

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>

Additional Sheet Attached to FEAF Part 3, Negative Declaration Related to Adoption of Local Law Updating the Town of Union Vale Subdivision, Zoning, Highway Standards and Fees

Introduction to Action

By Local Law 2 of 2022, the Town Board enacted a moratorium to temporarily suspend the issuance of approvals, variances, and permits in the TC District, and for common driveway and private road permits in the Town. The Town Board wanted to update zoning to ensure that the TC district and its land use regulations implement policy direction as established in the adopted Town of Union Vale Master Plan, to consider modifications to the zoning code in the TC District as suggested by the Planning Board, to provide additional guidance as to how future development in the TC district can meet community goals, especially those related to community character and the environment, and to consider upgrading private road and driveway construction standards so as not to present long-term safety, upkeep and access issues for property owners and the Town. Following the most recent extension of Local Law 2 of 2022, this moratorium was set to expire at 12:01 a.m. on January 4, 2023.

Supervisor Maas reported that by State Law the Dutchess County Department of Planning and Development has thirty (30) days to review and comment on proposed Zoning Law changes (General Municipal Law §239-m). The Town Board has requested and received recommendations from the Planning Board, the Town's Code Enforcement Officer, and a review committee tasked to review the TC zoning regulations regarding the proposed amendments in accordance with Town Code § 210-83(B)(2) as amended on May 18, 2022 by Local Law # 3 of 2022.

The Supervisor also suggested that Code Chapters 192, 210, Appendix Chapter 215 and Chapter 128 be updated to reflect the Town's Master Plan, to further enhance community character, to better meet the stated goals of the TC District, and modifications of the requirements for constructing common driveways and privately-owned roads to ensure construction is in compliance with the Town Highway specifications. A further purpose of these amendments is to avoid long-term safety, upkeep and access issues related to roads and driveways.

Purpose of Action

The purpose of this action is to adopt a local law that amends selected provisions of the Town of Union Vale Subdivision Law, Zoning Law as it relates to the TC District, the Fee Schedule Law, and Highway Standards. Further purposes are to implement the 2001 Town of Union Vale Master Plan. The Master Plan outlined a variety of goals pertaining to the TC district that have not been fully implemented. Ongoing and new issues facing the Town and the TC District necessitated a re-evaluation of development standards there. The Master Plan seeks to promote the TC district as a place for mixed uses and small businesses designed to meet the needs of the Town, and in so doing, to ensure that the small and rural character and the environment of the Town are preserved.

The Town Board, after consideration of the Full Environmental Assessment Form Part I, II and III finds that:

The Town has not identified any significant, adverse environmental impacts that would result from adopting Local Law # 1 of 2023 related to the proposed amendments. The Town Board has reviewed Part I and II and has determined that there are no identified potential moderate to large adverse environmental impacts associated with adopting an updated zoning law for the Town of Union Vale. This action implements policies established in the 2001 Town of Union Vale Master Plan.

Protection of the environment and maintenance of the rural character of the Town are paramount policies of the Town and this local law is established to update the zoning regulations for the TC district to ensure consistency between future development and that Master Plan.

The action of adopting a local law by itself will not result in any physical change to the environment. Each future proposed development in the TC district will require full review by the Planning Board and will include an environmental evaluation of that specific site. The Town recognizes that there are potential impacts that may occur and be mitigated via those projects.

The proposed zoning changes, however, are designed to further the environmental protection goals of the Town of Union Vale. The Town has concluded that no significant adverse impacts to the environment will result in adoption of these amendments because they essentially strengthening the review process and mitigation measures to be used in the TC District. These measures include:

- Requiring a conservation subdivision (for lot splits) or conservation design (for multi-structure developments on a single lot) that preserves 50% of the parcel as permanent open space. This requirement will not only result in open space that will continue to contribute to the character of the Town and its environment but will result in a development pattern that is designed with rural character as its foundation.
- Updating the TC District purpose statement that now emphasizes development that is of the scale, intensity and design in keeping with the desire to develop this area as a traditional hamlet oriented to mixed uses and small scale commercial uses.
- Large scale and high impact uses such as gas stations have been removed from being allowed in the TC District. Dimension standards have been updated to control the scale and intensity of those uses that are allowed.
- Language has been added throughout the regulations to ensure proper review of

traffic, well, water, aesthetic, community character, and other environmental impacts.

- The Planned Mixed Use Development District has been removed as an allowable technique because it had few development standards and was replaced with development standards having defined environmental performance standards.
- A density bonus incentive has been added for the TC District specifically to promote low impact development, solar integrated buildings, buildings that meet LEED energy standards, electric charging stations, trails and pathways, pollinator friendly landscaping, and forest and wildlife management planning.
- Emphasizes siting of new structures in a manner accessible to emergency vehicles.
- Added design standards for all building within the TC District that will promote community character and quality development through regulation of the aesthetic elements of buildings, parking lots, signs, lighting, and other site features.
- Updated parking lot requirements to include location and landscaping standards will positively contribute to preventing erosion and runoff, heat islands, and mitigate parking lot aesthetic concerns.
- Incorporated Dark Sky Compliant lighting standards to control glare off-site and on roads for all development in the TC District.
- Enhanced landscaping requirements for the TC District, including screening of commercial buildings so that they will have minimal or no impact on adjacent parcels.
- Prevented new roads and streets that are too wide, with too much pavement and over-built.
- Added in development standards that allow for multifamily dwellings and townhouses in a manner consistent with the environment and the character of Union Vale.
- Enhanced Site Plan and Special Use Permit application materials that detail all natural resources that may be on the site including requiring review of the Towns' Natural Resource Inventory, photosimulations and traffic impact analysis. In particular, the updates address the need for thorough traffic impact analysis and mitigation of adverse impacts along Routes 55 and CR 21. Also included are authorizations for the Planning Board to require hydrology studies to ensure that the proposed use has adequate water supplies and septic system capacity. New standards to review and mitigate impacts of development in the TC District on rare species, critical habitats, or listed species.

- Promotion of more pedestrian linkages from the TC District to other locations in Town.

Thus, the proposed land use regulatory changes of this action strengthen environmental protections when new development is proposed and will therefore positively benefit the Town of Union Vale and is fully consistent with the goals of SEQR. The depth and breadth of environmental topics addressed in the Town's Master Plan and translated into land use regulations via these proposed amendments illustrate the commitment Union Vale has made to protect, preserve, and enhance the environment. The primary purpose of the proposed amendments is to implement these principles through land use regulations.

DRAFT