Sincerely,

Maureen A. Coleman
President & CEO

Enclosure

CC: Village of Millbrook - Sarah Witt Clerk
Delaware Engineering, DPC - Robert Flores, P.E.,
NYSDEC Region 3 - Meena George, P.E.
NYSDEC Region 3 - Manju Cherian, P.E.
NYSEFC - Rebecca Lanahan

ACKNOWLEDGEMENT AND ACCEPTANCE OF WIIA GRANT AWARD

Please confirm your community's acceptance of the WIIA grant by signing below. Please e-mail the completed form to nyswatergrants@efc.ny.gov no later than **January 19, 2024**.

ACKNOWLEDGMENT BY THE AWARDEE:

Village of Millbrook

C3-7327-02-00

Wastewater Treatment Plant Upgrade

The Awardee intends to proceed with this project and accepts the Water Infrastructure Improvement Act grant.

_____ (Signature of Authorized Representative)

_____ (Print Name)

_____ (Title) _____ (Date)

VILLAGE OF MILLBROOK, DUTCHESS COUNTY, NY
Resolution No: LL0012024.1
January 10, 2024

**Intent to Declare Lead Agency and Determination of Significance in accordance with the
State Environmental Quality Review Act (SEQRA)
Local Law No. 1 of 2024 Amending Chapter 220 of the Village Code entitled ‘Vehicles and
Traffic’ to Reduce the Speed Limit on Certain Village Roads to 25 Miles Per Hour
Unlisted Action**

WHEREAS, the Village of Millbrook Village Board (“Village Board”) has determined it is in the best interest of the Village to amend Chapter 220 of the Village Code entitled ‘Vehicles and Traffic’ to Reduce the Speed Limit on Certain Village Roads to 25 Miles Per Hour (the “Project”); and

WHEREAS, the action of amending the Chapter 220 of the Village Code is an Unlisted Action under the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, the Short Environmental Assessment Form (EAF) has been completed by the Village; and now,

THEREFORE, BE IT RESOLVED:

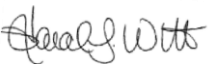
1. The Village Board shall act as lead agency for the environmental review of the Project.
2. The Village Board finds that the Project will not have a significant adverse impact on the environment for reasons stated in Part 3 of the Short EAF and the attached determination of significance.
3. The Village Mayor is hereby authorized and directed to sign Part 3 of the Short EAF indicating thereon that an Environmental Impact Statement will not be prepared and that a Negative Declaration is issued.
4. This resolution shall take effect immediately.

Motion offered by: Mayor Collopy

Motion seconded by: Trustee Herzog

Village Mayor Tim Collopy	Aye__X__	Nay____
Deputy Mayor Peter Doro	Aye__X__	Nay____
Trustee Michael Herzog:	Aye__X__	Nay____
Trustee Vicky Contino:	Aye__X__	Nay____
Trustee Patrick Murphy:	Aye__X__	Nay____

I certify that the above resolution adopted by the Village of Millbrook Village Board on January 10, 2024 is a true and correct transcript of the original now on file in this office.



Sarah Witt- Village of Millbrook- Village Clerk

State Environmental Quality Review (SEQR)

NEGATIVE DECLARATION

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

This notice is issued pursuant to part 617 of the implementing regulations pertaining to Article 8 of the Environmental Conservation Law (SEQR).

The Village of Millbrook Village Board, as lead agency, has determined that the proposed action described below **will not** have a significant adverse effect on the environment and that an Environmental Impact Statement will not be prepared.

DATE: January 10, 2024
NAME OF ACTION: Local Law No. 1 of 2024
LOCATION: Village of Millbrook
Dutchess County
SEQR STATUS: Unlisted Action
LEAD AGENCY: Village of Millbrook Village Board
CONTACT PERSON: Tim Collopy, Village Mayor, Village of Millbrook

DESCRIPTION OF ACTION:

Amending Chapter 220 of the Village Code entitled ‘Vehicles and Traffic’ to Reduce the Speed Limit on Certain Village Roads to 25 Miles Per Hour.

REASONS SUPPORTING THIS DETERMINATION:

The Village Board has reviewed the Short Environmental Assessment Form (SEAF) and the criteria contained in 6 NYCRR §617.7 and has determined that the Action will not have a significant impact on the environment for the following reasons:

- A. As required by §617.7(a)(2), the Village Board has determined that an Environmental Impact Statement is not required because any identified adverse impacts on the environment will not be significant.
- B. As required by §617.7(b), the Village Board has:
 - 1. Considered the action as defined in subdivisions 617.2(b) and 617.3(g).
 - 2. Reviewed the SEAF, the criteria identified in 617.7(c) and other supporting information to identify relevant areas of environmental concern.
 - 3. Analyzed the identified relevant areas of environmental concern to determine whether the action will have a significant adverse impact.
 - 4. Set forth herein is its written Finding of No Significant Environmental Impact.

- C. The Village Board has compared the impacts reasonably expected to result from the proposed action to the criteria listed in 617.7(c)(1) as indicators of significant adverse impacts:
1. Air quality, ground or surface water quality or quantity, traffic or noise levels, solid waste production, erosion potential, flooding, leaching or drainage problems;
 2. Removal or destruction of large quantities of vegetation or fauna, interference with migration fish or wildlife, impacts to special habitats, impacts to threatened or endangered species, or any other impacts to natural resources;
 3. Impairment of Critical Environmental Areas;
 4. Conflicts with currently adopted community plans and goals;
 5. Impairment of important historical, archeological, or aesthetic resources or community character;
 6. Major change in use or type of energy;
 7. Creation of a human health hazard;
 8. Substantial change in use or intensity of use of land including agricultural land, open space or recreational resources;
 9. Encouraging a population increase;
 10. Creation of a material demand for other actions resulting in above consequences;
 11. Changes in two or more elements of the environment that combined have a substantial adverse impact on the environment;
 12. Two or more related actions undertaken, funded or approved by an agency that combined have a significant effect on the environment.
- D. 617.7(c)(2) – For the purpose of determining significant adverse impacts on the environment of those factors listed above, the long-term, short-term, direct, indirect and cumulative impacts, including simultaneous or subsequent actions, to the extent reasonable, as included in any long-range plan for the action, any action that is a result of the reviewed action or is dependent on the action were reviewed.
- E. 617.7(c)(3) – The significance of any likely consequences was assessed in connection with the setting of the action, the likelihood of occurrence, duration, irreversibility, geographic scope, magnitude and the number of people affected as a consequence of the action.

Based on this review, the Village of Millbrook Village Board has determined that no significant adverse environmental impacts would result from this Action.

VILLAGE OF MILLBROOK, DUTCHESS COUNTY, NY

Resolution No: LL0022024.1

January 10, 2024

Intent to Declare Lead Agency and Determination of Significance in accordance with the State Environmental Quality Review Act (SEQRA)

Local Law No. 2 of 2024 Amending Chapter 230 of the Village Code entitled 'Zoning' to add a new Sub-Section 230-30(C) Containing Rules and Regulations for Short-Term Rentals

Type I Action

WHEREAS, the Village of Millbrook Village Board ("Village Board") has determined it is in the best interest of the Village to amend Chapter 230 of the Village Code entitled 'Zoning' to add a new Sub-Section 230-30(C) Containing Rules and Regulations for Short-Term Rentals (the "Project"); and

WHEREAS, the action of amending the Chapter 230 of the Village Code to impose new regulations for Short-Term Rentals is an Type I Action under the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Full Environmental Assessment Form (FEAF) has been completed by the Village; and now,

THEREFORE, BE IT RESOLVED:

1. The Village Board shall act as lead agency for the environmental review of the Project as there are no other involved agencies.
2. The Village Board finds that the Project will not have a significant adverse impact on the environment for reasons stated in Part 3 of the FEAF and the attached determination of significance.
3. The Village Mayor is hereby authorized and directed to sign Part 3 of the FEAF indicating thereon that an Environmental Impact Statement will not be prepared and that a Negative Declaration is issued.
4. This resolution shall take effect immediately.

Motion offered by: _____

Motion seconded by: _____

Village Mayor Tim Collopy

Aye_____ Nay_____

Deputy Mayor Peter Doro

Aye_____ Nay_____

Trustee Michael Herzog:

Aye_____ Nay_____

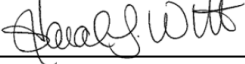
Trustee Vicky Contino:

Aye_____ Nay_____

Trustee Patrick Murphy:

Aye_____ Nay_____

I certify that the above resolution adopted by the Village of Millbrook Village Board on January 10, 2024 is a true and correct transcript of the original now on file in this office.



Sarah Witt- Village of Millbrook- Village Clerk

State Environmental Quality Review (SEQR)

NEGATIVE DECLARATION

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

This notice is issued pursuant to part 617 of the implementing regulations pertaining to Article 8 of the Environmental Conservation Law (SEQR).

The Village of Millbrook Village Board, as lead agency, has determined that the proposed action described below **will not** have a significant adverse effect on the environment and that an Environmental Impact Statement will not be prepared.

DATE: January 10, 2024
NAME OF ACTION: Local Law No. 2 of 2024
LOCATION: Village of Millbrook
Dutchess County
SEQR STATUS: Type I Action
LEAD AGENCY: Village of Millbrook Village Board
CONTACT PERSON: Tim Collopy, Village Mayor, Village of Millbrook

DESCRIPTION OF ACTION:

Amending Chapter 230 of the Village Code Entitled “Zoning” to Establish Rules and Regulations for Short-Term Rentals.

REASONS SUPPORTING THIS DETERMINATION:

The Village Board has reviewed the Full Environmental Assessment Form (FEAF) and the criteria contained in 6 NYCRR §617.7 and has determined that the Action will not have a significant impact on the environment for the following reasons:

- A. As required by §617.7(a)(2), the Village Board has determined that an Environmental Impact Statement is not required because any identified adverse impacts on the environment will not be significant.
- B. As required by §617.7(b), the Village Board has:
 - 1. Considered the action as defined in subdivisions 617.2(b) and 617.3(g).
 - 2. Reviewed the FEAF, the criteria identified in 617.7(c) and other supporting information to identify relevant areas of environmental concern.
 - 3. Analyzed the identified relevant areas of environmental concern to determine whether the action will have a significant adverse impact.
 - 4. Set forth herein is its written Finding of No Significant Environmental Impact.

- C. The Village Board has compared the impacts reasonably expected to result from the proposed action to the criteria listed in 617.7(c)(1) as indicators of significant adverse impacts:
1. Air quality, ground or surface water quality or quantity, traffic or noise levels, solid waste production, erosion potential, flooding, leaching or drainage problems;
 2. Removal or destruction of large quantities of vegetation or fauna, interference with migration fish or wildlife, impacts to special habitats, impacts to threatened or endangered species, or any other impacts to natural resources;
 3. Impairment of Critical Environmental Areas;
 4. Conflicts with currently adopted community plans and goals;
 5. Impairment of important historical, archeological, or aesthetic resources or community character;
 6. Major change in use or type of energy;
 7. Creation of a human health hazard;
 8. Substantial change in use or intensity of use of land including agricultural land, open space or recreational resources;
 9. Encouraging a population increase;
 10. Creation of a material demand for other actions resulting in above consequences;
 11. Changes in two or more elements of the environment that combined have a substantial adverse impact on the environment;
 12. Two or more related actions undertaken, funded or approved by an agency that combined have a significant effect on the environment.
- D. 617.7(c)(2) – For the purpose of determining significant adverse impacts on the environment of those factors listed above, the long-term, short-term, direct, indirect and cumulative impacts, including simultaneous or subsequent actions, to the extent reasonable, as included in any long-range plan for the action, any action that is a result of the reviewed action or is dependent on the action were reviewed.
- E. 617.7(c)(3) – The significance of any likely consequences was assessed in connection with the setting of the action, the likelihood of occurrence, duration, irreversibility, geographic scope, magnitude and the number of people affected as a consequence of the action.

Based on this review, the Village of Millbrook Village Board has determined that no significant adverse environmental impacts would result from this Action.

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees ☐ Yes ☐ No		
b. City, Town or Village Planning Board or Commission ☐ Yes ☐ No		
c. City, Town or Village Zoning Board of Appeals ☐ Yes ☐ No		
d. Other local agencies ☐ Yes ☐ No		
e. County agencies ☐ Yes ☐ No		
f. Regional agencies ☐ Yes ☐ No		
g. State agencies ☐ Yes ☐ No		
h. Federal agencies ☐ Yes ☐ No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		☐ Yes ☐ No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		☐ Yes ☐ No
iii. Is the project site within a Coastal Erosion Hazard Area?		☐ Yes ☐ No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☐ No

- **If Yes**, complete sections C, F and G.
- **If No**, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☐ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ☐ No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☐ No

If Yes, identify the plan(s):

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district?	□ Yes □ No
b. Is the use permitted or allowed by a special or conditional use permit?	□ Yes □ No
c. Is a zoning change requested as part of the proposed action?	□ Yes □ No
If Yes,	
i. What is the proposed new zoning for the site? _____	
C.4. Existing community services.	
a. In what school district is the project site located? _____	
b. What police or other public protection forces serve the project site? _____	
c. Which fire protection and emergency medical services serve the project site? _____	
d. What parks serve the project site? _____ _____	

D. Project Details

D.1. Proposed and Potential Development	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? _____	
b. a. Total acreage of the site of the proposed action? _____ acres	
b. Total acreage to be physically disturbed? _____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres	
c. Is the proposed action an expansion of an existing project or use? □ Yes □ No	
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____	
d. Is the proposed action a subdivision, or does it include a subdivision? □ Yes □ No	
If Yes,	
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____	
ii. Is a cluster/conservation layout proposed? □ Yes □ No	
iii. Number of lots proposed? _____	
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will the proposed action be constructed in multiple phases? □ Yes □ No	
i. If No, anticipated period of construction: _____ months	
ii. If Yes:	
• Total number of phases anticipated _____	
• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year	
• Anticipated completion date of final phase _____ month _____ year	
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____ _____ _____	

f. Does the project include new residential uses? ☐ Yes ☐ No				
If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☐ No	
If Yes,	
i. Total number of structures _____	
ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length	
iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☐ No	
If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____	
iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☐ No	
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)	
If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
• Volume (specify tons or cubic yards): _____ • Over what duration of time? _____	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____	
iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No	
If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? ☐ Yes ☐ No	
ix. Summarize site reclamation goals and plan: _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☐ No	
If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes ☐ No ☐
 If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No ☐
 If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☐ No ☐
 If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No ☐
 If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No ☐
- Is the project site in the existing district? ☐ Yes ☐ No ☐
- Is expansion of the district needed? ☐ Yes ☐ No ☐
- Do existing lines serve the project site? ☐ Yes ☐ No ☐

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No ☐
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No ☐
 If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☐ No ☐
 If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No ☐
 If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No ☐
- Is the project site in the existing district? ☐ Yes ☐ No ☐
- Is expansion of the district needed? ☐ Yes ☐ No ☐

• Do existing sewer lines serve the project site? _____ • Will a line extension within an existing district be necessary to serve the project? _____ If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____	☐ Yes ☐ No ☐ Yes ☐ No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____	
If Yes:	
• Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____	
If Yes:	
i. How much impervious surface will the project create in relation to total size of project parcel?	
_____ Square feet or _____ acres (impervious surface)	
_____ Square feet or _____ acres (parcel size)	
ii. Describe types of new point sources. _____	
iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____	
• If to surface waters, identify receiving water bodies or wetlands: _____	
• Will stormwater runoff flow to adjacent properties? _____	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____	
If Yes, identify:	
i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____	
ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____	
iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____	
If Yes:	
i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____	
ii. In addition to emissions as calculated in the application, the project will generate:	
• _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☐ No If Yes: i. Estimate methane generation in tons/year (metric): _____ ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____			
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☐ No If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____			
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☐ No If Yes: i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend ☐ Randomly between hours of _____ to _____. ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____ iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____ iv. Does the proposed action include any shared use parking? Yes No v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____ vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? ☐ Yes ☐ No vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No			
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☐ No If Yes: i. Estimate annual electricity demand during operation of the proposed action: _____ ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____ iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No			
l. Hours of operation. Answer all items which apply. <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table>		i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____		

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☐ No
 If yes:
 i. Provide details including sources, time of day and duration: _____

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No
 Describe: _____

n. Will the proposed action have outdoor lighting? ☐ Yes ☐ No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No
 Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☐ No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☐ No
 If Yes:
 i. Product(s) to be stored _____
 ii. Volume(s) _____ per unit time _____ (e.g., month, year)
 iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☐ No
 If Yes:
 i. Describe proposed treatment(s): _____

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐ No
 If Yes:
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:
 • Construction: _____ tons per _____ (unit of time)
 • Operation: _____ tons per _____ (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: _____

 • Operation: _____

 iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: _____

 • Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No
 If Yes: provide name and location of facility: _____

 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.
 i. Check all uses that occur on, adjoining and near the project site.
☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
 ii. If mix of uses, generally describe: _____

b. Land uses and covertsypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☐ No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☐ No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? ☐ Yes ☐ No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☐ No
If Yes:
i. Has the facility been formally closed? ☐ Yes ☐ No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☐ No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☐ No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No
☐ Yes – Spills Incidents database Provide DEC ID number(s): _____
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
☐ Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☐ No
If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No - If yes, DEC site ID number: _____ - Describe the type of institutional control (e.g., deed restriction or easement): _____ - Describe any use limitations: _____ - Describe any engineering controls: _____ - Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No - Explain: _____ _____	
E.2. Natural Resources On or Near Project Site	
a. What is the average depth to bedrock on the project site? _____ feet	
b. Are there bedrock outcroppings on the project site? ☐ Yes ☐ No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: _____ % _____ % _____ %	
d. What is the average depth to the water table on the project site? Average: _____ feet	
e. Drainage status of project site soils: ☐ Well Drained: _____ % of site ☐ Moderately Well Drained: _____ % of site ☐ Poorly Drained: _____ % of site	
f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____ % of site ☐ 10-15%: _____ % of site ☐ 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? ☐ Yes ☐ No If Yes, describe: _____ _____	
h. Surface water features. i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☐ No ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☐ No If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i. iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☐ No iv. For each identified regulated wetland and waterbody on the project site, provide the following information: - Streams: Name _____ Classification _____ - Lakes or Ponds: Name _____ Classification _____ - Wetlands: Name _____ Approximate Size _____ - Wetland No. (if regulated by DEC) _____	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☐ No If yes, name of impaired water body/bodies and basis for listing as impaired: _____ _____	
i. Is the project site in a designated Floodway? ☐ Yes ☐ No	
j. Is the project site in the 100-year Floodplain? ☐ Yes ☐ No	
k. Is the project site in the 500-year Floodplain? ☐ Yes ☐ No	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☐ No If Yes: i. Name of aquifer: _____	

m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____	
n. Does the project site contain a designated significant natural community? ☐ Yes ☐ No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☐ No If Yes: i. Species and listing (endangered or threatened): _____ _____ _____	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☐ No If Yes: i. Species and listing: _____ _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☐ No If yes, give a brief description of how the proposed action may affect that use: _____ _____	
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☐ No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☐ No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☐ No If Yes: i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☐ No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☐ No If Yes: i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☐ No
g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☐ No If Yes: i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles.
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☐ No If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name _____ Date _____

Signature _____ Title _____

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Project :

Date :

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “**Yes**” to a numbered question, please complete all the questions that follow in that section.
- If you answer “**No**” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1, D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>				☐ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☐	☐		
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☐	☐		
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☐	☐		
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☐	☐		
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☐		
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☐	☐		
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☐	☐		
h. Other impacts: _____ _____		☐	☐		

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☐ NO

☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____ _____		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☐ NO

☐ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

l. Other impacts: _____ _____		☐	☐
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) If "Yes", answer questions a - h. If "No", move on to Section 5.			
	☐ NO	☐ YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____ _____		☐	☐

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) If "Yes", answer questions a - g. If "No", move on to Section 6.			
	☐ NO	☐ YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____ _____		☐	☐
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6. Impacts on Air The proposed action may include a state regulated air emission source. ☐ NO ☐ YES (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____ _____		☐	☐

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☐ NO ☐ YES <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☐	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☐	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☐	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	☐	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☐	☐
j. Other impacts: _____		☐	☐

8. Impact on Agricultural Resources The proposed action may impact agricultural resources. (See Part 1, E.3.a. and b.) ☐ NO ☐ YES <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>				☐ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐		
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐		
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☐ ☐	☐ ☐		
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	☐ ☐	☐ ☐		
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐		
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐		
g. Other impacts: _____ _____		☐	☐		

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>				☐ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	☐	☐		
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☐	☐		
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☐	☐		

d. Other impacts: _____ _____		☐	☐
If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3: i. The proposed action may result in the destruction or alteration of all or part of the site or property. ii. The proposed action may result in the alteration of the property's setting or integrity. iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3g, E3f E3e, E3f, E3g, E1a, E1b E3e, E3f, E3g, E3h, C2, C3	☐ ☐ ☐	☐ ☐ ☐

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) If "Yes", answer questions a - e. If "No", go to Section 12.			
		☐ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____ _____		☐	☐

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) If "Yes", answer questions a - c. If "No", go to Section 13.			
		☐ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts: _____ _____		☐	☐

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.

☐ NO

☐ YES

(See Part 1. D.2.j)

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____		☐	☐

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.

☐ NO

☐ YES

(See Part 1. D.2.k)

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.

☐ NO

☐ YES

(See Part 1. D.2.m., n., and o.)

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☐	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☐	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☐
f. Other impacts: _____ _____		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)
If "Yes", answer questions a - m. If "No", go to Section 17.

☐ NO

☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____ _____			

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) If "Yes", answer questions a - h. If "No", go to Section 18.			
		☐ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____		☐	☐

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) If "Yes", answer questions a - g. If "No", proceed to Part 3.			
		☐ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____		☐	☐

Project :

Date :

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☐ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☐ Part 1 ☐ Part 2 ☐ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ as lead agency that:

☐ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action:

Name of Lead Agency:

Name of Responsible Officer in Lead Agency:

Title of Responsible Officer:

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person:

Address:

Telephone Number:

E-mail:

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

RESOLUTION No. LL0022024.2

**Enacting Local Law No. 2 of 2024 Amending Chapter 230 of the Village Code Entitled
“Zoning” to Establish Rules and Regulations for Short-Term Rentals**

At a meeting of the Village Board of Trustees of the Village of Millbrook (“Village Board”), held at the Village Fire House, 20 Front Street, Millbrook, New York on the 10th day of January, 2024, at 6:00 p.m., Village Mayor, Tim Collopy called the meeting to order, and _____, seconded by _____ Trustee _____, moved the following resolution, to introduce the following local law, to be known as Local Law No. 2 of 2024, entitled “A Local Law Amending Chapter 230 of the Village Code entitled ‘Zoning’ to add a new Sub-Section 230-30(C) Containing Rules and Regulations for Short-Term Rentals” as follows:

WHEREAS, the following Local Law was introduced as Proposed Local Law No. 5 of 2023, by Resolution adopted at a regular meeting of the Village Board held on December 13th, 2023; and

WHEREAS, a properly noticed public hearing was held before the Village Board during the meeting on January 10th, 2024, on Proposed Local Law No. 5 of 2023; and

WHEREAS, the Village Board determined the enactment of this Local Law will have no adverse environmental impacts and issued a Negative Declaration pursuant to the New York State Environmental Quality Review Act; and

WHEREAS, the proposed Local Law set forth below is incorporated herein as if recited verbatim, and the Village Board directs that said Local Law be spread across the minutes of this meeting as if it, in fact, had been read verbatim during the meeting; and

NOW THEREFORE, BE IT ENACTED by the Board of Trustees of the Village of Millbrook (“Village Board”) as follows:

Section 1. Legislative intent: Section 230-30 of the Village of Millbrook Village Code entitled “Overnight accommodations” contains regulations for Inns and Bed-and-breakfast establishments but does not include any regulations for short-term rental accommodations such as those commonly advertised on websites such as Airbnb and VRBO. The Village Board has observed that more and more residents of the Village are either currently offering short-term rental accommodations or seeking to offer short-term rental accommodations in their homes. That combined with the need for both short-term and long-term housing in the Village has led the Village Board to determine it is in the best interest of the Village to amend the Village Code to establish regulations for such short-term rental accommodations. The Village Board now, therefore, wishes to amend Chapter 230 of the Village Code entitled “Zoning” to add a new subsection 230-30(C) to Section 230 entitled “Overnight accommodations” to establish rules and regulations for short-term rental accommodations in the Village.

Section 2. Section 230-30 of the Village Code entitled “Overnight accommodations” is hereby amended by adding a new Sub-Subsection 230-30(C) to read as follows.

“C. Short-Term Rentals.

- (1) Purpose. The purpose of this section is to establish a set of regulations applicable to the short-term rental of residential real property in the Village of Millbrook. These regulations are in addition to all other provisions of this Chapter. In the adoption of these standards, the Board of Trustees of the Village of Millbrook (the “Village Board”) find that short-term rentals (“STRs”) have the potential to be incompatible with surrounding residential uses, especially when several are concentrated in the same area, thereby having the potential for a deleterious effect on the adjacent full-time residents. The Village Board recognizes the benefits of short-term rentals to allow homeowners to supplement their income to defray the cost of housing and to provide lodging for visitors to the Village. The Board of Trustees also find that STRs have the potential to have a detrimental effect on affordable housing and economic diversity in the Village, by removing dwelling units from the long term rental market and driving up demand for the limited remaining housing supply. This can result in fewer available units and increased prices or rents for those units that are available. Special regulation of these STR uses is necessary

to ensure that they will be compatible with surrounding residential uses, protect the health, safety and welfare of Village residents and will not act to harm and alter the neighborhoods they are located within.

(2) Definitions.

- a. Short-Term Rental - A single-family dwelling or two-family dwelling or portion thereof, or an accessory apartment, offered for rent or lease, for an occupancy of fewer than thirty-one (31) consecutive days, the rates for which include lodging only, and no other commercial services are offered. A qualifying property is limited to the applicant's Primary Residence. The term "short-term rental" does not include Bed and Breakfast, Group Home, Hotel/Conference Center, or Inn, as regulated by the Village of Millbrook Zoning Code.
- b. Hosted Short-Term Rental – A Short-Term Rental where the owner is present on the property overnight during the period when guests are on-site for the short-term rental.
- c. Non-Hosted Short-Term Rental – A Short-Term Rental where the owner is not present on the property during the period when guests are on-site for the short-term rental.
- d. Primary Residence – the domicile and principal dwelling that a person inhabits and resides in for at least six (6) months and one (1) day out of the year. If title to the property is not held in the name of a natural person, then the following shall apply: if the property is held in the name of a trust, the person that inhabits the residence must be one of the grantors or a beneficiary of the trust who has the right to reside in the dwelling on the property under the terms of the trust; if the property is held by an entity other than a trust (corporation, limited liability company, partnership, etc.), the resident must be a majority owner of the entity.
- e. Primary Resident – a natural person(s) who is the main occupant or occupants of the property containing the Short-Term Rental.
- f. Agent – Person designated by host to act on host's behalf in the absence of

the host.

- g. Host – the person who owns the property in the Village being offered for Short-Term Rental.

(3) Presumption of Dwelling Unit as Short-Term Rental Property.

- a. The presence of the following shall create a presumption that all or a part of the property is being used as a Short-Term Rental:
 - 1. All or part of the property is offered for lease on a short-term rental website, including but not limited to Airbnb and VRBO, for a rental period of less than thirty-one (31) days; and/ or
 - 2. All or a part of the property is offered for lease for a period of thirty-one (31) days or less through any form of advertising.
- b. The foregoing presumptions may be rebutted by documentary evidence presented to the Village Code Enforcement Officer (“CEO”) sufficient to show that the premises is not operated as a Short-Term Rental.

(4) All Short-Term Rental Permit and application fees shall be listed in the Village’s Master Fee Schedule. These may be changed from time to time by resolution of the Village Board of Trustees.

(5) A short-term rental shall only be allowed subject to an application for a Permit issued by the CEO, renewable on a biennial basis, and in compliance with the following standards:

- a. Permits issued for short-term rentals shall be limited to a maximum of fifteen (15) within the Village on an annual basis. Applications will be accepted on a first-come, first serve basis until fifteen (15) permits are issued. Subsequent applications will be placed on a waitlist. If and when there are fewer than fifteen (15) Permits, the waitlist will be utilized starting with the application that has been on the waitlist the longest amount of time.
- b. Permits shall be issued to a specific Primary Resident and are not transferrable or assignable. A Primary Resident is not eligible to possess more than one STR Permit. The term of a Permit shall be two (2) years.

- c. The property shall be designed, maintained, and operated to preserve and complement the residential appearance of the site and the existing character of the surrounding area. There shall be no change permitted to the residential character of the outside appearance of the building.
- d. The Host, for Hosted STRs, or, the Hosts' Agent as listed on the Permit for Non-Hosted STRs, must be available at all times to respond in person, on site, within one (1) hour of notification to any issues that may arise regarding the condition, safety, operation, or conduct of guests of the STR. The contact information for the Host and/or Host's Agent shall be provided to the Village via the Short-Term Rental Application at time of submission, and the Permit holder shall update this contact information as needed during the term of the Permit to ensure it is accurate and up to date.
- e. There shall be no more than six occupants as lodgers of the STR at any given time, with a maximum of two occupants per bedroom, or if not on municipal water or sewer, the maximum capacity shall be determined by the septic capacity established by the Department of Health, not to exceed two occupants per bedroom. Maximum occupancy does not include children under five (5) years of age.
- f. The guest bedrooms of the STR shall be limited to the principal dwelling or one accessory building on the property, but never both. Any guest bedroom in an accessory building shall have access to sanitary facilities within that accessory building approved by the applicable authority.
- g. The owner shall collect and preserve registration records for a minimum of three (3) years.
- h. Parking shall be consistent with Section 230-16 and the Table set forth in Section J.(1) of Section 230-16 of the Village Code. Any required additional parking shall not be allowed in front of the principal dwelling by expanding use of an existing driveway.
- i. A copy of the Permit must be prominently displayed within the interior of the STR during the duration of its validity. The availability of the STR

to the public shall not be advertised on the premises. The Village Permit number must be included in the listing.

- j. An annual satisfactory inspection from the CEO is mandatory prior to issuance of a Permit. The owner shall arrange for and schedule such inspection directly with the CEO and give reasonable access for inspections to be conducted to ensure compliance with the provisions of the Village of Millbrook Code, the NYS Uniform Fire Protection and Building Code and Life Safety Code.
- k. All STR guests are subject to the provisions of Section 230-14 of the Village Code, the Performance Standards, and of the enforcement provisions of Section 230-60. The Host or Agent is responsible for informing each guest of these provisions.
- l. The STR property must comply with and meet all applicable NYS Uniform Building Codes.
- m. There shall be one working smoke detector in each sleeping room and one additional smoke detector on each floor. Carbon monoxide detectors shall be installed as required by the New York State Uniform Fire Prevention and Building Code.
- n. There shall be a five (5) pound ABC fire extinguisher on each floor and in the kitchen. Fire extinguishers shall be inspected prior to a renter occupying the property and no less than monthly by the Permit holder(s) to ensure each contains a full charge. A record of the date inspected initialed by the Permit holder shall be maintained and made available to the CEO upon request.
- o. The house number shall be displayed both at the road and on the dwelling unit so that the house number is clearly visible from both road and the driveway.
- p. Electrical systems shall be in good operating condition, labeled, unobstructed and shall be visible for the CEO during inspections. Any defects found shall be corrected prior to Permit issuance. A current boiler

or furnace service report, including a record of the date inspected, initialed by the Permit holder, shall be maintained and made available to the CEO upon request.

- q. Insurance standards- all STR Permit holders must provide Evidence of Property Hazard Insurance and a Certificate of Liability Insurance indicating the premises is rated for Short-Term Rental and maintain such insurance throughout the term of the Short-term Rental Permit. The amounts for the insurance coverage shall be set by the Village Board as part of the Village fee schedule(s).
- r. Waste removal provisions shall be made for weekly garbage removal during rental periods. Garbage containers shall be secured with covers at all times to prevent leakage, spilling, or odors, and placed where they are not clearly visible from the road except at approximate pickup time.
- s. STR guests and STR Permit holders must have a written rental contract, which includes the following:
 - 1. Maximum property occupancy;
 - 2. Maximum on-site parking provided; and
 - 3. Good Neighbor Statement stating:
 - 4. STR guests must be considerate of the residents in neighboring homes.
 - 5. STR guests are requested to observe quiet hours from 10:00 p.m. to 8:00 a.m.;
 - 6. All STR guests will be subject to New York Penal Law § 240.20 or any successor statute regarding disorderly conduct;
 - 7. Littering is illegal.
- t. Compliance and Penalties.
 - 1. Violations of this Section or of any Short-Term Rental Permit issued pursuant to this Section shall be subject to enforcement and penalties

prescribed in this Section and Article VII of this Chapter.

2. If the Code Enforcement Officer either witnesses or receives a written complaint of an alleged violation of this Section or a violation of the conditions of any Short-Term Rental Permit issued pursuant to this Section, the CEO shall properly record such complaint and immediately investigate the report thereon. If the Code Enforcement Officer determines there is a violation of this Section, the owners shall be notified in writing by both first class mail and certified mail, return receipt requested of said violations and the CEO may take any or all of the following actions:

- a) Impose additional conditions to the existing Short-Term Rental Permit.
- b) Suspend the Short-Term Rental Permit. The Notice of Suspension shall be provided to the property owner and a copy filed with the Village Clerk.
- c) Require corrective action that remedies the violation(s). The corrective action must be completed and approved within 30 days of Notice from the Code Enforcement Officer or the owner risks revocation of the Short-Term Rental Permit.
- d) Issue a court appearance ticket for violation of a Village law.
- e) Revoke the STR Permit. Should a Permit be revoked, all owners of the property on which the STR exists are prohibited from obtaining an STR Permit on the property for a period of one (1) year after the date of revocation. The Code Enforcement Officer shall send Notices of Revocation to the property owners and shall file a copy with the Town Clerk.
- f) A property owner found not to be in compliance with any section of this law will be subject to a monetary civil fine in accordance with the schedule below, in addition to any and all

applicable remedies and penalties found in Section 230-60 of the Village Code that do not conflict with this section.

- i. A one thousand-dollar (\$1,000.00) fine will be assessed for the first offense.
 - ii. A two thousand-dollar (\$2,000.00) fine will be assessed for the second offense, if it occurs within a year of the first offense.
 - iii. A third violation within a year of the first offense will result in the revocation of the Permit.
- u. At the time of passage of this law, applicants operating a Short-Term Rental that is not the applicant's Primary Residence will be given a two-year grace period to meet this requirement (all other Permit requirements must still be met before an applicant will be approved and a Permit issued).
- v. Renewal of Permit.
 1. Permits will automatically expire after a two (2) year term but may be renewed prior to expiration for a subsequent two (2) year term by Permit-holders in good standing.
 2. Renewal Permits will be granted for an additional 2-year term if the following conditions are met:
 - a) Application for renewal of the Short-Term Rental Permit shall be made no less than thirty (30) nor more than forty-five (45) days prior to expiration of the current Permit and be accompanied by the renewal fee.
 - b) At the time of application for renewal, the owner or designated agent must present the previous Permit for Short-Term Rental.
 - c) The property must undergo a new inspection performed by the CEO.
 - d) Any violations must be remedied prior to renewal of a Permit for Short-Term Rental.

w. Grounds for Suspension or Revocation of Permit.

1. The Code Enforcement Officer may immediately suspend a Short-Term Rental Permit based on any of the following grounds:

- a) Applicant has falsified or failed to provide information in the application for a permit or the application for Permit renewal.
- b) Applicant failed to meet or comply with any of the requirements of this Chapter.
- c) Applicant is in violation of any provision of the Code of the Village of Millbrook.
- d) Applicant has been found guilty by a court of law of a violation of any provision of the Penal Code of the State of New York, which violation occurred at the property on which the STR exists, or is related to the occupancy of the STR.
- e) Any conduct on the property on which the STR exists, which disturbs the health, safety, peace or comfort of the neighborhood or which otherwise creates a public nuisance.
- f) Removal or disrepair of any safety devices such as, but not limited to, smoke and carbon monoxide detectors, fire extinguishers and egresses.

x. Appeals and Hearings. The property owner is entitled to appeal the Code Enforcement Officer's determination to the Zoning Board of Appeals in accordance with Section 230-69 of the Village Code when a property owner's application for a Short-Term Rental Permit or a Short-Term Rental Permit Renewal is denied or a Short-Term Rental Permit is revoked. A Notice of Appeal shall be filed with the Village Clerk and the Zoning Board of Appeals within 60 days of the Code Enforcement Officer's filing of the denial or revocation with the Village Clerk."

Section 3. **Severability.** Should any word, section, clause, paragraph, sentence, part or provision of this local law be declared invalid by a Court of competent jurisdiction, such

determination shall not affect the validity of any other part hereof.

Section 4. All other ordinances or local laws of the Village of Millbrook which are in conflict with the provisions of this local law are hereby superseded or repealed to the extent necessary to give this local law full force and effect during its effective period.

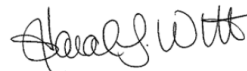
Section 5. Numbering for codification. It is the intention of the Village of Millbrook Board of Trustees and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Village of Millbrook; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word “Local Law” shall be changed to “Chapter,” “Section” or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

Section 6. This Local Law shall take effect as of the date of filing with the New York Secretary of State.

The foregoing resolution was duly put to a vote which resulted as follows:

Mayor Collopy
Trustee Herzog
Trustee Contino
Trustee Doro
Trustee Murphy

DATED: Millbrook, New York
January 10, 2024



SARAH J. WITT, VILLAGE CLERK
Village of Millbrook