

RESOLUTION 2009 # 4

RE: AUTHORIZING THE SUPERVISOR TO SIGN PAGES 1 AND 5 OF THE STATE ENVIRONMENTAL QUALITY REVIEW FULL ENVIRONMENTAL ASSESSMENT FORM

On a motion of Councilwoman Micki Strawinski, seconded by Councilman Harry Colgan, moved to accept the resolution as read.

Adopted Ayes 5 Crane, Ross, Strawinski, Colgan, McKeon
 Nays 0

Copy Attached

January 13, 2009

14-16-2 (9/95) --7C

617:20

SEQR

Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full-EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

DETERMINATION OF SIGNIFICANCE — Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project:

- Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore **a negative declaration will be prepared.**
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore **a CONDITIONED negative declaration will be prepared.***
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore **a positive declaration will be prepared.**

* A Conditioned Negative Declaration is only valid for Unlisted Actions

Adoption of Amendments to Chapter 143 of the Code of the Town of Red Hook entitled Zoning, Chapter 120 of the Code of the Town of Red Hook entitled Subdivision of Land, and the Comprehensive Plan

Name of Action

Town Board of the Town of Red Hook

Name of Lead Agency

Sue T. Crane

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)

January 13, 2009

Date

PART 1 - PROJECT INFORMATION

Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

NAME OF ACTION Adoption of Amendments to Chapter 143 of the Code of the Town of Red Hook entitled Zoning, Chapter 120 of the Code of the Town of Red Hook entitled Subdivision of Land, and the Comprehensive Plan			
LOCATION OF ACTION (Include Street Address, Municipality and County) Town of Red Hook, Dutchess County			
NAME OF APPLICANT/SPONSOR Town Board of the Town of Red Hook		BUSINESS TELEPHONE (845) 758-4600	
ADDRESS 7340 South Broadway			
CITY/PO Red Hook		STATE NY	ZIP CODE 12571
NAME OF OWNER (If different)		BUSINESS TELEPHONE ()	
ADDRESS			
CITY/PO		STATE	ZIP CODE
DESCRIPTION OF ACTION: The proposed action is the adoption of amendments to the Town of Red Hook Zoning Law, Subdivision Law and Comprehensive Plan to implement the proposed Centers and Greenspaces Plan. The amendments will create two new zoning districts (the Agricultural Business District and the Traditional Neighborhood Development District), will replace the Town's existing residential cluster subdivision regulations with provisions for conservation subdivisions, and will add a new section on open space incentive zoning, in addition to other incidental changes necessitated by these amendments. In order to encourage village-scale density within the Traditional Neighborhood Development District, the law eliminates the density bonus for provision of central water in the R1 and R1.5 Districts. The amendments are designed to protect the health, safety and welfare of Town residents, to bring the Town's Zoning Law and Subdivision Law into conformance with the Town's Comprehensive Plan, Greenway Connections: Greenway Compact Program and Guides for Dutchess County Communities pursuant to Chapter 17-3 of the Town Code, and with recent changes to New York State Town Law. The proposed amendments are based on the preferences and priorities of townspeople as determined through five community meetings, two meetings held specifically for landowners in the proposed Agricultural Business District, numerous meetings with individual stakeholders representing various interests in the community, and more than 200 meetings of the Intermunicipal Task Force, including meetings with Town and Village Boards, committees and organizations to solicit their input.			

Please Complete Each Question — Indicate "NA" if not applicable.

A. Site Description

Physical setting of overall project, both developed and undeveloped areas.

1. Present land use: Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Other Institutional, municipal, and vacant land

2. Total Acreage of project area: 25,664 acres. _____

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	<u>NA</u> acres	<u>NA</u> acres
Forested	<u>NA</u> acres	<u>NA</u> acres
Agricultural (Includes orchards, cropland, pasture, etc.)	<u>NA</u> acres	<u>NA</u> acres
Wetland (Freshwater or tidal as per Articles 24, 25 of ECL)	<u>NA</u> acres	<u>NA</u> acres
Water Surface Area	<u>NA</u> acres	<u>NA</u> acres
Unvegetated (Rock, earth or fill)	<u>NA</u> acres	<u>NA</u> acres
Roads, buildings and other paved surfaces	<u>NA</u> acres	<u>NA</u> acres
Other (Indicate type) _____	<u>NA</u> acres	<u>NA</u> acres

3. What is predominant soil type(s) on project site? Varies throughout the Town

- a. Soil drainage: Well drained _____ % of site Moderately well drained _____ % of site
 Poorly drained _____ % of site NA

- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? _____ acres. (See 1 NYCRR 370). NA

4. Are there bedrock outcroppings on project site? Yes No Varies throughout the Town
 a. What is depth to bedrock? _____ (in feet) Varies throughout the Town
5. Approximate percentage of proposed project site with slopes: 0-10% _____ % 10-15% _____ %
 15% or greater _____ % Varies Townwide
6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or the National Registers of Historic Places? Yes No The Town contains a National Historic Landmark District and individual sites listed on the State and National Registers
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No
8. What is the depth of the water table? Varies throughout the Town (in feet)
9. Is site located over a primary, principal, or sole source aquifer? Yes No See Comprehensive Plan
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?
 Yes No According to NYS DEC Natural Heritage Program and US Fish and Wildlife Service, there are species of conservation concern in the Town
 Identify each species numerous plant and animal species
12. Are there any unique or unusual land forms on the project site? (i.e. cliffs, dunes, other geological formations)
 Yes No Describe _____
13. Is the project site presently used by the community or neighborhood as an open space or recreation area?
 Yes No If yes, explain. Village, Town, State, and privately owned recreation facilities are located in the Town
14. Does the present site include scenic views known to be important to the community?
 Yes No As identified in the Town's Comprehensive Plan
15. Streams within or contiguous to project area: Sawkill River, Stony Kill, Lakes Kill, Mudderkill
 a. Name of Stream and name of River to which it is tributary Hudson River
16. Lakes, ponds, wetland areas within or contiguous to project area:
 a. Name lakes, wetlands, ponds b. Size (In acres) varies
17. Is the site served by existing public utilities? Yes No N/A
 a) If Yes, does sufficient capacity exist to allow connection? Yes No
 b) If Yes, will improvements be necessary to allow connection? Yes No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No Agricultural District 20
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? Yes No _____
20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No NA

B. Project Description NA

1. Physical dimensions and scale of project (fill in dimensions as appropriate)
- a. Total contiguous acreage owned or controlled by project sponsor _____ acres.
- b. Project acreage to be developed: _____ acres initially; _____ acres ultimately.
- c. Project acreage to remain undeveloped _____ acres.
- d. Length of project, in miles: _____ (If appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed _____ %.
- f. Number of off-street parking spaces existing _____; proposed _____
- g. Maximum vehicular trips generated per hour _____ (upon completion of project)?
- h. If residential: Number and type of housing units: _____
- | | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|------------|-----------------|-------------|
| Initially | _____ | _____ | _____ | _____ |
| Ultimately | _____ | _____ | _____ | _____ |
- i. Dimensions (in feet) of largest proposed structure _____ height; _____ width; _____ length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? _____ ft.

2. How much natural material (i.e. rock, etc., etc.) will be removed from the site? _____ tons cubic yards
3. Will disturbed areas be reclaimed? Yes No N/A
 - a. If yes, for what intended purpose is the site being reclaimed? _____
 - b. Will topsoil be stockpiled for reclamation? Yes No
 - c. Will upper subsoil be stockpiled for reclamation? Yes No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? _____ acres.
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project? Yes No _____
6. If single phase project: Anticipated period of construction _____ months, (including demolition).
7. If multi-phased: _____
 - a. Total number of phases anticipated _____ (number).
 - b. Anticipated date of commencement phase 1 _____ month _____ year, (including demolition).
 - c. Approximate completion date of final phase _____ month _____ year.
 - d. Is phase 1 functionally dependent on subsequent phases? Yes No _____
8. Will blasting occur during construction? Yes No _____
9. Number of jobs generated: during construction _____; after project is complete _____.
10. Number of jobs eliminated by this project _____.
11. Will project require relocation of any projects or facilities? Yes No If yes, explain _____.
12. Is surface liquid waste disposal involved? Yes No _____
 - a. If yes, indicate type of waste (sewage, industrial, etc.) and amount _____.
 - b. Name of water body into which effluent will be discharged _____.
13. Is subsurface liquid waste disposal involved? Yes No Type _____.
14. Will surface area of an existing water body increase or decrease by proposal? Yes No Explain _____.
15. Is project or any portion of project located in a 100 year flood plain? Yes No N/A
16. Will the project generate solid waste? Yes No N/A
 - a. If yes, what is the amount per month _____ tons _____
 - b. If yes, will an existing solid waste facility be used? Yes No _____
 - c. If yes, give name _____; location _____.
 - d. Will any wastes **not** go into a sewage disposal system or into a sanitary landfill? Yes No _____
 - e. If Yes, explain _____.
17. Will the project involve the disposal of solid waste? Yes No N/A
 - a. If yes, what is the anticipated rate of disposal? _____ tons/month
 - b. If yes, what is the anticipated site life? _____ years.
18. Will the project use herbicides or pesticides? Yes No N/A
19. Will the project routinely produce odors (more than one hour per day)? Yes No N/A
20. Will the project produce operating noise exceeding the local ambient noise levels? Yes No _____
21. Will project result in an increase in energy use? Yes No N/A
If yes, indicate type(s) _____.
22. If water supply is from wells, indicate pumping capacity _____ gallons/minute _____
23. Total anticipated water usage per day _____ gallons/day _____
24. Does project involve Local, State or federal funding? Yes No _____
If yes, explain _____.

25. Agency Approvals Required:

	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Type	Submittal Date
Town Board	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>Adoption of Local Law amending Zoning and Subdivision Law, and Comprehensive Plan amendments</u>	<u>Jan. 2009</u>
Town Planning Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Review Recommendations</u>	_____
Town Zoning Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	_____	_____
Dutchess County Health Department	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	_____	_____
Other Local Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	_____	_____
Regional Agencies Dutchess County Planning	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Review Recommendations</u>	_____
State Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	_____	_____
Federal Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	_____	_____

C. Zoning and Planning Information

- Does proposed action involve a planning or zoning decision? Yes No
If Yes, indicate decision required:
 zoning amendment zoning variance special use permit subdivision site plan
 new/revision of comprehensive plan resource management plan other amendment of subdivision law
- What is the zoning classification(s) of the site? R1, R1.5, RD3, RD5, LD, WC, H, H1, B2, LI and I Zoning Districts.
- What is the maximum potential development of the site if developed as permitted by the present zoning? NA.
- What is the proposed zoning of the site? The creation of the Agricultural Business District and Traditional Neighborhood Development District, in addition to existing Districts.
- What is the maximum potential development of the site if developed as permitted by the proposed zoning? NA.
- Is the proposed action consistent with the recommended uses in adopted local land use plans? Yes, subject to concurrent adoption of a companion amendment to the Comprehensive Plan No
- What are the predominant land use(s) and zoning classifications within a 1/4 mile radius of proposed action?
See A(1) on page 2 of the EAF and C(2) on page 5 of the EAF.
- Is the proposed action compatible with adjoining/surrounding land uses within 1/4 mile? Yes No NA.
- If the proposed action is the subdivision of land, how many lots are proposed? NA.
a. What is the minimum lot size proposed? _____
- Will proposed action require any authorization(s) for the formation of water or sewer districts? Yes No N/A
- Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? Yes No
a. If yes, is existing capacity sufficient to handle projected demand? Yes No
- Will the proposed action result in the generation of traffic significantly above present levels? Yes No
a. If yes, is the existing road network adequate to handle the additional traffic? Yes No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

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

Applicant/Sponsor Name Town Board of the Town of Red Hook Date 1/13/09
Signature Dee J. Chan Title Supervisor

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment form before proceeding with this assessment

PART 2 - PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

- ! In completing the form the reviewer should be guided by the question: Have my responses and determinations been **reasonable?** The reviewer is not expected to be an expert environmental analyst.
- ! The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- ! The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- ! The number of examples per question does not indicate the importance of each question.
- ! In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

- a. Answer each of the 20 questions in PART 2. Answer **Yes** if there will be **any** impact.
- b. **Maybe** answers should be considered as **Yes** answers.
- c. If answering **Yes** to a question then check the appropriate box(column 1 or 2)to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- d. Identifying that an Impact will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- e. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- f. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

Impact on Land

1. Will the Proposed Action result in a physical change to the project site?

NO YES

Examples that would apply to column 2

<p><input type="checkbox"/> Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<p><input type="checkbox"/> Construction on land where the depth to the water table is less than 3 feet.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<p><input type="checkbox"/> Construction of paved parking area for 1,000 or more vehicles.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<p><input type="checkbox"/> Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<p><input type="checkbox"/> Construction that will continue for more than 1 year or involve more than one phase or stage.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<p><input type="checkbox"/> Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
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- | | | | |
|--|--------------------------|--------------------------|--|
| <input type="checkbox"/> Construction or expansion of a sanitary landfill. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Construction in a designated floodway. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.)

NO YES

- | | | | |
|---|--------------------------|--------------------------|--|
| <input type="checkbox"/> Specific land forms: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
|---|--------------------------|--------------------------|--|

Impact on Water

3. Will Proposed Action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)

NO YES

Examples that would apply to column 2

- | | | | |
|---|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> Developable area of site contains a protected water body. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Dredging more than 100 cubic yards of material from channel of a protected stream. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Extension of utility distribution facilities through a protected water body. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Construction in a designated freshwater or tidal wetland. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

4. Will Proposed Action affect any non-protected existing or new body of water?

NO YES

Examples that would apply to column 2

- | | | | |
|---|--------------------------|--------------------------|--|
| <input type="checkbox"/> A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Construction of a body of water that exceeds 10 acres of surface area. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
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5. Will Proposed Action affect surface or groundwater quality or quantity?

NO YES

Examples that would apply to column 2

<input type="checkbox"/> Proposed Action will require a discharge permit.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Construction or operation causing any contamination of a water supply system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Proposed Action will adversely affect groundwater.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Proposed Action would use water in excess of 20,000 gallons per day.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Proposed Action will allow residential uses in areas without water and/or sewer services.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

6. Will Proposed Action alter drainage flow or patterns, or surface water runoff?

NO YES

Examples that would apply to column 2

- | | | | | |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| <input type="checkbox"/> Proposed Action would change flood water flows | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Proposed Action may cause substantial erosion. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Proposed Action is incompatible with existing drainage patterns. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Proposed Action will allow development in a designated floodway. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

IMPACT ON AIR

7. Will Proposed Action affect air quality?

NO YES

Examples that would apply to column 2

- | | | | | |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| <input type="checkbox"/> Proposed Action will induce 1,000 or more vehicle trips in any given hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Proposed Action will result in the incineration of more than 1 ton of refuse per hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Proposed Action will allow an increase in the amount of land committed to industrial use. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Proposed Action will allow an increase in the density of industrial development within existing industrial areas. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

IMPACT ON PLANTS AND ANIMALS

8. Will Proposed Action affect any threatened or endangered species?

NO YES

Examples that would apply to column 2

- | | | | | |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| <input type="checkbox"/> Reduction of one or more species listed on the New York or Federal list, using the site, over or near the site, or found on the site. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
<input type="checkbox"/> Removal of any portion of a critical or significant wildlife habitat.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Application of pesticide or herbicide more than twice a year, other than for agricultural purposes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Other impacts: Proposed action may impact plant and animal species of conservation concern	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

9. Will Proposed Action substantially affect non-threatened or non-endangered species?

NO YES

Examples that would apply to column 2

<input type="checkbox"/> Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

IMPACT ON AGRICULTURAL LAND RESOURCES

10. Will Proposed Action affect agricultural land resources?

NO YES

Examples that would apply to column 2

<input type="checkbox"/> The Proposed Action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Construction activity would excavate or compact the soil profile of agricultural land.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> The Proposed Action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

Other impacts:

IMPACT ON OPEN SPACE AND RECREATION

13. Will proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?

NO YES

Examples that would apply to column 2

The permanent foreclosure of a future recreational opportunity.

Yes No

A major reduction of an open space important to the community.

Yes No

Other impacts:

Yes No

IMPACT ON CRITICAL ENVIRONMENTAL AREAS

14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6NYCRR 617.14(g)?

NO YES

List the environmental characteristics that caused the designation of the CEA.

Examples that would apply to column 2

Proposed Action to locate within the CEA?

Yes No

Proposed Action will result in a reduction in the quantity of the resource?

Yes No

Proposed Action will result in a reduction in the quality of the resource?

Yes No

Proposed Action will impact the use, function or enjoyment of the resource?

Yes No

Other impacts:

Yes No

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

IMPACT ON TRANSPORTATION

15. Will there be an effect to existing transportation systems?

NO YES

Examples that would apply to column 2

- | | | | | |
|---|--------------------------|-------------------------------------|------------------------------|-----------------------------|
| <input type="checkbox"/> Alteration of present patterns of movement of people and/or goods. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Proposed Action will result in major traffic problems. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Other impacts:
Proposed action may alter traffic volumes. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

IMPACT ON ENERGY

16. Will Proposed Action affect the community's sources of fuel or energy supply?

NO YES

Examples that would apply to column 2

- | | | | | |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| <input type="checkbox"/> Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> 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 major commercial or industrial use. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

NOISE AND ODOR IMPACT

17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action?

NO YES

Examples that would apply to column 2

- | | | | | |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| <input type="checkbox"/> Blasting within 1,500 feet of a hospital, school or other sensitive facility. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Odors will occur routinely (more than one hour per day). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Proposed Action will remove natural barriers that would act as a noise screen. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
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IMPACT ON PUBLIC HEALTH

18. Will Proposed Action affect public health and safety?

NO YES

- | | | | | |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| <input type="checkbox"/> Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Storage facilities for one million or more gallons of liquefied natural gas or other flammable liquids. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Proposed Action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

19. Will Proposed Action affect the character of the existing community?

NO YES

Examples that would apply to column 2

- | | | | | |
|--|--------------------------|-------------------------------------|------------------------------|-----------------------------|
| <input type="checkbox"/> The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Proposed Action will conflict with officially adopted plans or goals. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Proposed Action will cause a change in the density of land use. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Development will create a demand for additional community services (e.g. schools, police and fire, etc.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
<input type="checkbox"/> Proposed Action will set an important precedent for future projects.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Proposed Action will create or eliminate employment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

20. Is there, or is there likely to be, public controversy related to potential adverse environment impacts?
 NO YES

If Any Action in Part 2 Is Identified as a Potential Large Impact or If you Cannot Determine the Magnitude of Impact, Proceed to Part 3

Part 3 - EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions (If you need more space, attach additional sheets)

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is **important**.

To answer the question of importance, consider:

- ! The probability of the impact occurring
- ! The duration of the impact
- ! Its irreversibility, including permanently lost resources of value
- ! Whether the impact can or will be controlled
- ! The regional consequence of the impact
- ! Its potential divergence from local needs and goals
- ! Whether known objections to the project relate to this impact.

Potential impacts and mitigation measures will be evaluated in a DGEIS.

RESOLUTION 2009 # 5

RE: AUTHORIZING THE SUPERVISOR TO SIGN THE COASTAL ASSESSMENT FORM

On a motion of Councilman James Ross, seconded by Councilwoman Micki Strawinski, moved to accept the resolution as read.

Adopted	Ayes	5	Crane, Ross, Strawinski, Colgan, McKeon
	Nays	0	

Copy Attached

January 13, 2009

NEW YORK STATE DEPARTMENT OF STATE
COASTAL MANAGEMENT PROGRAM

Coastal Assessment Form

A. INSTRUCTIONS (Please print or type all answers)

1. State agencies shall complete this CAF for proposed actions which are subject to Part 600 of Title 19 of the NYCRR. This assessment is intended to supplement other information used by a state agency in making a determination of significance pursuant to the State Environmental Quality Review Act (see 6 NYCRR, Part 617). If it is determined that a proposed action will not have a significant effect on the environment, this assessment is intended to assist a state agency in complying with the certification requirements of 19 NYCRR Section 600.4.
2. If any question in Section C on this form is answered "yes", then the proposed action may affect the achievement of the coastal policies contained in Article 42 of the Executive Law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to either (a) making a certificate of consistency pursuant to 19 NYCRR Part 600 or, (b) making the findings required under SEQ, 6 NYCRR, Section 617.11, if the action is one for which an environmental impact statement is being prepared. If an action cannot be certified as consistent with the coastal policies, it shall not be undertaken.
3. Before answering the questions in Section C, the preparer of this form should review the coastal policies contained in 19 NYCRR Section 600.5. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the coastal area.

B. DESCRIPTION OF PROPOSED ACTION

1. Type of state agency action (check appropriate response): NA
 - (a) Directly undertaken (e.g. capital construction, planning activity, agency regulation, land transaction) _____
 - (b) Financial assistance (e.g. grant, loan, subsidy) _____
 - (c) Permit, license, certification _____
2. Describe nature and extent of action: The Town Board has proposed amendments to the Town of Red Hook Zoning Law, Subdivision Law and Comprehensive Plan to implement the proposed Centers and Greenspaces Plan. The amendments will create two new zoning districts (the Agricultural Business District and the Traditional Neighborhood Development District) and will replace the Town's existing cluster regulations with provisions for conservation subdivisions, designed to more concertedly preserve the natural and scenic qualities of open space. The amendments will also add a new section on open space incentive zoning, in addition to other incidental changes necessitated by these amendments. In order to encourage village-scale density within the Traditional Neighborhood Development District, the law eliminates the density bonus for provision of central water in the R1 and R1.5 Districts. The amendments are designed to protect the health, safety and welfare of Town residents and to bring the Town's Zoning Law and Subdivision Law into conformance with the Town's Comprehensive Plan. *Greenway Connections: Greenway Compact Program and Guides for Dutchess County Communities* pursuant to Chapter 17-3 of the Town Code, and with recent changes to New York State Town Law. To prepare the proposed amendments, the Town Board, working with the Villages of Red Hook and Tivoli, appointed an 11-

member Intermunicipal Task Force comprised of representatives from each of the three municipalities' Planning Boards and Zoning Boards of Appeals along with additional appointees from each of the municipalities, including one member from the Town's Conservation Advisory Committee. The Task Force worked for over three years to create the Centers and Greenspaces Plan and the proposed amendments to the Zoning and Subdivision Laws. In preparing the proposed amendments, the Task Force sought out the preferences and priorities of townspeople through five community meetings and workshops, two meetings held specifically for landowners in the proposed Agricultural Business District, numerous meetings with individual stakeholders representing various interests in the community, and more than 200 Task Force meetings, workshops, and forums, including meetings with Town and Village Boards, committees and organizations to solicit their input.

3. Location of action:

<u>Dutchess County</u> County	<u>Town of Red Hook</u> City, Town or Village	<u>Townwide</u> Street or Site Description
----------------------------------	--	---

4. If an application for the proposed action has been filed with the state agency, the following information shall be provided: NA

- (a) Name of applicant: _____
- (b) Mailing address: _____
- (c) Telephone Number: Area Code () _____
- (d) State agency application number: _____

5. Will the action be directly undertaken, require funding, or approval by a federal agency?

Yes _____ No If yes, which federal agency? _____

C. COASTAL ASSESSMENT (Check either "YES" or "NO" for each of the following questions)

1. Will the proposed action be located in, or contiguous to, or have a significant effect upon any of the resource areas identified on the coastal area map:

	<u>YES</u>	<u>NO</u>
(a) Significant fish or wildlife habitats?	_____	<input checked="" type="checkbox"/>
(b) Scenic areas of statewide significance?.....	_____	<input checked="" type="checkbox"/>
(c) Important agricultural lands?.....	_____	<input checked="" type="checkbox"/>

2. Will the proposed action have a significant effect upon:

(a) Commercial or recreational use of fish and wildlife resources?.....	_____	<input checked="" type="checkbox"/>
(b) Scenic quality of the coastal environment?.....	_____	<input checked="" type="checkbox"/>
(c) Development of future, or existing water dependent uses?.....	_____	<input checked="" type="checkbox"/>
(d) Operation of the State's major ports?.....	_____	<input checked="" type="checkbox"/>
(e) Land or water uses within the State's small harbors?.....	_____	<input checked="" type="checkbox"/>
(f) Existing or potential public recreation opportunities?.....	_____	<input checked="" type="checkbox"/>

YES

NO

(g) Structures, sites or districts of historic, archeological or cultural significance to the State or nation?..... _____ ✓*

3. Will the proposed action involve or result in any of the following:

- (a) Physical alteration of two (2) acres or more of land along the shoreline, land under water or coastal waters?..... _____ ✓
- (b) Physical alteration of five (5) acres or more of land located elsewhere in the coastal area?..... _____ ✓
- (c) Expansion of existing public services or infrastructure in undeveloped or low density areas of the coastal area?..... _____ ✓
- (d) Energy facility not subject to Article VII or VIII of the Public Service Law? _____ ✓
- (e) Mining, excavation, filling or dredging in coastal waters?..... _____ ✓
- (f) Reduction of existing or potential public access to or along the shore?..... _____ ✓
- (g) Sale or change in use of state-owned lands located on the shoreline or under water?..... _____ ✓
- (h) Development within a designated flood or erosion hazard area?..... _____ ✓
- (i) Development on a beach, dune, barrier island or other natural feature that provides protection against flooding or erosion?..... _____ ✓

4. Will the proposed action be located in or have a significant effect upon an area included in an approved Local Waterfront Revitalization Program? _____ ✓*

D. SUBMISSION REQUIREMENTS

If any question in Section C is answered "Yes", AND either of the following two conditions is met:

Section B.1(a) or B.1(b) is checked; or
Section B.1(c) is checked AND B.5 is answered "Yes",

THEN one copy of the Completed Coastal Assessment Form shall be submitted to:

New York State Department of State
Division of Coastal Resources
41 State Street, 8th Floor
Albany, New York 12231

If assistance of further information is needed to complete this form, please call the Department of State at (518) 474-6000.

D. REMARKS OR ADDITIONAL INFORMATION:

* Although the proposed actions would apply to lands that are located within the coastal area, they are designed to protect scenic resources, agricultural lands, and historic, archaeological and cultural resources, and therefore no significant effect on the identified resources would occur as a result of the actions. Moreover, no development is proposed as part of the actions and therefore no direct impacts would occur.

Sue T. Crane
Jue J. Crane

Preparer's Name: _____
(Please print)

Title: Supervisor Agency: Town of Red Hook.

Telephone Number (845) 758-4622 Date: 1/27/09

Resolution 2009 #7

617.7

State Environmental Quality Review Act (SEQRA)
Resolution Adopting Positive Declaration

Whereas, the Town Board of the Town of Red Hook has proposed amendments to Chapter 143 of the Town Code entitled *Zoning*, Chapter 120 of the Town Code entitled *Subdivision of Land*, and the *Comprehensive Plan*, to implement the Centers and Greenspaces Plan; and

Whereas, on January 13, 2009, the Town Board classified the proposed actions as Type I actions under SEQRA and adopted a resolution declaring itself lead agency; and

Whereas, the Board has reviewed the information contained in the EAF and the criteria for determining significance set forth in 6 NYCRR 617.7; and

Whereas, pursuant to 6 NYCRR 617.10, a generic environmental impact statement may be used to assess the environmental impacts of significant changes to zoning regulations and a Comprehensive Plan.

Now Therefore Be It Resolved, that the Town Board of the Town of Red Hook hereby adopts the Positive Declaration annexed hereto, determining that the proposed actions may result in one or more significant adverse environmental impacts and that a Draft Generic Environmental Impact Statement will be prepared.

Be It Further Resolved, that the Town Board hereby authorizes the Town Clerk to file the Positive Declaration in accordance with 6 NYCRR 617.12(b) and to publish notice of the significance determination in the Environmental Notice Bulletin.

On a motion by Councilwoman Strawinski, seconded by Councilman Colgan, and a vote of 5 for, and 0 against, and 0 absent, this resolution was adopted on

January 13, 2009.

617.7 and 617.12

State Environmental Quality Review (SEQR)

Positive Declaration

Notice of Intent to Prepare a Draft Generic Environmental
Impact Statement (DGEIS)
Determination of Significance

Date: January 13, 2009

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town Board of the Town of Red Hook, as Lead Agency, has determined that the proposed actions described below may have a significant adverse impact on the environment and that a Draft Generic Environmental Impact Statement will be prepared.

Name of Actions: Adoption of Amendments to Chapter 143 of the Code of the Town of Red Hook entitled *Zoning*, Chapter 120 of the Code of the Town of Red Hook entitled *Subdivision of Land* and the *Comprehensive Plan*

SEQR Status: Type I
Unlisted

Description of Actions: The Town Board has proposed amendments to the Town of Red Hook Zoning Law, Subdivision Law and Comprehensive Plan to implement the proposed Centers and Greenspaces Plan. The amendments will create two new zoning districts (the Agricultural Business District and the Traditional Neighborhood Development District) and will replace the Town's existing cluster regulations with provisions for conservation subdivisions, designed to more concertedly preserve the natural and scenic qualities of open space. The amendments will also add a new section on open space incentive zoning, in addition to other incidental changes necessitated by these amendments. In order to encourage village-scale density within the Traditional Neighborhood Development District, the law eliminates the density bonus for provision of central water in the R1 and R1.5 Districts. The amendments are designed to protect the

health, safety and welfare of Town residents and to bring the Town's Zoning Law and Subdivision Law into conformance with the Town's Comprehensive Plan, *Greenway Connections: Greenway Compact Program and Guides for Dutchess County Communities* pursuant to Chapter 17-3 of the Town Code, and with recent changes to New York State Town Law. To prepare the proposed amendments, the Town Board, working with the Villages of Red Hook and Tivoli, appointed an 11-member Intermunicipal Task Force comprised of representatives from each of the three municipalities' Planning Boards and Zoning Boards of Appeals along with additional appointees from each of the municipalities, including one member from the Town's Conservation Advisory Committee. The Task Force worked for over three years to create the Centers and Greenspaces Plan and the proposed amendments to the Zoning and Subdivision Laws. In preparing the proposed amendments, the Task Force sought out the preferences and priorities of townspeople through five community meetings and workshops, two meetings held specifically for landowners in the proposed Agricultural Business District, numerous meetings with individual stakeholders representing various interests in the community, and more than 200 Task Force meetings, workshops, and forums, including meetings with Town and Village Boards, committees and organizations to solicit their input.

Location: Town of Red Hook, Dutchess County New York

Reasons Supporting This Determination:

Land Use and Zoning. The proposed actions would result in zoning changes that would: 1) allow greater densities and different land uses than the current zoning permits in specific areas of the Town deemed appropriate for pedestrian-oriented mixed-use village-scale development; and 2) reduce permitted densities and allow different uses in the remainder of the Town to protect agriculture, rural character, natural resources, scenic beauty, and open space. The proposed law will achieve this in part through incentive zoning, among other techniques.

Socioeconomic Conditions. The proposed actions may result in changes in the type and intensity of land uses in the Town and encourage preservation of the Town's agricultural businesses. The zoning amendments would add an area where office, industrial and other forms of non-residential development could be accommodated. These changes may have socio-economic impacts on the tax base and the supply of affordable housing.

Agriculture and Open Space. The proposed actions may result in the protection of open spaces, including agricultural lands, due to decreased residential densities in the rural and agricultural areas of the Town, the use of the conservation subdivision tool (developed pursuant to § 278 of Town Law), and the encouraging of agriculture by increasing economic opportunities for agricultural landowners and removing regulatory barriers to such land use.

Natural Resources. The proposed actions may affect surface water and groundwater resources in the area proposed for the Traditional Neighborhood Development District.

Historic and Archaeological Resources. Historic and archaeological resources in the vicinity of the proposed Traditional Neighborhood Development District may be affected.

Traffic. The proposed actions may result in changes in traffic volumes in the Town.

Transit and Pedestrians. The proposed actions may increase ridership on the Loop Bus. They may also increase pedestrian movements in the Town.

Community Character. Changes in land use and the physical landscape could result from the introduction of greater development potential in specific locations deemed appropriate for pedestrian-oriented village-scale neighborhoods. Elsewhere, the Town's predominantly rural, historic and agricultural character would be retained due to reductions in development density and other planning tools.

Infrastructure. The proposed actions may increase the demand for water and/or sewer services, if such services are developed, extended or modified to serve any or all of the proposed Traditional Neighborhood Development District.

Public Scoping of the Draft GEIS will occur as follows:

The Town Board will conduct scoping to outline areas of potential environmental impacts that will be addressed in the Draft Generic Environmental Impact Statement. The Town Board has prepared a Draft Scoping Document. Such Document will be forwarded to all Interested Agencies (see list below). Additionally, a "Notice of Scoping" will be published in the official Town newspaper, will be available on the Internet for viewing or downloading at www.redhook.org. The Draft Scoping Document will also be available for public review at the Town of Red Hook Town Hall as well as at the Red Hook and Tivoli libraries. A

Public Scoping Session will be scheduled. Following the public comment period, the Town Board will prepare and disseminate a Final Scoping Document.

For Further Information:

Contact Sue T. Crane, Supervisor
Person: Town Board of the Town of Red
Address: Hook
7340 South Broadway
Red Hook, NY 12571
Telephone: 845.758.4600

A Copy of this Notice Sent to and Filed With:

Environmental Notice Bulletin: enb@qw.dec.state.ny.us

Supervisor Sue T. Crane

Town Board of the Town of Red Hook

Town of Red Hook Planning Board

Town of Red Hook Zoning Board of Appeals

Town of Red Hook Town Clerk

Town of Red Hook Agriculture and Open Space Advisory
Committee

Town of Red Hook Conservation Advisory Council

Town of Red Hook Economic Development Committee

Town of Red Hook Farmland Protection Committee

Town of Red Hook Design Review/Hamlet Committee

Town of Red Hook Greenway and Trails Committee

Town of Red Hook Recreation Commission

Town of Red Hook Water Board

Town of Red Hook Zoning Review Committee

Intermunicipal Task Force

Village of Red Hook Board of Trustees

7467 South Broadway

Red Hook, NY 12571

Attn.: David Cohen, Mayor

Village of Tivoli Board of Trustees

1 Tivoli Commons

PO Box 397

Tivoli, NY 12583

Attn.: Tom Cordier, Mayor

Village of Saugerties Board of Trustees
43 Partition Street
Saugerties, NY 12477
Attn: Bob Yerick, Mayor

Town Board of the Town of Rhinebeck
80 East Market Street
Rhinebeck, NY 12572
Attn.: Tom Traudt, Supervisor

Town Board of the Town of Milan
20 Wilcox Circle
Milan, NY 12571
Attn.: Richard Barrett, Supervisor

Town Board of the Town of Clermont
1795 Route 9
Clermont, NY 12526
Attn.: Raymond Staats, Supervisor

Town Board of the Town of Saugerties
4 High Street
Saugerties, NY 12477
Attn.: Greg L. Helmsmoortel, Supervisor

Town Board of the Town of Ulster
1 Town Hall Drive
Lake Katrine, NY 12449
Attn.: Nicky B. Woerner, Supervisor

Red Hook Central School District
7401 S. Broadway
Red Hook, NY 12571
Attn.: Paul Finch, Superintendent

Red Hook Public Library
7444 S. Broadway
Red Hook, NY 12571

Tivoli Free Library
P.O. Box 400
86 Broadway
Tivoli, NY 12583

Dutchess County Department of Planning and Development
27 High Street
Poughkeepsie, NY 12601

Dutchess County Department of Health
387 Main Mall
Poughkeepsie, NY 12601

Dutchess County Water and Wastewater Authority
27 High Street
Poughkeepsie, NY 12601

Dutchess County Department of Public Works
22 Market Street
Poughkeepsie, NY 12601

NYS Department of State (Coastal Management and Local Government)
123 William Street
New York, NY 10038-3804

NYS Department of Transportation
Region 8 Office
4 Burnett Blvd.
Poughkeepsie, NY 12603

NYS Department of Environmental Conservation
Region 3 Office
21 South Putt Corners Road
New Paltz, NY 12561

NYS Department of Environmental Conservation
Division of Environmental Permits
625 Broadway
Albany, NY 12233

NYS Department of Agriculture and Markets
10B Airline Drive
Albany, NY 12235

New York State Office of Parks, Recreation and Historic Preservation
Peebles Island
PO Box 189
Waterford, NY 12188

Pace University Land Use Law Center
78 North Broadway
White Plains, NY 10603
Attn.: John R. Nolon, Esq.

Hudson River Valley Greenway
Capitol Building, Capitol Station, Room 254
Albany, NY 12224
Attn.: Mary Mangione, Executive Director

Scenic Hudson
1 Civic Center Plaza
Poughkeepsie, NY 12601
Attn.: Ned Sullivan, Executive Director

Hudson River Heritage
128 Route 9
Rhinebeck, NY 12572
Attn.: Christopher Lindner, President

Michele Robinson Greig, PhD, AICP
GREENPLAN Inc.
302 Pells Road
Rhinebeck, NY 12572

Christine Chale, Esq.
Rapport, Meyers, Whitbeck, Shaw & Rodenhausen, LLP
Dooley Square

35 Main Street, Suite 541
Poughkeepsie, NY 12601

State Environmental Quality Review Act (SEQR)

FINAL SCOPING DOCUMENT

Draft Generic Environmental Impact Statement
Proposed Adoption of Amendments to Town Zoning Law, Subdivision Law, and
Comprehensive Plan for Centers and Greenspaces Plan

Town of Red Hook, Dutchess County, New York

DESCRIPTION OF THE PROPOSED ACTIONS

The Town Board has proposed amendments to the Town of Red Hook Zoning Law, Subdivision Law, and Comprehensive Plan to implement the proposed Centers and Greenspaces Plan. The amendments will create two new zoning districts (the Agricultural Business District and the Traditional Neighborhood Development District), and will replace the Town's existing residential cluster subdivision regulations with provisions for conservation subdivisions, designed to more concertedly preserve the natural and scenic qualities of open space. The amendments will also add a new section on open space incentive zoning, in addition to other incidental changes necessitated by these amendments. In order to encourage village-scale density within the Traditional Neighborhood Development District, the law eliminates the density bonus for provision of central water in the R1 and R1.5 Districts. The amendments are designed to protect the health, safety and welfare of Town residents, to bring the Town's Zoning Law and Subdivision Law into conformance with the Town's Comprehensive Plan, *Greenway Connections: Greenway Compact Program and Guides for Dutchess County Communities* pursuant to Chapter 17-3 of the Town Code, and with recent changes to New York State Town Law.

To prepare the proposed amendments, the Town Board, working with the Villages of Red Hook and Tivoli, appointed an 11-member Intermunicipal Task Force comprised of representatives from each of the three municipalities' Planning Boards and Zoning Boards of Appeals along with additional appointees from each of the municipalities, including one member from the Town's Conservation Advisory Committee. The Task Force worked for over three years to create the Centers and Greenspaces Plan and the proposed amendments to the Zoning and Subdivision Laws. In preparing the proposed amendments, the Task Force sought out the preferences and priorities of townspeople through five community meetings and workshops, two meetings held specifically for landowners in the proposed Agricultural Business District, numerous meetings with individual stakeholders representing various interests in the community, and more than 200 Task Force meetings, workshops, and forums, including meetings with Town and Village Boards, committees and organizations to solicit their input.

This Final Scoping Document has been prepared by GREENPLAN Inc. for the Town Board of the Town of Red Hook, Lead Agency for the SEQR review of the proposed

Amendments to Zoning Law, Subdivision Law, and Comprehensive Plan

actions. The Town Board will prepare a Draft Generic Environmental Impact Statement (DGEIS) under 6 NYCRR 617.10, the implementing regulations for the State Environmental Quality Review Act. The document will be prepared in a generic format because adoption of the proposed amendments to the Zoning Law, Subdivision Law and Comprehensive Plan will have a wide application, will affect properties throughout the Town, and will have generic or common effects.

The proposed amendments to the Zoning Law, Subdivision Law and Comprehensive Plan have been designed to be consistent with the Dutchess County Greenway Compact Program guidelines and with the Town's *Local Waterfront Revitalization Program*. To implement the Centers and Greenspace Plan residential densities would be increased in parts of the Town deemed appropriate for compact, pedestrian-oriented, village-scale development and decreased in other parts of the Town deemed more appropriate for rural and agricultural uses. The proposed law will achieve this in part through incentive zoning, among other techniques. Conservation subdivision design is proposed to be used as a tool for new residential development in the proposed Agricultural Business District.

DGEIS INTRODUCTION

The Draft Generic Environmental Impact Statement (DGEIS) will assemble relevant and material facts, evaluate reasonable alternatives, and be analytical but not encyclopedic. It will also be clearly and concisely written in plain language that can be easily read and understood by the public. Highly technical material will be summarized and, if it must be included in its entirety, it will be referenced in the DGEIS and included in an appendix.

The DGEIS will be written in the third person without use of the terms I, we, and our. Narrative discussions will be accompanied to the greatest extent possible by illustrative tables and graphics. All graphics will clearly identify the subject item. The DGEIS will group each issue identified into one Existing Setting, Impacts, and Mitigation section to permit more expedient and efficient review. Footnotes will be used as the form of citing references. All assertions will be supported by evidence. Opinions of the DGEIS authors that are unsupported by evidence will be identified as such.

The DGEIS may incorporate by reference, in accordance with 6 NYCRR 617.9(b)(7), all or portions of other documents, including EISs that contain information relevant to the subject DGEIS. Other SEQR documentation will only be referenced if it is available at the Town Hall for inspection.

DRAFT GEIS CONTENTS

Cover Sheet listing preparers and name of contact person, title of actions, DGEIS identification, location of actions, Lead Agency, and relevant dates (i.e. date of acceptance, date of public hearing, final date for submission of comments).

Table of Contents including listings of tables, figures, maps, charts, and any items that may be submitted under separate cover (and identified as such).

I. Executive Summary

The Executive Summary will include a brief description of the proposed actions, the public need and benefits, and a summary of potential environmental impacts, and proposed mitigation measures. A summary will be provided of the actions required of the Town Board as well as others, such as the Town Planning Board and the Dutchess County Department of Planning and Development. Alternatives to the proposed actions will be summarized here.

II. Description of the Proposed Actions

This portion of the DGEIS provides a description of the proposed actions, including background and need, location, and identification of appropriate governmental actions.

A. Project Purpose, Need and Benefits

- a. Background and history including the planning process, public participation components and studies completed for the proposed amendments to the Zoning Law, Subdivision Law and Comprehensive Plan.
- b. Proposed Amendments:
 - i. The Town and surrounding areas will be identified on a map and the regional context will be illustrated. Other relevant maps that could contribute to an understanding of the Centers and Greenspaces Plan will also be provided, including an illustrative sketch plan of the Traditional Neighborhood Development District.
 - ii. The proposed zoning map changes will be identified, described and mapped. Describe the rationale for the proposed districts.
 - iii. The proposed Zoning text amendments will be identified and described.
 - iv. The proposed Subdivision text amendments will be identified and described.
 - v. The proposed Comprehensive Plan text amendments (if any) will be identified and described.
- c. Public Need and Benefits:
 - i. The potential consequences of a likely conventional suburban development scenario of the affected lands (both in the proposed Agricultural Business District and the Traditional Neighborhood Development District), under existing Zoning, will be discussed.
 - ii. The public need and potential benefits, including social and economic considerations, of an alternative development scenario of the Town as recommended by the Centers and Greenspaces Plan will be discussed.

- iii. Decreasing the density of development in the proposed Agricultural Business District may have an effect on the cost of housing in the community. To compensate for this potential effect the proposed Zoning Law amendments include a requirement for a variety of housing types and an allowance for ancillary apartments in the proposed Traditional Neighborhood Development District, and the permitting of row or attached dwelling units in the R1 and H Districts. The effects of these provisions on housing affordability will be discussed.

B. Location

- a. The Town's location in the context of the Hudson River Valley region will be described.
- b. Existing Zoning and Land Uses in the Town and surrounding areas will be illustrated and discussed.
- c. Red Hook is home to a portion of a National Historic Landmark District, State Scenic Byways, the Mid-Hudson Historic Shorelands Scenic District, Scenic Areas of Statewide Significance, and a Coastal Zone (Local Waterfront Revitalization) area. It is also within the Hudson River Valley National Heritage Area and the state's Hudson River Valley Greenway, to name just a few of the designations that have recognized the town's exceptional natural and cultural characteristics. Red Hook is also a member of the Greenway Compact. Each of these designations will be discussed together with a discussion of the proposed amendments to the Zoning Law, Subdivision Law, and Comprehensive Plan's consistency with such designations and their implications for planning in Red Hook.

C. Implementation

- a. SEQR Process
- b. Reviews and Approvals

III. Environmental Setting, Impacts, Mitigation

This section of the DGEIS will include three separate subsections for each topic or impact issue: an assessment of the existing environmental conditions, future without the proposed actions, and potential generic impacts of the proposed actions. The *future without the proposed actions* section will analyze how the Town will grow and change without any changes to the current Zoning Law, Subdivision Law and Comprehensive Plan. The *potential impacts* section will analyze and evaluate potential impacts associated with implementation of the proposed amendments to the Zoning Law, Subdivision Law and Comprehensive Plan. Any proposed mitigation measures will be discussed, as appropriate, for each of the major issues identified in this Scoping Document.

A. Land Use, Zoning, and Public Policy

- a. Existing and Potential Land Use, Zoning, and Public Policy:
 - i. Describe existing and potential land use and zoning in the Town. A build-out analysis of those sections of the Town that will be affected by the proposed Zoning Law amendments for the Agricultural Business District will be discussed, both under the current Zoning Law and the proposed amendments, in order to illustrate the differences that exist between the current and proposed zoning. The analyses will provide quantitative data where possible. The Town Board and its consultants have previously prepared a land use build-out analysis for the affected areas and a fiscal impact analysis, which will be used as a basis of discussion.
 - ii. Discuss maximum potential development density (generic build-out) for proposed land uses in the Town.
 - iii. Discuss whether proposed land uses are compatible with the rural, scenic, natural and historic character of the Town. Address the extent to which the proposed amendments will prevent the proliferation of additional suburban sprawl throughout the Town.
 - iv. Discuss how the Traditional Neighborhood Development District, Agricultural Business District, and open space incentive zoning are consistent with the goals and intent of the existing Comprehensive Plan. Discuss conformance of the proposed actions with relevant Dutchess County planning documents including Directions and Greenway Connections.
 - v. Discuss potential impacts and appropriate mitigation for the actions.
- b. Agricultural Resources
 - i. Identify agricultural districts, active agricultural lands, historic agricultural structures and lands, prime and statewide important agricultural soils, and other criteria used to define the proposed Agricultural Business District, and discuss current regulatory requirements and land classifications in the Town.
 - ii. Discuss potential impacts and mitigation including the proposed actions' potential impact on the viability of maintaining agricultural land for agricultural purposes. Include a comparison of the Planning Board review process for existing and proposed uses in the proposed Agricultural Business District.
- c. Local Waterfront Revitalization Program
 - i. Describe the consistency of the proposed actions with the policies of the Town's Local Waterfront Revitalization Program

B. Water Resources.

- a. Ground Water:
 - i. Identify and describe important aquifers in the Town. The groundwater study of the proposed Traditional Neighborhood Development District prepared for the Town by The Chazen Companies will be summarized.
 - ii. Discuss potential impacts and mitigation based upon the groundwater study completed for the Town.
- b. Surface Water: (wetlands discussed in a separate section)
 - i. Locate and describe surface water resources in the Town that may be affected by future development with particular emphasis on the proposed Traditional Neighborhood Development District area.
 - ii. Discuss federal and state surface water regulations.
 - iii. Describe drainage patterns and flooding potential.
 - iv. Discuss stormwater management including potential impacts on 100-year floodplains and stormwater quantity and quality.
 - v. Describe potential impacts to surface water features resulting from increased stormwater from new development.

C. Terrestrial and Aquatic Ecology

- a. Vegetation:
 - i. Identify possible presence of unique, rare and/or endangered, threatened and special concern species through contact with the New York State Natural Heritage Program and the US Fish & Wildlife Service.
 - ii. Discuss potential impacts and mitigation.
- b. Wildlife:
 - i. Identify possible presence of unique, rare and/or endangered, threatened and special concern species through contact with the New York State Natural Heritage Program and the US Fish & Wildlife Service.
 - ii. Discuss potential impacts and mitigation.
- c. Wetlands:
 - i. Identify mapped locations of State and federal wetlands within the proposed Traditional Neighborhood Development and Agricultural Business Zoning Districts.
 - ii. Discuss State and federal compliance requirements for any future land use development within freshwater wetlands as well as adjoining upland areas.
 - iii. Discuss potential impacts and mitigation.

D. Transportation

- a. Traffic: Discuss existing traffic patterns and volumes in the Town, based upon recently completed traffic studies and AADT¹ counts. Where information is available from such studies, describe physical and operating characteristics.
 - i. Estimate maximum potential traffic generation rates resulting from the existing zoning build-out and proposed zoning build-out scenarios based on the standards developed by the Institute of Transportation Engineers. The potential for reduced traffic congestion in the Town, as a result of reduced densities, will be discussed.
 - ii. Identify intersections of concern in the Village of Red Hook and the Town, based upon the data from existing traffic studies.
 - iii. Discuss potential impacts and mitigation measures.
 - iv. Discuss the potential for future traffic improvements, including traffic calming measures, connections to existing public roads and streets, or other alternative transportation management methods.
- b. Public Transportation:
 - i. Discuss current and potential public transportation services in the Town that may be available to serve future development in the Traditional Neighborhood Development District including road-based public transit such as LOOP services.
 - ii. Discuss potential impacts and mitigation.
- c. Pedestrian and Bicycle Environment:
 - i. Discuss the existing and potential pedestrian and bicycle system available to serve the Town. Address pedestrian and bicycle access, trails and pathways. Describe potential for dedicated bicycle and pedestrian lanes. Describe the Town's 1998 Trails Feasibility Study.
 - ii. Discuss potential impacts and mitigation.

E. Community Services and Infrastructure

- a. Police and Fire/Emergency Protection:
 - i. Describe existing police services and fire/emergency services provided by the Town and/or Villages.
 - ii. Discuss potential impacts and mitigation.

¹ AADTs are collected by county and state agencies and consist of Average Annual Daily Traffic on roads.

Amendments to Zoning Law, Subdivision Law, and Comprehensive Plan

- b. Utilities:
 - i. Discuss availability of electric, natural gas, cable, Internet, and telephone services in the Town.
 - ii. Discuss potential need for expansion of existing services.
- c. Water and Wastewater:
 - i. Discuss existing and projected future availability and adequacy of water supply and wastewater treatment based upon studies completed for the Town by The Chazen Companies and C.T. Male Associates.
 - ii. Estimate maximum water use requirements and sanitary sewage disposal requirements based on the existing zoning build-out and proposed zoning build-out scenarios.
 - iii. Discuss potential improvements that may be required to serve future development with and without the proposed amendments and mitigation measures.
- d. Schools:
 - i. Discuss potential impacts and mitigation measures.

F. Cultural and Historic Resources

- a. Historic and Archaeological Resources:
 - i. Identify the presence of known historic and/or archaeological sites within the Town based upon the New York State Site Inventory.
 - ii. Discuss potential impacts and mitigation measures.

G. Community Character

- a. Discuss the existing and proposed future character of the Town under both the existing zoning build-out and proposed zoning build-out scenarios.
- b. Describe the potential character of the proposed land use scenarios and how they will conform to and/or enhance community character.
- c. Discuss the use of design standards or guidelines.
- d. Discuss the extent to which the proposed Traditional Neighborhood Development District could lead to or detract from creation of a greenbelt at the southern gateway (Route 9).
- e. Discuss potential impacts of the proposed Traditional Neighborhood Development District on adjoining residential lands including potential increased noise, light, and air quality impacts.
- f. Discuss impact on availability of affordable housing.

H. Economic and Fiscal Considerations

- a. Describe and discuss the existing Town and School District tax base.
- b. Discuss potential revenues to the Town and School District generated from the existing zoning build-out and the proposed zoning build-out scenarios.
- c. Discuss the potential costs of providing services, including additional school services, based upon the build-out analysis and consultation with local school districts.
- d. Discuss whether there would be impacts on the Town's potential future tax base and revenues, based upon studies completed for the Town by Fairweather Consulting.
- e. Discuss funding alternatives for the provision of community services, such as special improvement districts for lighting, drainage, water, and sewer.

IV. Alternatives

The following alternatives will be discussed in the DGEIS. Each alternative will be analyzed to ascertain: a) consistency with the Comprehensive Plan goals and objectives; b) feasibility for provision of and opportunities for a range of housing types; c) ability to protect the Town's agricultural resources; d) ability to protect the Town's community character including its rural, natural, scenic and historic character; and e) the ability of each alternative to avoid significant adverse environmental impacts. Each alternative will be evaluated in sufficient detail so that, at the conclusion of the SEQR process and following public hearings on the proposed actions, the Town Board can select the proposed actions, alternatives to the proposed actions, or some combination of the proposed actions and/or alternatives. Where possible, the alternative analyses will include quantitative data.

Traffic levels for the alternatives will be estimated. This analysis will show the relative effects of additional density in the Traditional Neighborhood Development District versus more dispersed development throughout the Town.

Community services, infrastructure, and economic and fiscal considerations will use the existing fiscal impacts analysis as a base and describe, generally, the potential impacts of new growth.

- A. No Action Alternative.** Describe a scenario where the proposed actions are not taken.
- B. Modification to the Conservation Option of the Agricultural Business District**
 - (1). Analyze the impacts of the proposed amendments to the Zoning Law but with a modification that the conservation option of the Agricultural Business District permits a purchase of development rights density bonus of: a) 1 dwelling unit per 5 acres; b) 1 dwelling unit per 6 acres.
- C. Modification to the Conservation Option of the Agricultural Business District**
 - (2). Analyze the impacts of the proposed amendments to the Zoning Law but with

a modification that would allow landowners in the proposed Agricultural Business District an alternative method to determine the number of development rights, and to sell those development rights, as follows. 1) Subtract from the total (gross) acreage of the parcel: a) mapped NYS DEC and NWI wetlands; b) acreage subject to a conservation easement or other long-term easement that expressly prohibits development; and c) six (6) percent of the gross acreage as an allowance for roads, drainage features, and lot shape irregularities. 2) Divide the remaining net acreage by the minimum lot size established for the parcel set forth in the 1999 Reference Map. This calculates the total number of development rights the property yields. This alternative would also permit landowners to sell development rights from a parcel over time, as follows: at the time of the initial sale of development rights, the total number of development rights would be calculated based on the above method; landowners could sell all or a portion of the development rights; a conservation easement would be placed on the entire property at the time of the first sale of development right(s). The remaining development rights could be sold at a later time.

- D. Modification to the Limited Development Option of the Agricultural Business District (1).** Analyze the impacts of the proposed amendments to the Zoning Law but with a modification that the limited development option of the Agricultural Business District is calculated at: a) one dwelling unit per ten (10) acres using conservation subdivision design; b) one dwelling unit per six (6) acres using conservation subdivision design.
- E. Modification to the Limited Development Option of the Agricultural Business District (2).** Analyze the impacts of the proposed amendments to the Zoning Law but with a modification that the limited development option of the Agricultural Business District is calculated as follows: one dwelling unit for parcels 0 to 6 acres in size; two dwelling units for parcels > 6 to 40 acres in size; one dwelling unit per twenty (20) acres for parcels greater than 40 acres in size, all using conservation subdivision.
- F. Modification to the Limited Development Option of the Agricultural Business District (3).** Analyze the impacts of the proposed amendments to the Zoning Law but with a modification that the limited development option of the Agricultural Business District is calculated at one dwelling unit per forty (40) acres, using conventional subdivision (i.e., without a requirement for conservation subdivision).
- G. Deletion of the Limited Development Option of the Agricultural Business District.** Analyze the impacts of the proposed amendments to the Zoning Law but with a modification that the limited development option of the Agricultural Business District is deleted.
- H. Increased Development Potential in Traditional Neighborhood Development District.** Analyze the impacts of the proposed amendments but with a modification to Table 1 in Section 143-49.1G that would increase development

potential in the Residential Neighborhood Subdistrict of the Traditional Neighborhood Development District as follows:

TABLE 1: MAXIMUM HOUSING EQUIVALENT UNITS PER ACRE		
	By Right	By Incentive Zoning
Residential Neighborhood Subdistrict	1 unit per net acre	TND House: 6 units per net acre TND Cottage and TND Duplex: 8 units per net acre TND Town house and TND Apartment: 12 units per net acre

I. **Deletion of Traditional Neighborhood Development District and Open Space Incentive Zoning.** Analyze the impacts of the proposed amendments to the Zoning Law but with a modification that the Traditional Neighborhood Development District and the Open Space Incentive Zoning provisions are deleted.

V. **Unavoidable Adverse Impacts**

This section of the DGEIS will identify impacts that are likely to occur despite mitigation measures, and will compare the beneficial and adverse implications of these unavoidable impacts.

VI. **Irreversible and Irretrievable Commitment of Resources**

This section of the DGEIS will focus on the impacts discussed in previous sections that will require an irreversible and irretrievable outlay of resources.

VII. **Growth Inducing Aspects**

This section of the DGEIS will generically describe how adoption of the proposed actions might affect local business, sensitive environmental settings, traffic congestion, population characteristics, and community services. The extent to which the proposed actions may induce growth in surrounding communities, and the potential impacts of such growth elsewhere, will be described. Analysis in this section will draw on accepted planning principles and the Dutchess County Plan: Directions will serve as a basis for assessment of intermunicipal or countywide implications of the actions.

VIII. **Effects on the Use and Conservation of Energy Resources**

Due to the generic nature of this document, it will not be possible to discuss direct methods of conserving energy for the proposed actions since no land development activities are being authorized by the actions. However, potential energy types and sources to serve future development will be identified and discussed. Energy conservation measures and other energy strategies, such as encouraging non-renewable sources of energy in the Town, will be identified and discussed.

IX. Appendices

The appendices will include background information relevant to the proposed actions such as other relevant SEQR documents (includes Positive Declaration, Final Scoping Document, Notices, Town Board Resolutions), correspondence, references, and other supporting materials.

Interested Agencies:

Town of Red Hook Town Clerk	Town Board of the Town of Clermont
Town of Red Hook Planning Board	Town Board of the Town of Saugerties
Town of Red Hook Zoning Board of Appeals	Town Board of the Town of Ulster
Town of Red Hook Agriculture and Open Space Advisory Committee	Dutchess County Department of Planning and Development
Town of Red Hook Conservation Advisory Council	Dutchess County Department of Health
Town of Red Hook Economic Development Committee	Dutchess County Water and Wastewater Authority
Town of Red Hook Farmland Protection Committee	Dutchess County Department of Public Works
Town of Red Hook Design Review/Hamlet Committee	NYS Department of State (Coastal Management and Local Government)
Town of Red Hook Greenway and Trails Committee	NYS Department of Transportation
Town of Red Hook Recreation Commission	NYS Department of Environmental Conservation
Town of Red Hook Water Board	NYS Department of Agriculture and Markets
Town of Red Hook Zoning Review Committee	NYS Office of Parks, Recreation, and Historic Preservation
Intermunicipal Task Force	Pace University Land Use Law Center
Red Hook Central School District	Hudson River Valley Greenway
Red Hook Public Library	Hudson River Heritage
Tivoli Free Library	Scenic Hudson
Village of Red Hook Board of Trustees	Michele Robinson Greig, PhD, AICP
Village of Tivoli Board of Trustees	Christine Chale, Esq.
Village of Saugerties Board of Trustees	
Town Board of the Town of Rhinebeck	
Town Board of the Town of Milan	

RESOLUTION 2009 #18

617.8

**State Environmental Quality Review (SEQR)
Resolution Adopting Final Scoping Document**

Name of Action: Adoption of Amendments to Chapter 143 of the Code of the Town of Red Hook entitled *Zoning*, Chapter 120 of the Code of the Town of Red Hook entitled *Subdivision of Land* and the *Comprehensive Plan*

Whereas, the Town Board of the Town of Red Hook is considering amendments to the Town's Zoning Law, Subdivision Law, and Comprehensive Plan; and

Whereas, the Town Board, after classifying the actions as Type 1, declared itself the lead agency for the SEQR review of the actions and issued a Positive Declaration on January 13, 2009; and

Whereas, the Town Board prepared a Draft Scoping Document to identify, in a preliminary manner, the scope of issues to be addressed in a Draft Generic Environmental Impact Statement (DGEIS), circulated the Document to interested agencies and made the Document available at Town Hall, at the Red Hook and Tivoli Libraries, and on the Town's Internet Website; and

Whereas, on March 10, 2009, the Town Board held a public-noticed scoping session to receive public comments on the Draft Scoping Document, and there was also a period for additional written public comment on the Draft Scoping Document that ended on March 16, 2009.

Whereas, the Town Board, having considered the oral and written comments made on the Draft Scoping Document, has prepared a Final Scoping Document; and

Now Therefore **Be It Resolved**, that the Town Board hereby adopts the Final Scoping Document, on file with the Town Clerk, and authorizes the Supervisor to circulate the Document to all interested agencies, to make copies available at Town Hall and to post the Document on the Town's Internet Website.

EXTRACT OF MINUTES

A regular meeting of the Town Board of the Town of Red Hook, Dutchess County, New York was convened in public session at the Town Hall, 7340 South Broadway, Red Hook on April 14, 2009 at 7:30 p.m., local time.

The meeting was called to order by Supervisor Crane, and, upon roll being called, the following members were:

PRESENT:

- Supervisor Sue Crane
- Councilwoman Micki Strawinski
- Councilman Harry Colgan
- Councilman Robert McKeon

ABSENT:

- Councilman James Ross

The following persons were ALSO PRESENT: TOWN CLERK SUE McEANN
ATTORNEY FOR THE TOWN, Christine Chale

The following resolution was offered by Councilwoman STRAWINSKI, seconded by Councilman Colgan, to wit;

RESOLUTION NO. 18
DATED APRIL 14, 2009

RESOLUTION ADOPTING FINAL SCOPING DOCUMENT IN ACCORDANCE WITH ADOPTION OF AMENDMENTS TO CHAPTER 143 ENTITLED "ZONING" OF THE RED HOOK TOWN CODE

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

- | | |
|-------------------------------|---------------|
| Supervisor Sue T. Crane | VOTING AYE |
| Councilman James M. Ross | VOTING ABSENT |
| Councilman Robert McKeon | VOTING AYE |
| Councilwoman Micki Strawinski | VOTING AYE |
| Councilman Harry Colgan | VOTING AYE |

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Town of Red Hook, Dutchess County, New York (hereinafter called the "Town ") and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Town Board held on the 14th day of April, 2009 and entitled:

RESOLUTION NO. 18
DATED APRIL 14, 2009

RESOLUTION ADOPTING FINAL SCOPING DOCUMENT IN ACCORDANCE WITH ADOPTION OF AMENDMENTS TO CHAPTER 143 ENTITLED "ZONING" OF THE RED HOOK TOWN CODE

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this 17 day of APRIL, 2009.

-SEAL-

Sue McCann
Sue McCann
Town Clerk