

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 124/2015

RE: STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) REGARDING THE ADOPTION OF AN AMENDMENT TO COMPREHENSIVE PLAN AND ZONING MAP REZONING A PROPERTY TO A MIXED USE COMMERCIAL (MC) DISTRICT

WHEREAS, the Town Board of the Town of Pleasant Valley adopted a new Zoning Law and map by Local Law 8 of 2009 that has been amended from time to time and the 2009 Comprehensive Plan; and

WHEREAS, the Town Board of the Town of Pleasant Valley is now considering amendments to the Comprehensive Plan and to Chapter 98 of the code of the Town of Pleasant Valley entitled "zoning"; and

WHEREAS, the environmental review (SEQRA) does not contain any specific proposal for a project and is for the purposes of adoption of general amendments to the Town of Pleasant Valley Comprehensive Plan and the Town Zoning regulations only; and

WHEREAS, the Town Board did submit the proposed amendments to the Dutchess County Department of Planning and Development and the Town of Pleasant Valley Planning Board; and

WHEREAS, the Town Board held a Public Hearing on June 10, 2015 on the proposed amendments, at which time all parties who desired to be heard in connection with the proposed amendments and environmental significance were heard; and

WHEREAS, the Town Board by Resolution dated April 8, 2015 made a determination that the proposed action is an unlisted action pursuant to SEQRA, pursuant to 6 NYCRR 617.4 and 617.5; and

WHEREAS, the Town Board determined that the Town Board is the only involved agency and therefore a coordinated review is not required; now, therefore, be it

RESOLVED, that upon review of the Part I, and completion of Part II and Part III, of the Short Form Environmental Assessment Form, the Town Board officially makes a determination of non-significance in that the proposed action is not expected to result in significant adverse

impact on the environment and therefore the preparation of a Draft Environmental Impact Statement is not necessary; and be it further

RESOLVED, that this determination shall be considered a negative declaration for the purposes of Article 8 of the Environmental Conservation Law for the reasons set forth in the attached Short Environmental Assessment Form with respect to this project, a copy of which is in said files which shall be maintained in the office of the Town Clerk; and be it further

RESOLVED, that the Town Supervisor is hereby authorized to sign the Short Environmental Assessment Form and accompanying Negative Declaration and determination of non-significance with respect to the project in substantially the same form as annexed hereto and the Town Clerk is directed to maintain a file for this determination.

MOTIONED BY: _____

SECONDED BY: _____

DATED: June 10, 2015

ROLL CALL:

	<u>AYE</u>	<u>NAY</u>
Councilman Albrecht	_____	_____
Councilman Figliozi	_____	_____
Councilman Latino	_____	_____
Councilwoman Milicaj	_____	_____
Supervisor Campbell	_____	_____

Project:

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project:

Date:

**Short Environmental Assessment Form
Part 3 Determination of Significance**

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

See attached.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Town of Pleasant Valley Town Board	June 10, 2015
Name of Lead Agency	Date
Carol A. Campbell	Town Supervisor
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM

Part 3

Determination of Significance

The proposed action is the adoption of a Local Law to amend the Town's zoning map for the purpose of rezoning a property to the Mixed Use Commercial (MC) Zoning District and the adoption a Resolution amending the Town's Comprehensive Plan. The proposed action does not involve any direct physical changes to the environment since there are not site improvements imposed. The proposed action is not expected to result in any significant adverse impacts to the environment.

1. The proposed action will not create a material conflict with adopted land use plans or zoning regulations since it proposes to amend the Comprehensive Plan and the zoning map will be amended to correspond. The proposed action will be consistent with the adopted plan and the subject property is located adjacent to similarly Mixed Use Commercial (MC) parcels and the proposed action involves the adoption of a Resolution amending the Town's Comprehensive Plan so that the project complies with the adopted land use plan.
2. The proposed action itself will not result in a change in use or intensity of use of land since it involves a zoning map and Comprehensive Plan amendment only. However the proposed action could result in a change in use or intensity of the land. The property is currently zoned Hamlet Residential (HR). This was intended to encourage new residential development within walking distance of the existing and emerging centers while protecting outlying natural and agricultural greenspaces. While the proposal is to rezone this to a Mixed Use Commercial (MC) District which allows for a variety of mixed uses, but in a contained area. Development and redevelopment in these areas will involve and improve site design, landscaping and architecture in an effort to “retrofit the strip.” The abutting parcel owners are currently zoned and used for Mixed Use Commercial (MC) purposes. Hamlet Residential (HR) does allow for a number residential and agricultural and limited non-residential uses. The Mixed Use Commercial (MC) District allows agricultural uses and limited non-residential uses as of right or by special permit.
3. The proposed action will be consistent with the existing community character and, therefore, will not have a significant adverse environmental impact. The proposed action will have commercial uses consistent with what already exists in the neighborhood and strengthen the community character by enhancing the existing commercial corridor.
4. The proposed action will not have a significant adverse amount of impact on a critical environmental areas since there is no CEA located on or adjacent to the property.
5. The proposed action will not have a significant adverse environmental impact on existing levels of traffic or affect the existing infrastructure for mass transit, biking or walkways. The proposed action will not result in a substantial increase in traffic above present levels or generate substantial new demands for transportation facilities or services.
6. The proposed action will not cause an increase in the use of energy as there is no site specific proposal associated with this. It would be expected that energy consumption on the subject property considering the Mixed Use Commercial (MC) District would be able to be accommodated without an adverse impact on the environment.

7. It is not expected that the proposed action will impact existing public or private water supplies or public or private waste water treatment utilities. There is no public water or waste water treatment utilities associated with the property. In order to develop the property in the event there is a future project proposed it will have to then demonstrate that it can provide private water and private waste water utilities sufficient to accommodate the needs of the property on that site. The current property is 6+ acres of land and is expected at any water and waste water services can accommodate a property of that size.
8. The proposed action will not impair the character or quality of important historic, archeological, architectural or aesthetic resources. The proposed action does not involve any site improvements and any potential uses would be consistent with the current land use patterns in the surrounding neighborhood.
9. The proposed action will not result in adverse change to natural resources. There are no site improvements proposed at this time and no impacts are expected to occur.
10. The proposed action will not increase the potential for erosion, flooding or drainage problems as there are no site improvements proposed and no impacts are expected to occur.
11. The proposed action does not propose any activity which would create a hazard to environmental resources or human health.