



FREDERICK P. CLARK ASSOCIATES, INC.

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MEMORANDUM

To: Supervisor Susanne Donnelly and
 the Ossining Town Board

Date: December 3, 2015

Subject: **Comprehensive Plan Update and 6 Local Laws - SEQRA**

As requested, we have revised the attached **Full Environmental Assessment Form (EAF)** regarding the Comprehensive Plan Update and the six local laws which the Town Board is currently entertaining.

We look forward to discussing the revised EAF with you.

David A. Stolman, AICP, PP
President

cc: Daniel A. Ciarcia, PE
 John D. Hamilton
 Wayne H. Spector, Esq.

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Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

| | | |
|---|---------------------|---|
| Name of Action or Project: Town Comprehensive Plan Update and Adoption of Six Local Laws Which Would Implement Recommendations of the Updated Comprehensive Plan | | |
| Project Location (describe, and attach a general location map): Town of Ossining, Westchester County | | |
| Brief Description of Proposed Action (include purpose or need): The Proposed Action is a Town Comprehensive Plan Update and adoption of six Local Laws which would implement recommendations of the updated Comprehensive Plan by means of creating a new chapter of the Town Code and amending various existing chapters of the Town Code. See attachment. | | |
| Name of Applicant/Sponsor: Ossining Town Board | | Telephone: (914) 762-6000 |
| | | E-Mail: SDonnelly@TownofOssining.com |
| Address: Municipal Building, 16 Croton Avenue | | |
| City/PO: Ossining | State: NY | Zip Code: 10562 |
| Project Contact (if not same as sponsor; give name and title/role): Supervisor Susanne Donnelly | | Telephone: (914) 762-6000 |
| | | E-Mail: SDonnelly@TownofOssining.com |
| Address: Municipal Building, 16 Croton Avenue | | |
| City/PO: Ossining | State: NY | Zip Code: 10562 |
| Property Owner (if not same as sponsor): Various property owners | | Telephone: |
| | | E-Mail: |
| Address: | | |
| City/PO: | State: | Zip Code: |

B. Government Approvals

| B. Government Approvals Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.) | | |
|---|---|---|
| Government Entity | If Yes: Identify Agency and Approval(s) Required | Application Date (Actual or projected) |
| a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees | Ossining Town Board; Adoption of Comprehensive Plan Update and Six Local Laws | |
| b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission | | |
| c. City Council, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals | | |
| d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| i. Coastal Resources. | | |
| i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| If Yes, | | |
| ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| iii. Is the project site within a Coastal Erosion Hazard Area? | | <input type="checkbox"/> Yes <input type="checkbox"/> No |

C. Planning and Zoning

| C.1. Planning and zoning actions. | |
|---|---|
| Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| <ul style="list-style-type: none"> If Yes, complete sections C, F and G. If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 | |
| C.2. Adopted land use plans. | |
| a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| If Yes, identify the plan(s): | |
| <hr/> <hr/> <hr/> | |
| c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| If Yes, identify the plan(s): | |
| <hr/> <hr/> <hr/> | |

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.

☒ Yes ☐ No

If Yes, what is the zoning classification(s) including any applicable overlay district?

All of the zoning districts in the Town of Ossining: R-40, R-30, R-20, R-20A, R-15, R-10, R-7.5, R-5, MF, MF-I, NC, GB, GB-1, O-RB, O-RE and BE

b. Is the use permitted or allowed by a special or conditional use permit?

☐ Yes ☒ No

c. Is a zoning change requested as part of the proposed action?

☒ Yes ☐ No

If Yes,

i. What is the proposed new zoning for the site? Zoning text changes are proposed. See attachment.

C.4. Existing community services.

a. In what school district is the project site located? Ossining School District

b. What police or other public protection forces serve the project site?

Ossining Police Department

c. Which fire protection and emergency medical services serve the project site?

Ossining Fire Companies, Briarcliff Manor Fire Department; Mid Hudson Ambulance District

d. What parks serve the project site?

Buck Johnson Park, Cedar Lane Park, Gerlach Park, Louis Engel Waterfront Park, Ryder Park, Sally Swope Sitting Park, Veteran's Park, Arthur Jones Park, Crawbuckie Nature Center, Dale Avenue Park, Nelson Park, Nelson Sitting Park, Snowden Park, Sparta Dock (Park), Richard Wishnie Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action?

_____ acres

b. Total acreage to be physically disturbed?

_____ acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?

_____ acres

c. Is the proposed action an expansion of an existing project or use?

☐ Yes ☐ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision?

☐ Yes ☐ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed?

☐ Yes ☐ No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases?

☐ Yes ☐ No

i. If No, anticipated period of construction:

_____ months

ii. If Yes:

- Total number of phases anticipated

- Anticipated commencement date of phase 1 (including demolition)

_____ month _____ year

- Anticipated completion date of final phase

_____ month _____ year

- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

| | | | | |
|---|-------------------|---------------------|---------------------------------------|-------|
| f. Does the project include new residential uses? <input type="checkbox"/> Yes <input type="checkbox"/> No | | | | |
| If Yes, show numbers of units proposed. | | | | |
| <u>One Family</u> | <u>Two Family</u> | <u>Three Family</u> | <u>Multiple Family (four or more)</u> | |
| Initial Phase | _____ | _____ | _____ | _____ |
| At completion | _____ | _____ | _____ | _____ |
| of all phases | _____ | _____ | _____ | _____ |

| | |
|--|--|
| g. Does the proposed action include new non-residential construction (including expansions)? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If Yes, | |
| i. Total number of structures _____ | |
| ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length | |
| iii. Approximate extent of building space to be heated or cooled: _____ square feet | |

| | |
|--|--|
| h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If Yes, | |
| i. Purpose of the impoundment: _____ | |
| ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____ | |
| iii. If other than water, identify the type of impounded/contained liquids and their source. _____ | |
| iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres | |
| v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length | |
| vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____ | |

D.2. Project Operations

| | |
|--|--|
| a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) | |
| If Yes: | |
| i. What is the purpose of the excavation or dredging? _____ | |
| ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? | |
| <ul style="list-style-type: none"> • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ | |
| iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ | |
| iv. Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If yes, describe. _____ | |
| v. What is the total area to be dredged or excavated? _____ acres | |
| vi. What is the maximum area to be worked at any one time? _____ acres | |
| vii. What would be the maximum depth of excavation or dredging? _____ feet | |
| viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| ix. Summarize site reclamation goals and plan: _____ | |
| _____ | |
| _____ | |

| | |
|--|--|
| b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If Yes: | |
| i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ | |
| _____ | |
| _____ | |

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments?

☐ Yes ☐ No

If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation?

☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water?

☐ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?

☐ Yes ☐ No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project?

☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

☐ Yes ☐ No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes?

☐ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities?

☐ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

| | |
|--|--|
| <ul style="list-style-type: none"> • Do existing sewer lines serve the project site? _____ • Will line extension within an existing district be necessary to serve the project? _____ <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No |
| iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____ | |
| If Yes: <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ | |
| v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans): _____ | |
| vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ | |
| e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____ | |
| If Yes: <ul style="list-style-type: none"> i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or _____ acres (impervious surface) _____ Square feet or _____ acres (parcel size) ii. Describe types of new point sources. _____ iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____ | |
| • If to surface waters, identify receiving water bodies or wetlands: _____ | |
| • Will stormwater runoff flow to adjacent properties? _____ | |
| iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____ | |
| f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____ | |
| If Yes, identify: <ul style="list-style-type: none"> i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____ ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____ iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____ | |
| g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____ | |
| If Yes: <ul style="list-style-type: none"> i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____ ii. In addition to emissions as calculated in the application, the project will generate: <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) | |

| | | | |
|--|---|--|---|
| <p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p> | | | |
| <p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p> | | | |
| <p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____.</p> <p>ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> | | | |
| <p>vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> | | | |
| <p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade to, an existing substation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> | | | |
| <p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table> | | <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ | <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ |
| <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ | <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ | | |

| | |
|---|--|
| <p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> | |
| <p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> | |
| <p>n. Will the proposed action have outdoor lighting? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p> | |
| <p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> | |
| <p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:</p> <p>_____</p> | |
| <p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally describe proposed storage facilities: _____</p> | |
| <p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> | |
| <p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> | |
| <p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ | |

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- ☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)
- ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

| Land use or Covertypes | Current Acreage | Acreage After Project Completion | Change (Acres +/-) |
|--|-----------------|----------------------------------|--------------------|
| • Roads, buildings, and other paved or impervious surfaces | | | |
| • Forested | | | |
| • Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural) | | | |
| • Agricultural (includes active orchards, field, greenhouse etc.) | | | |
| • Surface water features (lakes, ponds, streams, rivers, etc.) | | | |
| • Wetlands (freshwater or tidal) | | | |
| • Non-vegetated (bare rock, earth or fill) | | | |
| • Other Describe: _____ | | | |

| | |
|--|--|
| <p>c. Is the project site presently used by members of the community for public recreation? i. If Yes: explain: _____</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <p>d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? If Yes, i. Identify Facilities: _____ _____</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <p>e. Does the project site contain an existing dam? If Yes: i. Dimensions of the dam and impoundment: • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet ii. Dam's existing hazard classification: _____ iii. Provide date and summarize results of last inspection: _____ _____</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? If Yes: i. Has the facility been formally closed? • If yes, cite sources/documentation: _____ ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____ _____</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <p>g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? If Yes: i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____ _____</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <p>h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? If Yes: i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <input type="checkbox"/> Yes – Spills Incidents database Provide DEC ID number(s): _____ <input type="checkbox"/> Yes – Environmental Site Remediation database Provide DEC ID number(s): _____ <input type="checkbox"/> Neither database ii. If site has been subject of RCRA corrective activities, describe control measures: _____ _____</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <p>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? If yes, provide DEC ID number(s): _____ iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____ _____</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

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| <p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>_____</p> <p>_____</p> | |
| <p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>_____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres | |
| <p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> | |
| <p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> | |
| <p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p> | |
| <p>E.3. Designated Public Resources On or Near Project Site</p> | |
| <p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p> | |
| <p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>i. If Yes: acreage(s) on project site? _____</p> <p>ii. Source(s) of soil rating(s): _____</p> | |
| <p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p> | |
| <p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p> | |

| | |
|---|--|
| e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If Yes: <ul style="list-style-type: none"> i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____ | |
| f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| g. Have additional archaeological or historic site(s) or resources been identified on the project site? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If Yes: <ul style="list-style-type: none"> i. Describe possible resource(s): _____ ii. Basis for identification: _____ | |
| h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If Yes: <ul style="list-style-type: none"> i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles. | |
| i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If Yes: <ul style="list-style-type: none"> i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <input type="checkbox"/> Yes <input type="checkbox"/> No | |

F. Additional Information

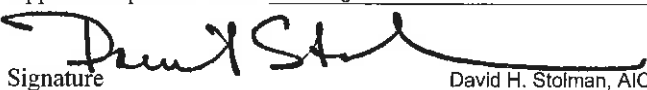
Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name Ossining Town Board Date December 3, 2015

Signature  Title President, Frederick P. Clark Associates, Inc.

David H. Stolman, AICP, PP

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land

Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)

☒ NO

☐ YES

If "Yes", answer questions a - j. If "No", move on to Section 2.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|---|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action may involve construction on land where depth to water table is less than 3 feet. | E2d | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may involve construction on slopes of 15% or greater. | E2f | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface. | E2a | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material. | D2a | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may involve construction that continues for more than one year or in multiple phases. | D1e | <input type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides). | D2e, D2q | <input type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed action is, or may be, located within a Coastal Erosion hazard area. | B1i | <input type="checkbox"/> | <input type="checkbox"/> |
| h. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☒ NO☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|---|-----------------------------|-------------------------------|------------------------------------|
| a. Identify the specific land form(s) attached: _____ | E2g | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____ | E3c | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☒ NO☐ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action may create a new water body. | D2b, D1h | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water. | D2b | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body. | D2a | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body. | E2h | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments. | D2a, D2h | <input type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water. | D2c | <input type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s). | D2d | <input type="checkbox"/> | <input type="checkbox"/> |
| h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies. | D2e | <input type="checkbox"/> | <input type="checkbox"/> |
| i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action. | E2h | <input type="checkbox"/> | <input type="checkbox"/> |
| j. The proposed action may involve the application of pesticides or herbicides in or around any water body. | D2q, E2h | <input type="checkbox"/> | <input type="checkbox"/> |
| k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities. | D1a, D2d | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|----------------------------------|--|--------------------------|--------------------------|
| I. Other impacts: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |
|----------------------------------|--|--------------------------|--------------------------|

4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer.

☒ NO

☐ YES

(See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

If "Yes", answer questions a - h. If "No", move on to Section 5.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells. | D2c | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____ | D2c | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may allow or result in residential uses in areas without water and sewer services. | D1a, D2c | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may include or require wastewater discharged to groundwater. | D2d, E2l | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated. | D2c, E1f, E1g, E1h | <input type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer. | D2p, E2l | <input type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources. | E2h, D2q, E2l, D2c | <input type="checkbox"/> | <input type="checkbox"/> |
| h. Other impacts: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding.
(See Part 1. E.2)

☒ NO

☐ YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action may result in development in a designated floodway. | E2i | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in development within a 100 year floodplain. | E2j | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may result in development within a 500 year floodplain. | E2k | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may result in, or require, modification of existing drainage patterns. | D2b, D2e | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may change flood water flows that contribute to flooding. | D2b, E2i, E2j, E2k | <input type="checkbox"/> | <input type="checkbox"/> |
| f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade? | E1e | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|----------------------------------|--|--------------------------|--------------------------|
| g. Other impacts: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |
|----------------------------------|--|--------------------------|--------------------------|

| 6. Impacts on Air The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i> | | | |
|---|--|--|--|
| | | <input checked="" type="checkbox"/> NO | <input type="checkbox"/> YES |
| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
| a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane | D2g D2g D2g D2g D2g D2h | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants. | D2g | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour. | D2f, D2g | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above. | D2g | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour. | D2s | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Other impacts: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

| 7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i> | | | |
|--|-----------------------------|--|------------------------------------|
| | | <input checked="" type="checkbox"/> NO | <input type="checkbox"/> YES |
| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
| a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site. | E2o | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government. | E2o | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site. | E2p | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government. | E2p | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|---|-----|--------------------------|--------------------------|
| e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect. | E3c | <input type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____ | E2n | <input type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site. | E2m | <input type="checkbox"/> | <input type="checkbox"/> |
| h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____ | E1b | <input type="checkbox"/> | <input type="checkbox"/> |
| i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides. | D2q | <input type="checkbox"/> | <input type="checkbox"/> |
| j. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|---|------------------------------------|--------------------------------------|---|
| 8. Impact on Agricultural Resources The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i> | | | |
| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
| a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System. | E2c, E3b | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc). | E1a, E1b | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land. | E3b | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District. | E1b, E3a | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may disrupt or prevent installation of an agricultural land management system. | E1 a, E1b | <input type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland. | C2c, C3, D2c, D2d | <input type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan. | C2c | <input type="checkbox"/> | <input type="checkbox"/> |
| h. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

| 9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i> | | | |
|--|-----------------------------|--|--|
| | | <input checked="" type="checkbox"/> NO | <input type="checkbox"/> YES |
| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
| a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource. | E3h | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views. | E3h, C2b | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round | E3h | <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> |
| d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities | E3h E2q, E1c | <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> |
| e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource. | E3h | <input type="checkbox"/> | <input type="checkbox"/> |
| f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile | D1a, E1a, D1f, D1g | <input type="checkbox"/> | <input type="checkbox"/> |
| g. Other impacts: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

| 10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i> | | | |
|--|-----------------------------|--|------------------------------------|
| | | <input checked="" type="checkbox"/> NO | <input type="checkbox"/> YES |
| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
| a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places. | E3e | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory. | E3f | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____ | E3g | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|--|----------------------------|--------------------------|--------------------------|
| d. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |
| e. If any of the above (a-d) are answered "Yes", continue with the following questions to help support conclusions in Part 3: | | | |
| i. The proposed action may result in the destruction or alteration of all or part of the site or property. | E3e, E3g, E3f | <input type="checkbox"/> | <input type="checkbox"/> |
| ii. The proposed action may result in the alteration of the property's setting or integrity. | E3e, E3f, E3g, E1a, E1b | <input type="checkbox"/> | <input type="checkbox"/> |
| iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting. | E3e, E3f, E3g, E3h, C2, C3 | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|---|------------------------------------|--|---|
| 11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i> | | | |
| | | <input checked="" type="checkbox"/> NO | <input type="checkbox"/> YES |
| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
| a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat. | D2e, E1b E2h, E2m, E2o, E2n, E2p | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in the loss of a current or future recreational resource. | C2a, E1c, C2c, E2q | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may eliminate open space or recreational resource in an area with few such resources. | C2a, C2c E1c, E2q | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may result in loss of an area now used informally by the community as an open space resource. | C2c, E1c | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|---|------------------------------------|--|---|
| 12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i> | | | |
| | | <input checked="" type="checkbox"/> NO | <input type="checkbox"/> YES |
| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
| a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA. | E3d | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA. | E3d | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.

☒ NO

☐ YES

(See Part 1. D.2.j)

If "Yes", answer questions a - g. If "No", go to Section 14.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|---|-----------------------------|-------------------------------|------------------------------------|
| a. Projected traffic increase may exceed capacity of existing road network. | D2j | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in the construction of paved parking area for 500 or more vehicles. | D2j | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action will degrade existing transit access. | D2j | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action will degrade existing pedestrian or bicycle accommodations. | D2j | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may alter the present pattern of movement of people or goods. | D2j | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.

☒ NO

☐ YES

(See Part 1. D.2.k)

If "Yes", answer questions a - e. If "No", go to Section 15.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action will require a new, or an upgrade to an existing, substation. | D2k | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The 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 commercial or industrial use. | D1f, D1q, D2k | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may utilize more than 2,500 MWhrs per year of electricity. | D2k | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed. | D1g | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Other Impacts: _____ | | | |

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.

☒ NO

☐ YES

(See Part 1. D.2.m., n., and o.)

If "Yes", answer questions a - f. If "No", go to Section 16.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action may produce sound above noise levels established by local regulation. | D2m | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home. | D2m, E1d | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may result in routine odors for more than one hour per day. | D2o | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|---|----------|--------------------------|--------------------------|
| d. The proposed action may result in light shining onto adjoining properties. | D2n | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions. | D2n, E1a | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

☒ NO

☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|---|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community. | E1d | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The site of the proposed action is currently undergoing remediation. | E1g, E1h | <input type="checkbox"/> | <input type="checkbox"/> |
| c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action. | E1g, E1h | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction). | E1g, E1h | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health. | E1g, E1h | <input type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health. | D2t | <input type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed action involves construction or modification of a solid waste management facility. | D2q, E1f | <input type="checkbox"/> | <input type="checkbox"/> |
| h. The proposed action may result in the unearthing of solid or hazardous waste. | D2q, E1f | <input type="checkbox"/> | <input type="checkbox"/> |
| i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste. | D2r, D2s | <input type="checkbox"/> | <input type="checkbox"/> |
| j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste. | E1f, E1g E1h | <input type="checkbox"/> | <input type="checkbox"/> |
| k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures. | E1f, E1g | <input type="checkbox"/> | <input type="checkbox"/> |
| l. The proposed action may result in the release of contaminated leachate from the project site. | D2s, E1f, D2r | <input type="checkbox"/> | <input type="checkbox"/> |
| m. Other impacts: _____ | | | |

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.
(See Part 1. C.1, C.2. and C.3.)

☒ NO

☐ YES

If "Yes", answer questions a - h. If "No", go to Section 18.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------------|-------------------------------|------------------------------------|
| a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s). | C2, C3, D1a E1a, E1b | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%. | C2 | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action is inconsistent with local land use plans or zoning regulations. | C2, C2, C3 | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action is inconsistent with any County plans, or other regional land use plans. | C2, C2 | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure. | C3, D1c, D1d, D1f, D1d, E1b | <input type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure. | C4, D2c, D2d D2j | <input type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action) | C2a | <input type="checkbox"/> | <input type="checkbox"/> |
| h. Other: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.
(See Part 1. C.2, C.3, D.2, E.3)

☒ NO

☐ YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|--------------------------------|-------------------------------|------------------------------------|
| a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community. | E3e, E3f, E3g | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may create a demand for additional community services (e.g. schools, police and fire) | C4 | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing. | C2, C3, D1f D1g, E1a | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources. | C2, E3 | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action is inconsistent with the predominant architectural scale and character. | C2, C3 | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Proposed action is inconsistent with the character of the existing natural landscape. | C2, C3 E1a, E1b E2g, E2h | <input type="checkbox"/> | <input type="checkbox"/> |
| g. Other impacts: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

PRINT FULL FORM

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

SEE ATTACHMENT

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status:

☒ Type I

☐ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1

☒ Part 2

☒ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Ossining Town Board as lead agency that:

☐ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Comprehensive Plan Update and Adoption of Six Local Laws to Implement Recommendations of the Updated Comprehensive Plan

Name of Lead Agency: Ossining Town Board

Name of Responsible Officer in Lead Agency: Susanne Donnelly

Title of Responsible Officer: Supervisor

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

David H. Stolman, AICP, PP Date:

For Further Information:

Contact Person: Supervisor Susanne Donnelly

Address: Municipal Building, 16 Croton Avenue, Ossining, NY 10562

Telephone Number: (914) 762.6000

E-mail: SDonnelly@TownofOssining.com

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

**ATTACHMENT
FULL ENVIRONMENTAL ASSESSMENT FORM**

**ADOPTION OF TOWN COMPREHENSIVE PLAN
UPDATE AND SIX LOCAL LAWS TO IMPLEMENT
RECOMMENDATIONS OF THE COMPREHENSIVE PLAN UPDATE**

ADDENDUM TO PART 1 OF EAF

Town Comprehensive Plan Update

The following are new implementation strategies which are proposed to be added to the Town Comprehensive Plan.

1. The Town should also adopt design guidelines for North State Road, other non-residential areas and public properties, including standards for lighting and street furniture.
2. The density provisions of the Town's Zoning chapter have not been analyzed to determine if they are appropriately environmentally protective in many decades. Given the sheer length of time since such an analysis has been performed, it is presumed likely that the density provisions of the Zoning chapter have not kept up with the times, and are not sufficiently protective of the Town's sensitive environmental resources. The Town should review the density provisions of the Zoning chapter to determine whether modifications should be made in this regard.
3. The Town should strive to meet the New York State Department of Environmental Conservation's recreational water standards for all streams in the Town.
4. The Town should make educational materials and information available to residents regarding the importance of testing their septic systems to determine the effectiveness of the systems, and should encourage the repair or replacement of failing systems.
5. The Town should encourage the use of permeable pavers and pavement where feasible and appropriate.
6. Where feasible, barriers to appropriate wildlife migration and movement, including in waterways, should be removed.

7. The Town's tree, steep slopes and wetlands protection regulations were adopted many years ago and have not been analyzed in quite some time to determine whether they are as environmentally protective as they should be. The Town should perform such analysis and amend these regulations if needed.
8. The Town should make educational materials and information available to residents and merchants regarding the availability of alternate forms of energy including solar, geothermal and wind energy. This should include information about tax incentives and rebates which may be available.
9. The Town should explore whether the use of alternate forms of energy are feasible and appropriate for the powering, heating and/or cooling any of its buildings or facilities.
10. When implementing solar energy techniques, there should be a proper balance between solar energy and the consequential need for tree removal.
11. The Town should determine where additional bicycle racks can be located and should work with various entities to install the racks along with signs reminding motorists that the racks are available.
12. The Town should explore the enhancement of pedestrian and bicycle safety in Crotonville.
13. The Town should be open to an analysis of the zoning of the underutilized and non-conforming Stony Lodge Hospital property in order for this property to be adaptively reused or redeveloped in a manner that is feasible and which protects surrounding neighborhoods and environmental resources to the maximize extent practicable.
14. In that the GB-1 zone refers to the GB district for most of its permitted uses, and in that the GB uses have changed materially in recent years, the uses permitted in the GB-1 zone should be analyzed for appropriateness.
15. The Town of Ossining seeks to protect its historic buildings and encourages creative reuse. The following examples are aesthetically interesting and may enhance the sense of being part of a richly layered community evolving and thriving over time. Noteworthy buildings include:
 - The former Sing Sing Water Works building on River Road. It is currently owned and occupied by Anthony L. Fiorito, Inc. Contracting. This brick building on the banks of the Croton River once housed the coal-fired water pumps that delivered water to the Village of Sing Sing from the Indian

Brook Reservoir. It includes a dramatic square smokestack structure that is prominently visible to drivers on Route 9.

- The Parker-Bale American Legion building on Old Albany Post Road in Crotonville. This started as a one-room school house in the 1800s and is famously the site of the first public meeting in 1964 of the Hudson River Fisherman's Association with Robert Boyle (writer), Richie Garrett (fisherman) and Richard Ottinger (Congressman) which later became the Hudson Riverkeeper.
- The Potter Church on Old Albany Post Road. This is a beautiful brick church from the 1800s that is now occupied as a private club. This site was used in filming scenes in the Woody Allen movie "Sweet and Lowdown" (1999) with Sean Penn and Uma Thurman.
- The Black Horse Tavern on Old Albany Post Road. This was a tavern and inn and dates back to the late 1700s.

The addition of the new implementation strategies above would make the Town Comprehensive Plan more protective of the environment than it currently is. Further, the new implementation strategies would not necessarily result in any reduction in the existing or future supply of housing in the Town. Therefore, the proposed amendments to the Comprehensive Plan would be beneficial to, and have no significant adverse impacts upon the environment.

Local Law #5 of 2015 for the Purpose of Amending the Notification Provisions of the Town Code

1. One intension of the proposed local law is to standardize and increase the number of persons who would be notified of public hearings held by the Town Board, Planning Board and Zoning Board of Appeals with respect to the review and approval of applications for the development of land in the Town. The uniform provision is proposed to read as follows:

The approval authority shall not decide upon any special permit without first holding a public hearing. Notice of said hearing and of the substance of the application shall be given by publication in the official newspaper of the Town at least 10 days before the date of such hearing. In addition to such published notice, the approval authority shall cause such notice to be mailed at least 10 days before the hearing to all owners of property which lie within 500 feet of any lot line of the property for which the special permit is sought and to such other persons as the approval authority may deem advisable. The names of said owners shall be taken as they appear on

the last completed assessment roll of the town. Provided that due notice shall have been published and there shall have been substantial compliance with the remaining provisions of the section, the failure to give notice in exact conformance herewith shall not be deemed to invalidate any action taken by the approval authority in connection with the granting of approval.

2. Further, the proposed local law would also require that a sign be posted on the frontage(s) of properties for which a land use application has been filed in accordance with the following provisions:

§ 200-31.1 Notification of proposed land use activity.

- A. Every applicant that submits an application for a proposed land use activity to the Town Board, Planning Board and/or Zoning Board of Appeals must post one or more notification signs on the property which is the subject of said application within three days of acceptance of the application by the approval authority and must maintain the posted sign(s) place until the approval authority has rendered its final decision approving or denying said application. The sign(s) shall be erected not more than 10 feet from each boundary of the property that abuts a public road and must be conspicuous to the public. The bottom edge of each sign so erected shall be positioned no less than 14 inches and no more than 36 inches above the ground. In the event that the subject property abuts more than one road, additional signs will be posted facing each road on which the property abuts. If the sign's visibility is obscured by vegetation, the applicant must cut the vegetation to a degree sufficient to maintain clear visibility of the sign from the road. If the property does not abut a public road, one or more signs shall be posted in Town-approved locations that can readily be seen by the public. Any sign erected under this provision must be removed within 10 days after the approval authority has rendered its final decision approving or denying said application.
- B. In the event that an application shall be withdrawn or become inactive, the applicant shall remove the sign(s) within five business days of withdrawing the application or of receiving notice from the approval authority that the application has been designated inactive. For the purposes of this section any application which has not appeared on the approval authority's agenda for six or more months shall be designated inactive. The approval authority shall notify the applicant in writing that the application has become inactive and instruct the applicant to remove the sign(s) until such time as the application shall be reactivated. Once the application is reactivated, the sign(s) shall be posted within three days.

- C. The Town of Ossining will supply the sign(s) and the initial cost will be included in the application fee. The applicant will be responsible for maintaining said sign(s) in good condition so as to be visible to and readable by the public. The applicant shall be responsible for replacing any sign(s) that are damaged, destroyed, lost or stolen during the pendency of the application. A replacement fee will be charged for each sign that needs to be replaced. The amount of said replacement fee shall be determined from time-to-time by the Town Building Inspector.
- D. Prior to the commencement of any public hearings or, if no public hearings are required, prior to the rendering of any decision disposing of any application, the applicant shall submit a sworn certification on a form provided by the Town, together with legible photographic evidence, to verify the placement and maintenance of the required sign(s). If the certification is not timely submitted, any scheduled public hearings shall be cancelled, subject to rescheduling, and any dispositive action by the approval authority shall be deferred until timely certification is submitted. In the event of repeated or continued noncompliance with these sign posting and certification requirements, the application may be dismissed at the discretion of the approval authority.

The proposed text would improve the provisions pertaining to notification of the public as to proposed development applications and would have no adverse impacts upon the environment whatsoever.

Local Law #6 of 2015 for the Purpose of Amending the Subdivision of Land and Tree Protection Chapters of the Town Code

Proposed Amendments to the Subdivision of Land Chapter

1. Section 176-20.B shall be amended to read as follows:

- B. Natural factors.

- (1) Trees.

- (a) In general, no living trees of six inches diameter or larger, that are in areas not covered by pavement or buildings or utilities or other structures, or in areas where the change from the original ground elevation exceeds two feet, shall be removed by the developer.

- (b) Street trees shall be provided as part of the subdivision

improvements. Such trees shall be planted along both sides of the street, outside of the street right-of-way, and spaced approximately 50 feet on center with at least two trees per lot.

- (c) ~~Two street trees shall be planted on all lots in locations as indicated on approved plans.~~ In the event certain lots are heavily wooded and do not require these street trees, then said trees shall be planted on less wooded lots, if any, in the confines of the plan in question. The final location determination shall be the duty of the Town Engineer or his duly authorized representative after site inspection.
- (d) Standards for street trees shall be in accordance with the recommendations as set forth in the Horticultural Standards of the American Nurseryman Association. All trees shall be bare-rooted or balled, first-line nursery stock and not rejects. The caliper of each tree shall be a minimum of four 3/4 inches ~~to two inches~~, as measured 12 inches above finished grade.
- (e) The planting of bare-rooted trees shall be permitted only during the months of April, May, October and November. Balled trees may be planted any time during the year, provided that ground is not frozen, and shall have a minimum ball diameter of 20 inches.
- (f) Planting of all trees shall be in a properly prepared hole which is twice the diameter of the root ball and no deeper than the height of the root ball. ~~There shall be~~ that tree roots shall have three inches of topsoil below the roots and the remainder of the hole shall be filled with original soil extending six inches beyond all sides of root spread. ~~A mulch consisting of peat moss or other accepted material shall complete the bedding.~~
- (g) Guaranties shall be one year from the time of planting in the case of bare-rooted trees and one growing season in the case of balled trees. It shall be the duty of the land developer to provide certification from a recognized landscape contractor, preferably a member in good standing of any accredited Nurseryman Association, attesting to the time and method of planting in accord with these specifications, and providing the guaranties as set forth.

- (h) The following is a list of acceptable street trees. No variation shall be allowed without written permission of the Planning Board~~Town Engineer~~:

| Genus | Species |
|------------------------|--|
| Acer (maple trees) | Platanoides (Norway) |
| | Schwedleri (Schwedler; purple-leaved Norway) |
| | Rubrum (red or scarlet) |
| | Saccharinum (sugar) |
| Platanus (plane trees) | Acerifolia orientalis (London) |
| | Acerifolia occidentalis (American) |
| Quercus (oak trees) | Borealis rubra (northern red oak) |
| | Coccinea (scarlet red oak) |
| | Palustris (pin oak) |
| Tilia (linden trees) | Americana (American) |
| | Tomentosa (silver) |

- (i) If any topsoil is removed from its natural position in the process of grading the subdivision site, such topsoil shall be replaced in compliance with the requirements of the applicable Town laws~~ordinances~~.

Proposed Amendments to the Tree Protection Chapter

1. A new Subsection F shall be added to Section 183-6, Activities Permitted Without Tree Removal Permit, and shall read as follows:

F. Removal of any tree listed on the New York State Prohibited or Regulated Invasive Species List as determined in writing on the business letterhead of a tree specialist and submitted to the Building Inspector.

2. Section 183-13.C shall be amended to read as follows:

C. If a public tree is removed, the remover must replace that tree with at least one of the same or similar species, at the same location or another location, and of a specific size, all as determined agreed upon by the approval authority. The replacement tree(s) shall not be any of those listed on the New York State Prohibited or Regulated Invasive Species List.

All of the proposed amendments above would be more protective of the environment than are the current provisions. Further, the proposed amendments will have no significant adverse impact upon the existing or future supply of housing in the Town.

Therefore, the proposed amendments would be beneficial to, and have no significant adverse impacts upon the environment.

Local Law #7 of 2015 for the Purpose of Amending the Freshwater Wetlands, Watercourses and Water Bodies Protection Chapter of the Town Code

The following are the proposed amendments:

1. Section 105-1.A shall be amended to read as follows:
 - A. Title and purpose. This chapter shall be known as the "Freshwater Wetlands, Watercourses and Water Body Protection Law of the Town of Ossining." It is a chapter regulating the dredging, filling, deposition or removal of materials; diversion or obstruction of water flow; and placement of structures and other uses in the water bodies, watercourses, and wetlands and buffers thereof, in light and recognition of the functional benefits of the preservation, protection and conservation of these water resources as enumerated in § 105-1C, in the Town of Ossining.
2. A new Subsection 105-1.C(m) shall be added and shall read as follows:

(m) Providing carbon sequestration to offset climate change.
3. The following definitions in Section 105-2.B shall be amended to read as follows:

HYDRIC SOIL

A soil that is saturated, flooded or ponded long enough during the growing season to develop anaerobic conditions in the upper part, and as further defined by the New York State Department of Environmental Conservation wetlands delineation manual, as such document may be amended from time to time~~under the term "wetland."~~

HYDROPHYTIC VEGETATION

Plant life growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content ~~and as further defined under the term "wetland."~~

WATERCOURSE

A running stream of water; a natural stream fed from permanent or natural sources, including rivers, creeks, springs, runs and rivulets; a stream, usually flowing in a particular direction, though it need not flow continuously (it may sometimes be dry). ~~To meet this definition, it must flow in a definite channel, having a bed or banks.~~ It usually discharges itself into some other stream or body

of water. It must be something more than mere surface drainage over the entire face of the tract of land, occasioned by unusual freshets or other extraordinary causes.

WETLAND:

- (1) All areas that comprise hydric soils and/or are inundated or saturated by surface or ground water at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation.

~~Any area which meets one or more of the following criteria:~~

- ~~(a) — A watercourse;~~
 - ~~(b) — A water body;~~
 - ~~(c) — Land shown as a wetland on the New York State Freshwater Wetlands Map, as defined herein;~~
 - ~~(d) — An area 1/2 acre or more in size inundated or saturated by surface or ground water at a frequency and duration sufficient under normal circumstances to support a prevalence of hydrophytic vegetation;~~
 - ~~(e) — An area specified as a wetland on the Town of Ossining Wetlands and Drainage Map; or~~
 - ~~(f) — An area specified as being comprised of hydric soils on the Town of Ossining Wetlands and Drainage Map, which is determined by the approval authority to constitute a wetland, and which is at least 1/2 acre in size.~~
- (2) Except with respect to the size of buffer areas pursuant to § 105-3.B herein, the term "wetland," as used in this chapter, shall include watercourses and water bodies.

4. The following new definition shall be added to Section 105-2.B and shall read as follows:

GROWING SEASON:

The portion of the year when soil temperatures at 19.7 inches below the soil surface are higher than biologic zero (5 degrees C) (U.S. Department of Agriculture, Soil Conservation Service, 1985). For ease of determination this period can be approximated by the number of frost-free days (U.S Department of the Interior, 1970).

5. Section 105-3.A shall be amended to read as follows:

- A. Wetlands. The applicant shall be responsible for having the boundaries of the wetland(s) and buffer area(s) delineated by a qualified environmental professional by field investigation during a growing season, with soils not snow covered or frozen, and with each turning point determined, flagged and identified by GPS location, and subsequently surveyed and mapped by a licensed land surveyor. A full report regarding the delineation with data sheets shall also be submitted by said professional. The approval authority may also consult, at the expense of the applicant, and/or ~~may also require the applicant to consult with~~ biologists, hydrologists, soil scientists, ecologists/botanists or other experts and professionals as deemed necessary by said authority to make this delineation determination.

6. Section 105-5.A shall be amended to read as follows:

- A. Allowable activities. The following uses shall be allowed without a permit within a wetland or buffer area as specified below:
- (1) Normal ground maintenance, including mowing, trimming of vegetation and removal of dead or diseased vegetation around a residence.
 - (2) Repair of existing walkways and walls.
 - (3) Maintenance of existing decorative landscaping and planting in buffer areas only.
 - (4) Public health activities and orders of the Westchester County Department of Health and/or the New York State Department of Health for emergencies only.
 - (5) Normal gardening activities and the composting of leaves, grass clippings or other vegetation in buffer areas only, located within a private residential lot.
 - (6) Operation and maintenance of existing dams and water control devices, excluding the adjustment of water elevations over 18 inches in height.

- (7) Maintenance of existing drainage channels where impedance of flow may cause flooding or threaten public safety on highways or in dwellings or other structures.
- (8) Maintenance and repair of any Best Management Practice (BMP) installed for stormwater management purposes.
- (9) Manual removal of accumulated sediment, up to a maximum of two cubic yards, located within five feet of the end of a pipe which crosses under a road or driveway.

7. Section 105-5.B(4) shall be amended to read as follows:

- ~~(4) Introduction of any form of pollution including but not limited to the~~ Installation of a septic tank, the running of a sewer outfall or the discharging of sewage treatment effluent or other liquid wastes into or so as to drain into a wetland, watercourse, water body or buffer area with the approval of the Westchester County Department of Health.

8. Section 105-5.C shall be amended to read as follows:

- C. Prohibited acts. It shall be unlawful to place or deposit chemical wastes or to introduce influents of such thermal content so as to cause deleterious ecological effect in any wetland, watercourse, water body or buffer area. Also unlawful shall be the installation of a septic tank, the running of a sewer outfall or the discharging of sewage treatment effluent or other liquid wastes into or so as to drain into a wetland, watercourse, water body or buffer area without the approval of the Westchester County Department of Health.

9. A new Subsection 105-6.A(8) shall be added and shall read as follows:

- (8) The delineation mapping and report specified in § 105-3.A of this chapter.

10. Section 105-6.D shall be amended to read as follows:

D. Regulated acts permitted with permit issued by the Building Inspector.

- (1) The following ~~two~~ regulated activities are determined by this chapter to be limited in scope and potential impact, and are the ~~two~~ activities within wetlands or buffer areas for which a permit issued by the Building Inspector may be granted:

- (a) Construction of a driveway when the length of a wetland or buffer area crossing or intrusion is less than 100 feet, excluding the construction of driveways of any length which cause hydrological isolation of a portion of a wetland; if a natural drainage system crossing is proposed, where a single culvert of less than 25 feet in length and 18 inches in diameter is required; and.
- (b) The application of nonpolluting chemicals or dyes for the purpose of maintenance that does not change the character of the wetland (such as Health Department testing).
- (c) Decks or porches with a footprint of 200 square feet or less located more than 50 feet from a wetland or watercourse, provided that no grading is required for their construction other than for posts or footings.
- (d) Single-story movable sheds, without foundation or footings, with a footprint of 100 square feet or less located more than 50 feet from a wetland or watercourse, provided:
 - [1] Such sheds are not used for the storage of gasoline, oil, pesticides or other chemicals or toxic substances or any tools, machinery or equipment which use any such substances; and
 - [2] No grading is required for installation.
- (e) Movable play sets or swing sets or other small additions to existing structures, without foundation, with a footprint of 100 square feet or less and located more than 50 feet from a wetland or watercourse, provided no grading is required for installation.
- (f) Fences without mesh, provided:
 - [1] No fence post is to be placed in the streambed or within three feet from the edge of the stream; and
 - [2] The bottom of the fence is to be no lower than 12 inches above seasonal high water of the stream; and
 - [3] No grading is required for installation.

(g) Dry-laid stone walls, containing no mortar or cement, where the wall is designed to permit the passage of small animals by permitting openings at 15-foot intervals at least six inches in height above ground level and 12 inches in length, and where the construction of said wall will not inhibit or alter the natural drainage flow or cause the blocking or damming of surface water.

- (2) Notwithstanding the foregoing, no regulated activity shall be permitted with a permit issued by the Building Inspector when such activity is proposed for an area designated as a wetland on the New York State Freshwater Wetlands Map.
- (3) If the Building Inspector determines that the granting of a permit for one or ~~more~~both of the activities in Subsection D(1) immediately above would be appropriate in light of the standards set forth in § 105-8 below, the Building Inspector shall grant the permit within 21 days of receipt of a complete application. Notwithstanding the foregoing, the Building Inspector, in his/her sole discretion, may forward any application for a permit to the Planning Board for processing in accordance with the provisions of § 105-7 below.
- (4) However, in the event that the Building Inspector determines that the granting of a permit for one or ~~more~~both of the activities in Subsection D(1) immediately above would be inappropriate in light of the standards set forth in § 105-8 below, the Building Inspector shall neither approve nor deny the application, but rather shall notify the applicant within 21 days of receipt of a complete application and shall forward the application to the Planning Board for processing in accordance with the procedures set forth in § 105-7 below.

11. Section 105-8.A shall be amended to read as follows:

- A. Consideration. In granting, denying or conditioning any permit, the approval authority shall consider all relevant facts and circumstances including but not limited to the following:

[Subsections (1) through (3) shall remain intact.]

- (4) The effect of the proposed activity relativewith~~reference~~ to the protection or enhancement of the functions of wetlands and the benefits they provide which are set forth in § 105-1C hereof.

[Subsections (5) and (6) shall remain intact.]

12. Section 105-8.B shall be amended to read as follows:

B. Findings. Permits will be issued by the approval authority pursuant to this chapter only if the applicant demonstrates and the approval authority finds that:

- (1) The proposed regulated activity is consistent with the policy hereof to preserve, protect and conserve wetland functions and the benefits they provide, as set forth in § 105-1C hereof, by preventing to the maximum extent practicable the degradation and destruction of wetlands as balanced against private property rights~~the need for development of the town.~~
- (2) The proposed regulated activity is compatible with the public health and welfare.
- (3) The proposed regulated activity cannot practicably be relocated on the site so as to eliminate or reduce the intrusion into the wetland, watercourse, water body and/or buffer area.
- (4) All proposed culverts and dams meet the guidelines of the New York Department of Environmental Conservation for the migration of aquatic wildlife, if applicable.
- (5) Pipes installed to convey a watercourse shown on the USGS maps or classified by the New York State Department of Environmental Conservation as A, B or C will require culverts designed in accordance with the stream crossing guidelines document published by the New York State Department of Environmental Conservation.

13. Section 105-10.B shall be amended to read as follows:

B. Mitigation plan.

- (1) Upon a determination pursuant to Subsection A immediately above that a loss of wetland, watercourse, water body or buffer area is necessary and unavoidable, the Planning Board shall, and the Building Inspector may, as approval authority, require the preparation of a mitigation plan which shall specify mitigation measures that replace and/or restore, to the greatest extent

reasonably practical, the functions of the original wetland and/or buffer area in terms of type, ecological benefits, geographic location and setting, and size.

- (2) For the purposes of mitigation, on-site mitigation shall be the preferred approach; off-site mitigation shall be permitted only in cases where an on-site alternative is not possible.
- (3) Mitigation for intrusion into wetlands shall be such as to provide no overall net loss of wetlands in terms of ecological characteristics and function, similar geographic location and setting, and size. A greater than 1:1 replacement may be necessary in areas where there is a strong possibility of the failure of the viability of the replacement/restored wetlands. Mitigation for intrusion into buffer areas shall be such as to preserve the ecological characteristics and functions of the associated wetland.
- (4) Where off-site mitigation is proposed, it shall be within the same drainage basin affected by the development. In this regard, contribution to a Town-Board-adopted drainage basin and/or wetland improvement plan may be considered by the approval authority.

14. Section 105-10.C shall be amended to read as follows:

- C. Mitigation plan requirements. Mitigation plans shall be designed to minimize impacts to wetlands, watercourses, water bodies and buffer areas. Said plans shall also provide for the preservation of remaining wetlands via the establishment of restrictive covenants or conservation easements.

[Subsections (1) through (4) shall remain intact.]

All of the proposed amendments above would be more protective of the environment than are the current provisions. Further, the proposed amendments will have no significant adverse impact upon the existing or future supply of housing in the Town. Therefore, the proposed amendments would be beneficial to, and have no significant adverse impacts upon the environment.

Local Law #8 of 2015 for the Purpose of Amending the Steep Slope Protection Chapter of the Town Code

The following are the proposed amendments:

Section 167-5 shall be amended to read as follows:

§ 167-5. Allowable and regulated activities.

- A. Allowable activities. The following activities within a steep slope area shall be allowed without a permit:
- (1) Normal ground maintenance which does not require disturbance of existing terrain, including mowing, trimming of vegetation and removal of dead or diseased vegetation, provided that such activity does not involve regrading, and further provided that such activity conforms with all other applicable laws and regulations, including but not limited to the Tree Protection Law of the Town of Ossining (Chapter 183).
 - (2) The disturbance to steep slopes under temporary emergency conditions, as determined by the Building Inspector, where such disturbance is necessary to protect persons or property from present and imminent danger.
 - (3) Repair of existing walkways and walls.
 - (4) Installation of a standard-size mailbox.
 - (5) Public health activities and emergency uses pursuant to orders of the Westchester County Department of Health and/or the New York State Department of Health.
- B. Regulated activities.
- (1) It shall be unlawful to create a new steep slope area or to create any disturbance, other than an allowable activity as defined in § 106-5A hereof, on any existing or proposed steep slope in the absence of a steep slope permit issued by the approval authority and a work permit issued by the Building Inspector.
 - (2) It shall be unlawful to create or disturb any extremely steep slope, as defined herein, except that the Planning Board may waive this prohibition with respect to ingress and egress for the property and in other circumstances, subject to the following provisions of this section. In these cases, the applicant shall have the burden of demonstrating that the applicant's circumstances warrant the waiver, including at a minimum an analysis of the relative environmental

impacts of alternatives and demonstration by the applicant that:

[1] The site, lot or parcel cannot be reasonably used without the creation or disturbance of an extremely steep slope; or

[2] A traffic hazard relative to sight distance(s) would result without the creation or disturbance of an extremely steep slope.

In addition, the Planning Board may only permit the creation or disturbance of an extremely steep slope if in doing so adverse environmental impacts can be mitigated to the extent acceptable to said board.

All of the proposed amendments above would be more protective of the environment than are the current provisions. It is important to note that the provision regarding the creation or disturbance of any extremely steep slope is not an absolute prohibition and can be waived by the Planning Board under a variety of circumstances subject to the criteria in Section 167-5.B(2). Further, the proposed amendments will have no significant adverse impact upon the existing or future supply of housing in the Town. Therefore, the proposed amendments would be beneficial to, and have no significant adverse impact upon the environment.

Local Law #9 of 2015 for the Purpose of Amending the Subdivision of Land and Zoning Chapters of the Town Code

Proposed Amendment to the Zoning Chapter

A new Subsection 200-6.F shall be added and shall read as follows:

F. Every proposed lot shall contain a suitable site for a principal building and associated improvements.

(1) With respect to a conventional subdivision layout, at least 75% of the minimum lot area requirement of a proposed lot shall neither consist of "wetland" nor "extremely steep slope" as these terms are defined in Chapter 105, Freshwater Wetlands, Watercourses and Water Body Protection, and Chapter 167, Steep Slope Protection, respectively, of the Town Code. For example, in an R-40 zoning district at least 30,000 square feet (75% of 40,000 square feet) of the proposed lot shall neither consist of "wetland" nor "extremely steep slope."

(2) With respect to a cluster development layout, the Planning Board

shall strive to achieve the 75% standard in subsection (1) immediately above, but the Board shall have latitude with respect to the degree to which building sites and lots may contain “wetland” and/or “extremely steep slope,” in the furtherance of fulfilling one or more of the purposes of cluster development set forth in § 200-31.A of this chapter, to wit to enable and encourage flexibility of design and development of land in such a manner as to promote the most appropriate use of land, to facilitate the adequate and economical provision of streets and utilities, to preserve the natural and scenic qualities of open lands, to protect areas of meaningful ecological value and to reserve suitable lands for park and recreation purposes, as well as to assist in the provision of below-market-rate housing pursuant to § 200-34.C of this chapter.

Proposed Amendment to the Subdivision of Land Chapter

A new Subsection 176-18.F shall be added and shall read as follows:

- F. Every proposed lot shall contain a suitable site for a principal building and associated improvements.
- (1) With respect to a conventional subdivision layout, at least 75% of the minimum lot area requirement of a proposed lot shall neither consist of “wetland” nor “extremely steep slope” as these terms are defined in Chapter 105, Freshwater Wetlands, Watercourses and Water Body Protection, and Chapter 167, Steep Slope Protection, respectively, of the Town Code. For example, in an R-40 zoning district at least 30,000 square feet (75% of 40,000 square feet) of the proposed lot shall neither consist of “wetland” nor “extremely steep slope.”
 - (2) With respect to a cluster development layout, the Planning Board shall strive to achieve the 75% standard in subsection (1) immediately above, but the Board shall have latitude with respect to the degree to which building sites and lots may contain “wetland” and/or “extremely steep slope,” in the furtherance of fulfilling one or more of the purposes of cluster development set forth in § 200-31.A of this chapter, to wit to enable and encourage flexibility of design and development of land in such a manner as to promote the most appropriate use of land, to facilitate the adequate and economical provision of streets and utilities, to preserve the natural and scenic qualities of open lands, to protect areas of meaningful ecological value and to reserve suitable lands for park and recreation purposes,

as well as to assist in the provision of below-market-rate housing pursuant to § 200-34.C of the Town code.

The purpose of the proposed amendments is to ensure that every proposed lot contains a suitable site for a principal building and associated improvements that is not significantly environmentally constrained or sensitive. The proposed amendments require that in a conventional subdivision, at least 75% of the minimum lot area requirement of a proposed lot shall neither consist of wetlands nor extremely steep slopes as these terms are defined by statute. The Planning Board would have more latitude in a cluster development where the Board would have to strive to achieve the 75% standard mentioned above, but would not necessarily have to achieve said standard, in furtherance of fulfilling one or more of the purposes of cluster development set forth in Section 200-31.A of the Zoning Law.

As a practical matter, the Planning Board would require, through its usual and customary interpretation of the provisions of Chapter 176, Subdivision of Land, of the Town code, that an environmentally unconstrained site exists for a principal building and associated improvements on each new lot. To wit, Section 176-1.A states:

“The Town Planning Board of Ossining declares that these regulations are intended to provide for the orderly growth and coordinated development of the Town and to assure the comfort, convenience, safety, health and welfare of the people. Further, the approval of such subdivisions shall be based on the following broad considerations:

- (2) Recognition of a desirable relationship to the land form, its topography and geology, to natural drainage and surface water runoff and to the groundwater table.
- (3) Recognition of desirable standards of subdivision design, including provision for pedestrian and vehicular traffic, surface water runoff and for suitable building sites for the land use contemplated.
- (5) Preservation of natural assets such as streams, ponds, trees and attractive scenic areas.”

In addition, Section 176-13.A states, “Land to be subdivided for building purposes shall be of such character that it can be used safely without danger to the residents from any menace.”

Further, Section 176-18.A states:

- “A. The lot arrangement shall be such that in constructing a building in compliance with the Zoning Ordinance, there will be no foreseeable difficulties for reasons of topography or other natural conditions.”

While the proposed amendments might result in some small reduction in the ultimate number of lots and homes in the Town, this small reduction is not considered a significant adverse environmental impact given the fact that the Town is largely built-out and the relatively minor amount of remaining land is being built-out at a rather slow pace. All of the proposed amendments above would be more protective of the environment than are the current provisions. Therefore, the proposed amendments would be beneficial to, and have no significant adverse impacts upon the environment.

Local Law #10 of 2015 for the Purpose of Adding a Chapter Entitled “Architectural Review Board” to the Town Code

The proposed local law would create, and provide a review and approval process for an Architectural Review Board. The purposes of this new chapter are as follows:

- A. The Town Board of the Town of Ossining hereby finds that it is in the best interest of the Town residents, and protective of their health, safety and welfare, to enact this chapter of the Town Code for the creation of an Architectural Review Board.
- B. The Town Board hereby finds that monotonous similarity, striking dissimilarity, visual discord or inappropriateness, and visually offensive, incompatible or other poor quality of design in the exterior appearance of buildings and structures can adversely affect the desirability of the immediate and neighboring areas, impair the use of property, impact the stability in value of both improved and unimproved property, prevent the most appropriate development, and contribute to the diminution of the taxable value of property and their ability to support municipal services provided therefor.
- C. It is the purpose of this legislation to preserve, promote and provide future enhancement of the character and appearance of buildings and structures, and to conserve the property values of the Town, and the attractiveness of its residential and business areas which are the economic mainstays of the community, by providing procedures for an architectural review of buildings and structures henceforth erected, reconstructed or altered in the Town, and thereby:
 - (1) Encourage good qualities and appearances of the exterior design of buildings and structures.
 - (2) Relate such design and appearances to the sites and surroundings of buildings and structures.

- (3) Permit originality and resourcefulness in building design and appearances which are appropriate to the sites and surroundings.
 - (4) Prevent such design and appearances as are deemed inappropriate and detrimental to the visual environment.
- D. It is the intent of the Town Board to ensure high standards and consistent criteria for the design of residential and non-residential buildings and structures and the Board hereby enacts this chapter to achieve the above stated purposes.

This proposed chapter above would be more protective of the environment than is the current situation. Further, the proposed amendments will have no significant adverse impact upon the supply of housing in the Town. Therefore, the proposed local law would be beneficial to, and have no significant adverse impacts upon the environment.

ADDENDUM TO PART 2 OF EAF

The Proposed Action will be more protective of the environment than is the current policy, will be beneficial to the environment, and will not result in any significant adverse impacts on the environment. More specifically:

1. The Proposed Action does not directly involve construction on, or physical alteration of, any properties.
2. The Proposed Action will not have a significant adverse environmental impact with respect to any unique or unusual land forms.
3. The Proposed Action will not have a significant adverse environmental impact on any wetlands or other surface water bodies.
4. The Proposed Action will not have a significant adverse environmental impact with respect to new or additional use of ground water, and will not have a significant adverse environmental impact with respect to the introduction of contaminants to ground water or an aquifer.
5. The Proposed Action will not have a significant adverse environmental impact with respect to the development of lands subject to flooding.
6. The Proposed Action will not have a significant adverse environmental impact on any State regulated air emission source.

7. The Proposed Action will not have a significant adverse environmental impact with respect to the loss of flora or fauna.
8. The Proposed Action will not have a significant adverse environmental impact on agricultural resources.
9. The Proposed Action will not have a significant adverse environmental impact on any scenic or aesthetic resources.
10. The Proposed Action will not have a significant adverse environmental impact on any historic or archaeological resources.
11. The Proposed Action will not have a significant adverse environmental impact with respect to the loss of recreational opportunities or with respect to a reduction of an open space resource as designated in any adopted municipal open space plan.
12. The Proposed Action will not have a significant adverse environmental impact on a Critical Environmental Area (CEA).
13. The Proposed Action will not have a significant adverse environmental impact on existing transportation systems.
14. The Proposed Action will not have a significant adverse environmental impact as a result of an increase in the use of any form of energy.
15. The Proposed Action will not have a significant adverse environmental impact as a result of an increase in noise, odors or outdoor lighting.
16. The Proposed Action will not have a significant adverse environmental impact on human health from exposure to new or existing sources of contaminants.
17. The Proposed Action will not have a significant adverse environmental impact as a result of being inconsistent with adopted land use plans.
18. The Proposed Action will not have a significant adverse environmental impact as a result of being inconsistent with the existing community character.
19. The Proposed Action will not have a significant adverse environmental impact on the supply of housing in the Town.