

LOCAL LAW NO. - 2016

1. A Local Law known and cited as Local Type I List to Supplement State Environmental Quality Review

Be it enacted by the Town Board of the Town of Ossining as follows:

SECTION 1: Purpose and Intent. Under 6 NYCRR Part 617.4(a)(2) of the State Environmental Quality Review (“SEQR”) regulations, agencies may adopt their own lists of Type I actions to supplement and expand the Type I actions listed in Part 617.4 of the statewide SEQR regulations and may adjust the thresholds to make them more inclusive. After review, the Environmental Advisory Committee, Planning Board, and Town Board determined that in order to fully protect the Town of Ossining’s unique environment and natural resources it is necessary to adopt a list of Type I actions to supplement the statewide Type I list. Therefore, the following Type I list is adopted by the Town of Ossining as an addition and supplement to the Type I list contained in Part 617, pursuant to its authority as an agency under the statewide SEQR regulations.

SECTION 2. A new Chapter 85 entitled “Local Type I List to Supplement State Environmental Quality Review” shall be added to the Town Code which shall read as follows:

Type I Actions. This list acts as a supplement to the list of Type I actions provided in 6 NYCRR Part 617.4 of the State Environmental Quality Review Act (“SEQR”) regulations. In addition to the actions designated as Type I in 6 NYCRR Part 617. 4, in the Town of Ossining the following actions shall also be Type I actions for purposes of review pursuant to SEQR:

- (1) The adoption of changes in the allowable uses within any zoning district affecting 10 or more acres of the district.
- (2) The granting of a zoning change at the request of an applicant for an action that meets or exceeds one or more of the thresholds given in other sections of this list.
- (3) Construction of 50 or more residential dwelling units.
- (4) Construction of new nonresidential facilities which meet or exceed any of the following limits or the expansion of existing nonresidential facilities by more than 50% of any of the following limits, provided that the expansion and the existing facilities, when combined, meet or exceed any limit contained in this section:
 - (a) A project or action which involves the physical alteration of 10 acres.
 - (b) A project or action which would use ground or surface water in excess of 50,000 gallons per day.
 - (c) Parking for 500 vehicles.

(d) A facility with more than 100,000 square feet of gross floor area.

(5) Any nonagricultural use occurring wholly or partially within an agricultural district (certified pursuant to the Agriculture and Markets Law, Article 25 AA, § 303) which exceeds 10% of any threshold established in this section.

(6) Any action (unless the action is designed for the preservation of the facility or site) occurring wholly or partially within, or contiguous to, any facility or site listed on the National Register of Historic Places, or any building, structure or site that has been proposed by the Committee on the Registers for consideration by the New York State Board on Historic Preservation for a recommendation to the State Historic Officer for nomination for inclusion in said National Register.

(7) Any project or action, which exceeds 25% of any limit in this section, but 50% of the limit in Subsection (4)(c), occurring wholly or partially within or substantially contiguous to any publicly owned or operated parkland or recreation area or designated open space.

(8) Any action which takes place wholly or partially within a freshwater wetland as defined in Article 24 of the ECL and the Town of Ossining Freshwater Wetlands Protection Law¹ or within the setback prescribed in the Town of Ossining Freshwater Wetlands Protection Law except if the action qualifies as a Type II action as provided in Part 617.5 of the SEQR regulations.

SECTION 3. Validity. The invalidity of any provision of this Local Law shall not affect the validity of any other portion of this Local Law which can be given effect without such invalid provision.

SECTION 4. Effective Date. This Local Law shall take effect immediately upon filing in the office of the Secretary of State.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF OSSINING

¹ Editor's Note: See Ch. 105, Freshwater Wetlands.