

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: Adoption of Local Law Which Would Implement Recommendations of the Town 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 the adoption of a Local Law which would implement recommendations of the Town Comprehensive Plan by means of amending various existing chapters of the Town Code. See attachment.		
Name of Applicant/Sponsor: Ossining Town Board		Telephone: (914) 762-6000
		E-Mail: DLevenberg@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 Dana Levenberg		Telephone: (914) 762-6000
		E-Mail: DLevenberg@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 Local Law	
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? If Yes,		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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? ☒ Yes ☐ No

- 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? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ 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?) ☐ Yes ☒ No

If Yes, identify the plan(s):

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? ☐ Yes ☒ No

If Yes, identify the plan(s):

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?

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 and zoning map 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? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) <input type="checkbox"/> Yes <input type="checkbox"/> No	
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>_____</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 Covertype	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: _____			

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☐ No
i. If Yes: explain: _____

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? ☐ Yes ☐ No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? ☐ Yes ☐ No
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: _____

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? ☐ Yes ☐ No
If Yes:
i. Has the facility been formally closed? ☐ Yes ☐ No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

iii. Describe any development constraints due to the prior solid waste activities: _____

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? ☐ Yes ☐ No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

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? ☐ Yes ☐ No
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: ☐ Yes ☐ No
☐ Yes – Spills Incidents database Provide DEC ID number(s): _____
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
☐ Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☐ No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? <input type="checkbox"/> Yes <input type="checkbox"/> No	
<ul style="list-style-type: none"> • If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? <input type="checkbox"/> Yes <input type="checkbox"/> No • Explain: _____ 	
E.2. Natural Resources On or Near Project Site	
a. What is the average depth to bedrock on the project site? _____ feet	
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: _____ % _____ % _____ %	
d. What is the average depth to the water table on the project site? Average: _____ feet	
e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____ % of site <input type="checkbox"/> Moderately Well Drained: _____ % of site <input type="checkbox"/> Poorly Drained: _____ % of site	
f. Approximate proportion of proposed action site with slopes: <input type="checkbox"/> 0-10%: _____ % of site <input type="checkbox"/> 10-15%: _____ % of site <input type="checkbox"/> 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, describe: _____	
h. Surface water features.	
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <input type="checkbox"/> Yes <input type="checkbox"/> No	
ii. Do any wetlands or other waterbodies adjoin the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i.	
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <input type="checkbox"/> Yes <input type="checkbox"/> No	
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
<ul style="list-style-type: none"> • Streams: Name _____ Classification _____ • Lakes or Ponds: Name _____ Classification _____ • Wetlands: Name _____ Approximate Size _____ • Wetland No. (if regulated by DEC) _____ 	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, name of impaired water body/bodies and basis for listing as impaired: _____	
i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input type="checkbox"/> No	
j. Is the project site in the 100 year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No	
k. Is the project site in the 500 year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. Name of aquifer: _____	

<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 style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">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 style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">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 style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</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 style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">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:	
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:	
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:	
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:	
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 May 26, 2017

Signature  David H. Stolman, AICP, PP Title President, Frederick P. Clark Associates, Inc.

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) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</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 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"/>
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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. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</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 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) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</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 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"/>
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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)

☒ NO

☐ YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	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.)

☒ NO

☐ YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

	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.)

☒ NO☐ YES

If "Yes", answer questions a - g. If "No", go to Section 10.

	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.)

☒ NO☐ YES

If "Yes", answer questions a - e. If "No", go to Section 11.

	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. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.j) <i>If "Yes", answer questions a - g. If "No", go to Section 14.</i>			
	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. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.k) <i>If "Yes", answer questions a - e. If "No", go to Section 15.</i>			
	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. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.m., n., and o.) <i>If "Yes", answer questions a - f. If "No", go to Section 16.</i>			
	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 I.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.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</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'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) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</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 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"/>

**ATTACHMENT
FULL ENVIRONMENTAL ASSESSMENT FORM**

**ADOPTION OF LOCAL LAW TO IMPLEMENT
RECOMMENDATIONS OF THE TOWN COMPREHENSIVE PLAN**

ADDENDUM TO PART 1 OF EAF

The Ossining Town Board has a desire to respectively amend the Zoning, Tree Protection and Cabaret chapters of the Town Code with respect to a variety of matters in order to implement recommendations of the Town's Comprehensive Plan.

TOWN COMPREHENSIVE PLAN IMPLEMENTATION

The following are strategies in the Town Comprehensive Plan which the proposed Local Law would implement:

1. The Town should evaluate the buffer requirements for commercial uses, and transition setbacks for non-residential uses adjacent to residential areas to determine whether the provisions are sufficient or need to be updated.
2. The Town should consider changing the zoning designation and permitted uses for the General-Business 1 (GB-1) and Neighborhood Commercial (NC) districts to One-Family Residence district (R-5 or R-7.5) so these areas are more consistent with the surrounding residential uses and zoning districts in Crotonville.
3. 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.
4. The Town should consider changing the zoning designation and permitted uses for the steep sloped area (which descends to the Croton River) on the western side of the General-Business 1 (GB-1) in Crotonville to open space or conservation.
5. The Town should update the Zoning Code to define all the uses and terms in the Code and to distinguish between certain related uses, such as: wholesale and retail commercial operations.
6. The Town should define and identify appropriate standards/locations for cabarets, restaurants with music and bars.

7. The Town should evaluate the bulk regulations section of the Zoning Code to ensure that adequate standards are included to address potential "Monster Homes/McMansions" being constructed in residential areas.

Finding: The enactment of the implementation strategies above would make the Town Code more protective of the environment than it currently is. Therefore, the proposed Local Law would be beneficial to, and have no significant adverse impact upon the environment.

LOCAL LAW FOR THE PURPOSE OF ENACTING THE IMPLEMENTATION STRATEGIES BY AMENDING THE PROVISIONS OF THE TOWN CODE

CHAPTER 200, ZONING, AMENDMENTS

1. Section 200-18.A(18) shall be deleted as follows:

~~(18) Self-storage facilities and related business offices, subject to the following special requirements:~~

~~(a) No outdoor storage of any kind shall be permitted.~~

~~(b) No such use shall be permitted on a lot having less than 100,000 square feet.~~

~~(c) No building on a lot devoted to such use shall have a footprint more than 10,000 square feet.~~

~~(d) All buildings on a lot devoted to such use shall have the narrowest side of such buildings facing toward the principal public street on which the lot is located.~~

~~(e) Notwithstanding any provisions of this chapter to the contrary, the following shall apply:~~

~~[1] The minimum front yard setback for a detached, small security gatehouse and fencing shall be 50 feet.~~

~~[2] The minimum front yard setback for principal buildings shall be 90 feet.~~

~~[3] The minimum side yard setback adjacent to a nonresidential district shall be 10 feet.~~

Finding: The elimination of self-storage facilities from the uses permitted in the General Business (GB) Zoning District means that no additional self-storage facilities could be established on North State Road (without a use variance). This would render the existing self-storage facility nonconforming and this change would eventually have a positive impact and no significant adverse impact upon the environment.

2. Sections 200-18.A(19) and (20) shall be renumbered (18) and (19) respectively.

Finding: This is merely a "housekeeping" (editorial) change.

3. Section 200-18.D shall be revised to read as follows:

D. Setback and screening landscape requirements for nonresidential uses that are contiguous to residentially used lots or residentially zoned lots.

- (1) All nonresidential buildings and structures shall be set back at least 30 feet from the lot lines of a contiguous residentially used lot or residentially zoned lot.
- (2) Between any nonresidential use and a residentially used lot or residentially zoned lot, an buffer area at least 2015 feet wide with native, non-invasive landscape screening shall be provided. Such plantings shall be a mix of evergreen shrubs, and coniferous and deciduous tree species. Said coniferous trees shall have an initial height of at least six feet, said deciduous trees shall have a minimum caliper of four inches as measured 12 inches above finished grade, and said trees shall have an expected ultimate height which suits their intended purpose, and shall be planted close enough to form a visual barrier create a buffer and adequately screen views of the nonresidential use. At the sole discretion of the approval authority, a six-foot-high wall or fence, suitable in appearance to the surrounding area, may be substituted for or be required to supplement the landscape plantings as a visual barrier for the residential property from the nonresidential use. Proper maintenance of all fencing and landscape plantings shall be a continuing requirement. All such vegetation shall be maintained in a healthy and vigorous growing condition; all vegetation not so maintained shall be replaced with new comparable vegetation at the beginning of the next growing season. All fences shall be installed with the more attractive side facing neighboring properties.
- (3) Driveways for any nonresidential use shall be located at least 2015 feet from a residentially used lot or residentially zoned lot.

- (4) Parking areas for any nonresidential use shall be located at least 2015 feet from a residentially used lot or residentially zoned lot. Such parking areas shall be screened from adjoining lots with a mix of native, non-invasive evergreen shrubs, and coniferous and deciduous tree species plantings. Said coniferous trees shall have an initial height of at least six feet, said deciduous trees shall have a minimum caliper of four inches as measured 12 inches above finished grade, and said trees shall have an expected ultimate height which suits their intended purpose, a depth of eight feet, and shall be planted close enough to form a visual barrier. At the sole discretion of the approval authority, a six-foot-high wall or fence, suitable in appearance to the surrounding area, may be substituted for or be required to supplement the landscape plantings as a visual barrier for the residential property from the nonresidential use. Proper maintenance of landscaping shall be a continuing requirement. All such vegetation shall be maintained in a healthy and vigorous growing condition; all vegetation not so maintained shall be replaced with new comparable vegetation at the beginning of the next growing season. All fences shall be installed with the more attractive side facing neighboring properties.

Finding: 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 impact upon the environment.

4. Section 200-18.1 shall be revised to read as follows:

§ 200-18.1 GB-1 General Business District-1.

In a GB-1 District, no building or premises shall be used and no building or part of a building shall be erected or altered which is arranged, intended or designed to be used, in whole or in part, for any purpose except the following, and all uses shall be subject to site plan approval in accordance with § 200-50 hereof.

A. Permitted uses.

- ~~(1) Any permitted use permitted in and as regulated by the GB General Business District.~~
- ~~(1)(2)~~ Warehouse and storage facilities and related business offices, provided that there is no outdoor storage of any kind.
- (2) Public utility structures which only serve the local area.
- (3) Buildings and uses owned and operated by the Town.

B. Accessory uses.

- (1) Off-street parking and loading spaces and private garages, subject to the requirements in § 200-29A(1) and B, excluding the outdoor parking of construction equipment~~Any accessory use permitted in and as regulated by the GB General Business District.~~
- (2) Accessory signs advertising only activities conducted on the lot are permitted, provided that they do not exceed two feet in height nor 25% of the length of the building. Such signs shall be attached to the wall of the building and shall not project more than 15 inches beyond the face of such wall. Signs projecting above the roof or beyond the side walls are prohibited.
- (3) Freestanding signs advertising only activities conducted on the lot; however, no such sign shall exceed 20 square feet in area on each side and 10 feet in height from the ground level to the top of the sign, and no part of said sign shall extend over the lot or street line.

C. Miscellaneous provisions.

- (1) If there is a conflict between the provisions of this section and any other applicable section of this Zoning ~~chapter~~Ordinance, the provisions of this section shall control.
- (2) Front, side and rear setback requirements otherwise applicable may be increased up to a factor of two, reduced or eliminated to the extent deemed appropriate by the Planning Board in their sole discretion on site plan review pursuant to Article XI hereof, based upon the topography, slopes, grades, site distances and highway conditions and configurations as found by the Planning Board and upon a finding by the Planning Board that any such increase, reduction or elimination shall not adversely impact adjacent or abutting properties in considering visual, economic, environmental, ecological, safety and health effects.

Finding: The proposed amendments above would be more protective of the environment than are the current provisions in that many uses which are inappropriate to be located in the General Business-1 (GB-1) Zoning District would be eliminated from the uses permitted in the District. The uses permitted in the GB-1 District would be very limited, and compatible with the existing use and character of this District. Therefore, the proposed amendments would be beneficial to, and have no significant adverse impact upon the environment.

5. Section 200-17 shall be revised to read as follows:

§ 200-17. NC Neighborhood Commercial District.

In an NC Neighborhood Commercial District, no building or premises shall be used, and no building or part of a building shall be erected or altered, which is arranged, intended or designed to be used, in whole or in part, for any purpose except the following, and all such uses shall be subject to site plan approval in accordance with § 200-50 hereof.

A. Permitted uses.

- (1) Stores and shops for the conduct of any retail business, excluding drive-thru~~in~~ establishments.
- (2) ~~Personal service establishments, excluding automobile laundries, gas stations and all other similar automotive service establishments, undertakers and funeral parlors.~~
- (3) Fully enclosed eating and drinking establishments, provided that no live entertainment or live music is supplied or dancing permitted.
- (4) Business, professional and governmental offices.
- (5) Public utility structures which only serveing thea local area.
- ~~(1)(6)~~ Fire and police stations.
- ~~(6)(7)~~ Artist live/work spaces, subject to the following provisions:

- (a) An artist live/work space may exist on the first floor of a structure only if the appearance and use of the live/work space on the street side is consistent with the nature of the permitted uses in the surrounding area. For example, if the surrounding area is retail in nature at the first-floor level, the live/work space shall be restricted to retail on the street side of the first floor, and said street side space shall be large enough, in the opinion of the Building Inspector, to support a typical retail enterprise.
- (b) Each artist live/work space and its various components shall be physically separate and distinct from other live/work spaces and other uses within a particular building. The sharing of artist live/work spaces by multiple tenancies, components thereof or utilities shall

not be permitted. However, access to live/work spaces may be provided from common access areas, halls or corridors.

- (c) Each artist live/work space must be individually equipped with an enclosed bathroom containing a sink, toilet, shower or tub and appropriate venting.
- (d) Each artist live/work space must be individually equipped with a kitchen consisting of a sink, non-portable stove, oven and refrigerator.
- (e) Each artist live/work space must contain a floor area of no less than 800 square feet, of which a minimum area shall be devoted to the following: 35 square feet for an enclosed bathroom, 60 square feet for a kitchen, and 120 square feet for a sleeping area.
- (f) No more than 30% of the floor area of the artist live/work space may be devoted to residential space.
- (g) Direct access between living and working areas must be provided.
- (h) In order to ensure that the use is consistent with the other commercial uses, artist live/work spaces shall not be used for classroom instructional uses with more than two pupils at any one time; the storage of flammable liquids or hazardous materials; welding; or any open-flame work. Further, the work in the live/work space shall be so conducted as not to cause noise, vibration, smoke, odors, humidity, heat, cold, glare, dust, dirt or electrical disturbance which is perceptible by the average person located within any other residential or commercial unit within the structure or beyond any lot line.
- (i) Not more than one person who is 18 years of age or older may reside within an artist live/work space per 300 square feet of residential floor area. Further, not more than two persons who are at least 18 years of age, of which at least one of whom is an artist in residence, and not more than two children of said persons who are under 22 years of age may reside within a live/work space on a year-round basis.
- (j) Only one nonresident employee may be employed within an artist live/work space. This requirement may be waived for live/work spaces that provide retail space on the first floor.

- (k) Other than in a first-floor retail-oriented area, articles offered for sale within a live/work space must include those produced by the artist residing in said live/work space and may be offered with other like items.
- (l) One flush-mounted, non-illuminated sign, with a maximum area of two square feet, attached adjacent to or near the street entrance door to the live/work space may be used to identify the artist. This sign may list only the name of the artist with a one- or two-word description of the type of artwork or craft that is to be conducted within the live/work space. Where two or more live/work spaces occur within the same building, the signs must be placed in an orderly fashion in relation to each other and must be part of a coherent directory in which signs are ordered in a horizontal fashion. Where five or more live/work spaces are developed within one building, an interior directory sign shall be located in lieu of individual signs on the building exterior.
- (m) Residential space and work space shall not be rented separately or used by persons other than those people legally residing within the artist live/work spaces and permitted nonresident employees.
- (n) All live/work spaces shall conform to all applicable building codes.
- (o) For the purposes of this permitted use, artists shall only be those persons working exclusively with paint, paper, clay and/or other soft materials, and this use shall include photography, jewelry making, graphic arts and other similar relatively quiet endeavors as determined by the Planning Board in reviewing the proposed site plan application. Tattoo appliers, body piercers and musicians shall not be considered artists for the purpose of this use.
- (p) Each artist live/work space shall be inspected by the Building Department every two years in order to determine whether the artist live/work space remains in compliance with this section. Upon a satisfactory inspection report, the artist live/work space owner shall be reissued a certificate of occupancy for two additional years. If the Building Inspector determines that the artist live/work space is not in compliance, the building owner or manager shall have 60 days in which to rectify all noncomplying elements and shall apply for re-inspection with the Building and Planning Department, subject to an additional fee. If all such noncomplying elements are not rectified

within the above-specified time frame, the certificate of occupancy for the use shall expire and the use as authorized by the site plan approval shall be terminated.

(g) The owner of the live/work space shall file a certification with the Building and Planning Department every two years, and at any point in time when there is a change in ownership or a change in the use of the space, on a form provided by said department, which certifies that the live/work space is in conformance with the Zoning chapter and the approved site plan, and that the residential portion of the space has not been expanded beyond a maximum of 30% of the floor area of the live/work space, as required by subsection (f) above.

(r) The deed, offering plan, certificate of occupancy and/or rental agreement, as appropriate, for each artist live/work space shall contain language, satisfactory to the Town Attorney in form and substance, which states that the subject dwelling is an artist live/work space as defined in § 200-53 of the Zoning chapter of the Code of the Town of Ossining, New York, and is subject to all restrictions and limitations as set forth in said chapter and the approval resolution(s), including the requirement for a certification with the Building Department in accordance with § 200-17.A(7)(g). Proof of recording of the deed shall be provided to the Building and Planning Department within 60 days after the conveyance.

~~Self-service or hand laundry and dry-cleaning establishment, provided that not more than two workers shall be engaged in the dry-cleaning process and which contain one or more dry-cleaning units having an aggregate dry-load capacity of not more than 60 pounds.~~

(8) Mixed uses, as defined in this chapter, subject to the following provisions:

(a) The lot on which the mixed use is proposed shall be at least 20,000 square feet in size.

(b) The lot on which the mixed use is proposed shall not be adjacent to or across the street from any lot on which exists the housing of dogs as a principal use.

(c) The minimum size of the respective dwelling units shall be as follows:

- [1] Studio and efficiency dwellings: 450 square feet.
- [2] One-bedroom dwellings: 675 square feet.
- [3] Two-bedroom dwellings: 750 square feet.
- [4] Three-bedroom dwellings: 1,000 square feet.
- [5] Four-bedroom dwellings: 1,200 square feet.
- (d) Mixed use shall be permitted only in buildings which conform to the New York State Residential Code for the proposed mixed use.
- (e) The residential and nonresidential uses in a mixed-use building shall have separate means of access (this is, the entrance/exit for residential use shall not be through the nonresidential use of the building, and vice versa), except that the Planning Board may, at its discretion, approve the use of a common lobby or plaza.
- (f) The nonresidential and residential uses of the building shall each be provided with the number of parking spaces required by § 200-29A herein.
- (g) General on-site landscaping and screening, as deemed appropriate by the Planning Board, shall be provided. Further, all utility, storage, service and parking areas on the site of the mixed-use building shall be specifically screened by means of landscaping and/or fencing, to the extent deemed necessary and practical by the Planning Board, in order to minimize the impact of these areas upon the residential use of the building and upon the surrounding area.
- (h) Dwelling units shall not be permitted above restaurants or any other use deemed by the Planning Board to be incompatible with a residential use in the building.
- (i) There shall be no outdoor storage associated with the residential use.
- (j) Dwelling units shall not be permitted in basement or cellar space.
- (9) One-family detached dwellings, not to exceed one dwelling on each lot as permitted in, and as regulated in, the R-5 Residence District.

- (10) Two-family dwellings, not to exceed two dwellings on each lot as regulated by the bulk requirements in Attachment 2:1 applicable to the R-10 Residence District.
- (11) Multiple dwellings and row or attached dwellings, as defined in this chapter, subject to the following requirements:
- (a) The lot on which the dwellings are proposed shall be at least 15,000 square feet in size and there shall be a minimum of 5,000 square feet of lot area per dwelling unit permitted.
 - (b) The minimum size of the respective dwelling units shall be as follows:
 - [1] Studio and efficiency dwellings: 450 square feet.
 - [2] One-bedroom dwellings: 675 square feet.
 - [3] Two-bedroom dwellings: 750 square feet.
 - [4] Three-bedroom dwellings: 1,000 square feet.
 - [5] Four-bedroom dwellings: 1,200 square feet.
 - (c) This use shall be permitted only in buildings which conform to the New York State Residential Code for the proposed use.
 - (d) General on-site landscaping and screening, as deemed appropriate by the Planning Board, shall be provided. Further, all utility, storage, service and parking areas on the site shall be specifically screened by means of landscaping and/or fencing, to the extent deemed necessary and practical by the Planning Board, in order to minimize the impact of these areas upon the surrounding area.
 - (e) Dwelling units shall not be permitted in basement or cellar space.
 - (f) No building shall exceed 150 feet in length.
 - (g) The minimum distance between principal buildings shall equal two times the height of the highest building, and the minimum distance between a principal and an accessory building shall be 20 feet.

(h) Not more than one building identification sign of an area not greater than 14 square feet and located in the front or side yard may be permitted.

(i) The maximum number of dwelling units in a group of row or attached dwellings shall be six.

B. Accessory uses.

(2)(1) Off-street parking and loading spaces and private garages subject to the requirements in § 200-29A(1) and B, excluding the outdoor parking of construction equipment.

(3)(2) Accessory signs for non-residential uses.

(a) Accessory signs, subject to § 200-28, advertising only activities conducted on the lot are permitted, provided that they do not exceed two feet in height nor 25% of the length of the building. Such signs shall be attached to the wall of the building and shall not project more than 15 inches beyond the face of such wall. Signs projecting above the roof or beyond the side walls are prohibited.

(b) Freestanding pole signs advertising only activities conducted on the lot which are affixed to a single upright pole; however, no such sign shall exceed 20 square feet in area on each side and 10 feet in height from the ground level to the top of the sign, and no part of said sign shall extend over the lot or street line.

(c) A building on a corner may have a sign on two facades, one sign facing each street.

C. Special requirements.

(1) Where feasible in an NC District, all buildings shall be serviced from a rear service road not less than 25 feet wide. Said service road may be counted as available for access to the required off-street parking spaces.

D. Setback and screening requirements for nonresidential uses that are contiguous to residentially used lots or residentially zoned lots.

(1) All nonresidential buildings and structures shall be set back at least 30 feet from the lot lines of a contiguous residentially used lot or residentially zoned lot.

- (2) Between any nonresidential use and a residentially used lot or residentially zoned lot, a buffer area at least 20 feet wide with native, non-invasive landscape screening shall be provided. Such plantings shall be a mix of evergreen shrubs, and coniferous and deciduous tree species. Said coniferous trees shall have an initial height of at least six feet, said deciduous trees shall have a minimum caliper of four inches as measured 12 inches above finished grade, and said trees shall have an expected ultimate height which suits their intended purpose, and shall be planted close enough to form a visual barrier. At the sole discretion of the approval authority, a six-foot-high wall or fence, suitable in appearance to the surrounding area, may be substituted for or be required to supplement the landscape plantings as a visual barrier for the residential property from the nonresidential use. Proper maintenance of all fencing and landscape plantings shall be a continuing requirement. All such vegetation shall be maintained in a healthy and vigorous growing condition; all vegetation not so maintained shall be replaced with new comparable vegetation at the beginning of the next growing season. All fences shall be installed with the more attractive side facing neighboring properties.
- (3) Driveways for any nonresidential use shall be located at least 20 feet from a residentially used lot or residentially zoned lot.
- (4) Parking areas for any nonresidential use shall be located at least 20 feet from a residentially used lot or residentially zoned lot. Such parking areas shall be screened from adjoining lots with a mix of native, non-invasive evergreen shrubs, and coniferous and deciduous tree species. Said coniferous trees shall have an initial height of at least six feet, said deciduous trees shall have a minimum caliper of four inches as measured 12 inches above finished grade, and said trees shall have an expected ultimate height which suits their intended purpose, and shall be planted close enough to form a visual barrier. At the sole discretion of the approval authority, a six-foot-high wall or fence, suitable in appearance to the surrounding area, may be substituted for or be required to supplement the landscape plantings as a visual barrier for the residential property from the nonresidential use. Proper maintenance of landscaping shall be a continuing requirement. All such vegetation shall be maintained in a healthy and vigorous growing condition; all vegetation not so maintained shall be replaced with new comparable vegetation at the beginning of the next growing season. All fences shall be installed with the more attractive side facing neighboring properties.

~~D. Uses permitted by special permit upon approval by the Town Board in accordance with Article X hereof. The following uses are permitted subject to approval by the Town Board in accordance with the provisions of Article X hereof. The uses are subject to the requirements set forth therein and elsewhere in this chapter, including site plan approval by the Planning Board in accordance with § 200-50 hereof.~~

~~(1) Fully enclosed eating and drinking establishments where live entertainment or live music is supplied or provided.~~

~~(2) Fully enclosed eating and drinking establishments where music is provided for dancing and dancing is permitted.~~

Finding: All of the proposed amendments above would be more protective of the environment than are the current provisions. The uses proposed to be added to the Neighborhood Commercial (NC) Zoning District would be compatible with the residential development in the area, whereas the two uses proposed to be eliminated (i.e., fully enclosed eating and drinking establishments where live entertainment or live music is supplied or provided; and fully enclosed eating and drinking establishments where music is provided for dancing and dancing is permitted) are deemed to be incompatible with surrounding residential development. Further, the proposed setback and screening requirements, and the special standards associated with artist live/work spaces, mixed uses and multi-family development are designed to ensure compatibility with and a minimizing of impact on the environment. Therefore, the proposed amendments would be beneficial to, and have no significant adverse impact upon the environment.

6. The following definitions in Section 200-53.A shall be amended to read as follows:

BED-AND-BREAKFAST ESTABLISHMENT – An owner-occupied one-family detached dwelling that also contains guest rooms, where short-term lodging with food and drink is provided for compensation. The term “bed-and-breakfast establishment” shall not include an inn, a boarding house or a rooming house.

HEIGHT, BUILDING – The vertical distance measured from the average elevation of the finished grade at the front of the building to the highest point of the roof for flat and mansard roofs and to the mean height between eave and ridge for other types of roofs.

INN – A commercial establishment operating as a small hotel that provides lodging, food and other amenities for travelers and the public. Seating for food and beverage service shall be limited to the number of guests staying at the inn. An inn shall be limited to 15 guest rooms. The term “inn” shall not include a bed-and-breakfast establishment, a boarding house or a rooming house.

MIXED USE - A building that has a nonresidential use permitted in the zoning district in which it is located~~GB-District~~ on the street level and residential use of the level(s) above.

RETAIL STORE OR SHOP – A business enterprise which ~~only~~ sells merchandise on premises at retail prices directly to the ultimate consumers.

WHOLESALE ESTABLISHMENT – A business enterprise engaged in buying large quantities of materials or merchandise and selling such materials or merchandise at wholesale prices to other businesses or entities ~~for distribution~~, rather than selling at retail prices directly to the ultimate consumers.

Finding: The revision of the definitions above are to be made in the interest of clarity and as a limitation on the number of guest rooms at an inn. These amendments would be made for the purpose of protecting community character and minimizing impact upon the environment. Therefore, the proposed amendments would have no significant adverse impact upon the environment.

7. The following new definitions shall be added to Section 200-53.A:

ARTIST LIVE/WORK SPACE - A single residential unit, which unit is designed for and occupied as a combination of living, artist studio and artist work space, with or without retail space for art work, for year-round residence by not more than two persons who are at least 18 years of age, of which at least one of whom is an artist in residence, and by not more than two children of said persons who are under 22 years of age.

RESIDENTIALLY ZONED LOT – A lot which is in any of the one-family residence districts, the Multifamily District or the Multifamily-Inn District.

STRUCTURAL SOIL – CU-Structural Soil™ or the equivalent.

Finding: The new definitions above would be enacted in order to clarify what is meant by the terms “artist live/work space,” “residentially zoned lot” and “structural soil.” Further, the limitations in the definition of “artist live/work space” are intended to ensure compatibility with existing community character and limit impact upon the environment. Therefore, the proposed amendments would be beneficial to, and have no significant adverse impact upon the environment.

8. A new Section 200-26.1 shall be added and shall read as follows:

§ 200-26.1. Bed-and-breakfast establishments.

A. The maximum number of guest bedrooms shall be eight and the minimum lot size for the establishment of this use shall be as shown in the following table:

<u>Maximum Number of Guest Bedrooms</u>	<u>Minimum Lot Size (square feet)</u>
<u>2</u>	<u>20,000</u>
<u>3</u>	<u>30,000</u>
<u>4</u>	<u>40,000</u>

- B. Off-street parking shall be screened from adjacent residential properties to the satisfaction of the approval authority.
- C. The outward appearance of the use shall be that of a one-family dwelling and there shall be no indication of the bed-and-breakfast establishment from the exterior of the building, except for the sign.
- D. Seating for food and beverage service shall be limited to the number of guests staying at the bed-and-breakfast establishment.
- E. There shall be no kitchen facilities in the guest bedrooms except for a coffee maker and a small refrigerator.
- F. The bed-and-breakfast establishment shall be owner-occupied.
- G. The maximum length of stay for any guest at the bed-and-breakfast establishment shall be two weeks.

Finding: All of the proposed limitations above would be more protective of the environment than is currently the case. Therefore, the proposed amendments would be beneficial to, and have no significant adverse impact upon the environment.

- 9. A new Section 200-21.C shall be added and shall read as follows:

- A. The maximum floor area of a one-family residence shall be equal to: $5,000 + ((\text{lot area} - 43,560) * 0.052521)$.

Finding: The proposed amendment above would be more protective of the environment than are the current provisions. Therefore, the proposed amendment would be beneficial to, and have no significant adverse impact upon the environment.

- 10. The following two new uses and corresponding parking requirements shall be added to the schedule in Section 200-29.A(1):

Use	Minimum Required Off-Street Parking Spaces
<u>Artist live/work space</u>	<u>1 space for each dwelling unit, plus 1/4 space for each bedroom, plus 1/2 space for each live/work space containing retail area</u>
<u>Bed-and breakfast establishment</u>	<u>1 space for each guest sleeping room, plus 2 spaces for the dwelling unit, plus 1 space for each nonresident employee</u>

Finding: The proposed amendments above simply provide appropriate off-street parking requirements for two specific kinds of land use, where no such parking requirements exist now. Therefore, the proposed amendments would be beneficial to, and have no significant adverse impact upon the environment.

11. A new Section 200-50.A(4) shall be added and shall read as follows:

A. Objectives. In considering and acting upon site plans, the Planning Board shall take into consideration the public health, safety and welfare and the comfort and convenience of the public in general and of the residents of the proposed development and of the immediate neighborhood in particular and may prescribe such appropriate conditions and safeguards as may be required in order that the result of its action shall, to the maximum extent possible, further the expressed intent of this chapter and the accomplishment of the following objectives in particular:

[Sections 200-50.A(1), (2) and (3) shall remain intact.]

(4) Lighting.

(a) Outdoor lighting shall be provided on the site to assure the safe movement of vehicles and persons and for security purposes. Exterior lighting in connection with all buildings, signs and other uses shall be downward pointing, properly designed and shielded, and directed away from adjoining streets and properties so as to avoid any objectionable glare from being observable from such streets and properties.

(b) The hours of lighting may be limited by the Planning Board in acting on any site plan so as to prevent undesirable impacts on neighboring properties and streets.

(c) No use shall cause illumination beyond the property on which it is located in excess of 0.5 footcandles, or the equivalent, as demonstrated by an illumination contour plan.

(d) The color temperature of outdoor lighting shall not exceed three thousand Kelvin (3,000K).

Finding: 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 impact upon the environment.

12. Sections 200-30.A and B regarding uses prohibited in all districts shall be revised to read as follows:

A. Any use which is noxious, offensive or objectionable by reason of the emission of smoke, dust, gas, odor or other form of air pollution or by reason of the deposit, discharge or dispersal of liquid or solid wastes in any form in a manner or amount so as to cause permanent damage to the soil and stream or to adversely affect the surrounding area or by reason of the creation of noise, vibration, electromagnetic or other disturbance ~~or by reason of illumination by artificial light or light reflection beyond the limits of the lot on or from which such light or light reflection emanates;~~ or any use which involves any dangerous fire, explosive, radioactive or other hazard or which causes injury, annoyance or disturbance to any of the surrounding properties or to their owners and occupants; and any other process or use which is unwholesome and noisome and may be dangerous or prejudicial to health, safety or general welfare.

B. Artificial lighting facilities of any kind which cause illumination beyond the property on which it is located in excess of 0.5 footcandles, or the equivalent~~with light sources visible beyond the lot lines which create glare beyond such lines.~~

[Sections 200-30.C and D shall remain intact.]

Finding: 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 impact upon the environment.

13. Section 200-50.D(4) shall be revised to read as follows:

(4) Proposed development.

(a) The location of proposed buildings or structural improvements.

- (b) The location and design of all uses not requiring structures, such as off-street parking and loading areas. Permeable pavement shall be used for said parking and loading areas unless otherwise approved by the Planning Board.
- (c) The location, direction, power and time of use for any proposed outdoor lighting or public address systems.
- (d) The location and plans for any outdoor signs.
- (e) The location and arrangement of proposed means of access and egress, including sidewalks, driveways or other paved areas. Profiles indicating grading and cross sections showing width of roadways, location and width of sidewalks, and location and size of water- and sewer lines. Permeable pavement shall be used for said driveways and other paved areas unless otherwise approved by the Planning Board.
- (f) Any proposed grading, screening and other landscaping, including types and locations of proposed street trees. Structural soil shall be used in the planting of landscaping and street trees in areas that would pose as a barrier to air, water and/or root growth at the plant's mature size.
- (g) The location of all proposed water lines, valves and hydrants and of all sewer lines or alternate means of water supply and sewage disposal and treatment.
- (h) An outline of any proposed easements, deed restrictions or covenants.
- (i) Any contemplated public improvements on or adjoining the property.
- (j) If the site plan only indicates a first stage, a supplementary plan shall indicate ultimate development.

Finding: 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 impact upon the environment.

14. Section 200-50.D shall be revised to read as follows:

- D. Site plan elements. The applicant shall cause a site plan map to be prepared by a civil engineer, surveyor, land planner, architect or other competent person. The site plan shall include those of the elements listed herein which are appropriate to the proposed development or use as indicated by the Planning Board in the presubmission conference. Those items which are shown graphically, shall be

shown in a manner(s) which allows the Planning Board to envision the various elements of said development or use including, at the discretion of the board, the preparation of plans, sections, elevations, perspectives, etc., as applicable.

[Sections 200-50.D(1) through (4) shall remain intact, except as amended above.]

Finding: 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 impact upon the environment.

15. The zoning of the parcels listed below is hereby changed from the Existing Zoning District to the New Zoning District as shown in the table:

Tax Parcel Number	Subject Property Address	Owner's Name	Existing Zoning District	New Zoning District
80.14-1-30	37A Old Albany Post Rd. Ossining, NY	Watsky & Damm, Inc.	GB-1	NC
80.14-1-28	39 Old Albany Post Rd. Ossining, NY	Bruce Fiorito	GB-1	NC
80.18-2-20	1 Cliff Drive Ossining, NY	Karl Kehrle	R-5	R-7.5

Finding: The proposed zoning above would be more protective of the environment than is the current zoning of these properties. Therefore, the proposed amendments would be beneficial to, and have no significant adverse impact upon the environment.

16. The Zoning Map of the Town of Ossining is hereby amended to show the changes specified in Section 4 above. A map showing the proposed rezoning entitled "Exhibit A - Proposed Zoning" dated May 24, 2017 is attached hereto.

Finding: The proposed zoning would be more protective of the environment than is the current zoning of these properties. Therefore, the proposed amendments would be beneficial to, and have no significant adverse impact upon the environment.

CHAPTER 68, CABARETS, AMENDMENTS

Section 68-20 shall be amended to read as follows:

§ 68-20. Hours of operation; music; noise; exterior lighting.

- A. No cabaret shall be open any day between the hours of 3:00 a.m. and 11:59 a.m., except where the cabaret is permitted by State law to be open during those hours, in which case the cabaret may be open only during those hours permitted by the State. In addition, the Town Board, in accordance with § 68-7 hereof, may further limit the hours of operation of

such cabaret, so long as said limitations are not inconsistent with the hours the cabaret is permitted to be open under State law, if applicable. If any cabaret is found open between the prohibited hours, the person owning, managing, operating or conducting the cabaret shall be held responsible for a violation of the provisions of this chapter in relation to such closing.

- B. No cabaret shall have amplified music outdoors at any time, nor shall such music be played indoors after 11:00 p.m. Sunday through Thursday nights, nor after 12:00 midnight on weekends. The Town Board may, in its sole discretion, extend or limit the hours a cabaret may play music beyond what is permitted herein, where it deems it appropriate and consistent with the public safety and welfare.
- C. As per § 130-5.A of Chapter 130, Noise, of this Code, no person shall operate or use or cause to be operated loudspeakers, musical instruments or other sound production devices so as to produce sounds which are plainly audible inside a residence between the hours of 10:00 p.m. and 7:00 a.m. At no time shall sound from these sources exceed the limitations set forth in Table 1 in § 130-4.C(1), which shall be reduced by five dBA for sound from sound-production devices. Sound-level measurements for compliance determination shall be conducted at or within the property line of an affected person. In addition, loudspeakers and other sound equipment must face into the geometric center of the property on which they are located.
- D. All exterior lighting in connection with the cabaret shall be directed away from adjoining streets and properties and shall not cause any objectionable glare observable from such streets or properties. Hours of lighting may be limited by the Town Board in acting on any cabaret license. No exterior lighting shall produce illumination beyond the property on which it is located in excess of 0.5 footcandles.

Finding: 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 impact upon the environment.

CHAPTER 183, TREE PROTECTION, AMENDMENTS

1. The following new definitions shall be added to Section 183-4:

TREE BANK - Town-owned lands or Town right-of-way lands to be designated by resolution of the Town Board as receiver sites for off-site mitigation plantings to satisfy tree replacement requirements which can not be met on-site.

TREE BANK FUND - A fund to be established by and administered in accordance with a resolution of the Town Board providing for the payment of fees as mitigation for removal of trees where tree replacement requirements can not be met on-site.

Finding: The new definitions above are needed to implement Section 183-12.G below. The enactment of these definitions would neither have positive impact nor negative impact upon the environment.

2. A new Section 183-12.G shall be added and shall read as follows:

G. In connection with all subdivision and site plan applications, the project shall meet the minimum requirement of the replacement of 50% of the total aggregate diameter of trees proposed for removal with new trees in accordance with a plan for tree replacement. Tree replacement shall be required on-site unless the approving authority determines that, because of site constraints, it is impracticable or impossible to fully meet this mitigation requirement on-site. In such case, upon the establishment of a tree bank and/or a tree bank fund by resolution of the Town Board, the approving authority may consider the off-site mitigation of planting in the tree bank or the payment of a fee to the tree bank fund to satisfy the unmet portion of the tree replacement requirement. Implementation of any off-site planting plan shall require prior approval by the Town Board.

Finding: The proposed amendment 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 impact 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.

Attachment: "Exhibit A - Proposed Zoning"

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