TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 128/2015

RE: STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) IN REGARD TO AMENDING CHAPTER 98 OF THE CODE OF THE TOWN OF PLEASANT VALLEY ENTITLED "ZONING ARTICLE IV SUPPLEMENTARY REGULATIONS CHAPTER 98-46 SIGNS

WHEREAS, the Town Board of the Town of Pleasant Valley adopted a new Zoning Law and map by Local Law No. 8 of 2009, as amended; and

WHEREAS, the Town is considering changes deemed necessary to the existing text regarding signs as recommended by the Zoning Administrator; and

WHEREAS, the Town Board of the Town of Pleasant Valley is considering amendments to Chapter 98 of the Code of the Town of Pleasant Valley entitled "Zoning"; and

WHEREAS, the environmental review does not concern any specific proposal for a project and is for the purposes of adoption of general amendments to the Town of Pleasant Valley zoning regulations only; and

WHEREAS, Section 239 L & M of the General Municipal Law requires a thirty (30) day review by the Dutchess County Planning Department, and;

WHEREAS, Section 264 and 265 of the Town Law and Section 98-101 of the Town of Pleasant Valley Code requires that public notice be given and a hearing held on matters involving amendments to the Zoning Code; and

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. In accordance with Section 617.6(a)(1)(i) of the Title 6 NYCRR, the Town Board determines the above described action is subject to SEQRA.

2. In accordance with Section 617.6(a)(1)(ii) of the Title 6 NYCRR, the Town Board determines that the action does not involve a federal agency.

3. In accordance with Section 617.6(a)(1)(iii) if the Title 6 NYCRR, the Town Board determines that the action does not involve more than one agency.

4. In accordance with Section 617.6(a)(iv) of Title 6 NYCRR the Town Board classifies the above described action as an unlisted action. The Town Board in making such a classification considers Section 617.6 of 6 NYCCRR and determines that the above described action did not fit under any of the categories listed under Type II and 671.4 and 617.5 of 6 NYCRR determines the above described action does not fit in any of the categories listed in the Type I or Type II actions thus reaching the conclusion that it is to be considered an unlisted action.

5. In accordance with Section 617.6(a)(3) of Title 6 NYCRR, the Town Board determines that the above described action will require a short Environmental Assessment Form. The Town Board officially declares itself to be lead agency pursuant to 6 NYCRR Section 617.6(b) since it is the only agency with approval authority over the Zoning Law, Zoning Map and Subdivision Law.

6. The Town Board shall forward a copy of this resolution and of the Environmental Assessment Form, as well as the proposed laws to the Dutchess County Planning Department for purposes of compliance with Section 239 L&M of the General Municipal Law.

7. The Town Board shall forward a copy of this resolution and of the short Environmental Assessment Form as well as a draft of the proposed local law to the Town of Pleasant Valley Planning Board for an advisory opinion within 45 days of the referral pursuant to Section 98-101(A) of the Town of Pleasant Valley Code; and

8. The Town Board shall, pursuant to Section 98-101(C) forward a copy of this resolution and of

the short Environmental Assessment Form, as well as a draft of the proposed local law to the Town Clerk of each of the following Towns: Town of Clinton, Town of Washington, Town of Unionvale, Town of Hyde Park, Town of LaGrange and Town of Poughkeepsie; and

9. Pursuant to Section 264 and 265 of the Town Law and Section 98-101 of the Code the Town Board shall hold a public hearing scheduled for August 12, 2015 at 7:00 p.m. at which time the environmental significance of this local law shall be considered.

MOTIONED BY: _____

SECONDED BY: _____

DATED: June 10, 2015

ROLL CALL:	AYE	NAY
Councilman Albrecht	____	____
Councilman Figliozzi	____	____
Councilman Latino	____	____
Councilwoman Milicaj	____	____
Supervisor Campbell	____	____

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information

Name of Action or Project:
Zoning Code Amendment

Project Location (describe, and attach a location map):
Town of Pleasant Valley

Brief Description of Proposed Action:
The Town of Pleasant Valley is considering a Local Law and proposed amendments to Section 98-46 entitled "Signs". Only text amendments are being considered regarding "Open" signs and gas station signs.

Name of Applicant or Sponsor:	Telephone: (845)635-3598
Town of Pleasant Valley	E-Mail:

Address:
1554 Main Street

City/PO:	State:	Zip Code:
Pleasant Valley	NY	12569

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☐	☑
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:	☐	☐

3.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

4. Check all land uses that occur on, adjoining and near the proposed action.
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	☐	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☐
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☐	☐
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☐	☐
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	☐
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☐	☐
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	☐	☐
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☐	☐
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	☐	☐
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	☐	☐
b. Is the proposed action located in an archeological sensitive area?	☐	☐
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☐	☐
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☐	☐

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☐ Urban ☐ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	☐	☐
16. Is the project site located in the 100 year flood plain?	☐	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☐ NO ☐ YES	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES		

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size:	☐	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	☐	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	☐	☐

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Town of Pleasant Valley Date: June 10, 3015

Signature:

PRINT FORM

Agency Use Only [If applicable]

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?	✔	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	✔	☐
3. Will the proposed action impair the character or quality of the existing community?	✔	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	✔	☐
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?	✔	☐
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?	✔	☐
7. Will the proposed action impact existing: a. public / private water supplies?	✔	☐
b. public / private wastewater treatment utilities?	✔	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	✔	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	✔	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	✔	☐
11. Will the proposed action create a hazard to environmental resources or human health?	✔	☐

PRINT FORM

Agency Use Only [If applicable]

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.

☐ 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.

☐ 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.

Name of Lead Agency	Date
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