

Board of Trustees of the Village of Walden
Regular Meeting
Tuesday, August 18, 2020, 6:30P.M.
One Municipal Square
The Agenda

The August 18, 2020 Village Board meeting will be conducted in accordance with the applicable Executive Orders heretofore issued by New York State Governor Andrew Cuomo suspending certain provisions of the New York State Open Meetings Law. **While physical attendance by the public will be permitted, such attendance is subject to those limitations as imposed by said Executive Orders and all attendees will be required to socially distance from one another and wear a mask while in Village Hall. Additionally, the public may view the meeting live by logging in to the Village's Facebook page at <https://www.facebook.com/villageofwalden> if desired.**

Public comment will be accepted at the meeting when permitted through the Facebook Livestream. Written comments will be accepted for a period of **five (5)** days following the meeting. Written comments may be submitted by email at mkraus@villageofwalden.org or by regular mail to 1 Municipal Square, Walden, NY 12586.

1. Call to Order / Pledge of Allegiance
2. Roll Call
3. Presentation – Jody Nicoli
4. Public Hearing – Local Law 4 of 2020 – Donation Boxes
5. Village Manager's Report
6. Approval of Minutes – August 4, 2020
7. Public Comment
8. Business of the Board of Trustees
 - A. Local Law 3 of 2020 – Zoning Code Amendment
 - B. Local Law 4 of 2020 – Donation Boxes
 - C. Discussion – Joint Meeting
 - a. Hill St Bridge
 - b. Annexation
 - D. Discussion – Ulster Ave, Blue Stone
 - E. Property Maintenance – 45 North Montgomery St
9. Payment of the Audited Bills
10. Correspondence

11. Miscellaneous Comments from the Board of Trustees
12. Executive Session – 105f, PBA & CSEA Negotiations, Personal History of a Particular Person
13. Adjournment

LOCAL LAW #3 OF 2020

A LOCAL AMENDING CHAPTER 305 OF THE CODE OF THE VILLAGE OF WALDEN ENTITLED “ZONING” BY AMENDING THE DEFINITION OF “SENIOR CITIZEN DWELLING UNIT” SET FORTH IN CODE SECTION 305-3; AMENDING SECTION 305-52 ENTITLED “SPECIAL EXCEPTION USES” AT SECTION (C)(24)(j) BY ADDING CERTAIN ANCILLARY FACILITIES WHICH MAY RESULT IN AN INCREASE IN THE ALLOWABLE NUMBER OF UNITS PERMITTED AND AN AMENDMENT TO SECTION 305-52 (C)(24)(k) BY INCREASING THE BONUS DENSITY CREDIT AVAILABLE FOR THE INCLUSION OF ANCILLARY FACILITIES AS SET FORTH IN CODE SECTION 305-52 (C)(24)(j)

BE IT ENACTED by the Village Board of the Village of Walden as follows:

SECTION 1 - TITLE

This Local Law shall be referred to as “A Local Law amending Chapter 305 of the Code of the Village of Walden entitled “Zoning” by amending the definition of “Senior Citizen Dwelling Unit”; Amending Section 305-52 entitled “Special Exception uses” at Section 305-52(C)(24)(j) by adding certain ancillary facilities which may result in an increase of the allowable number of units permitted and an amendment to Code section 305-52 (C)(24)(k) by increasing the bonus density credit available for the inclusion of ancillary facilities as set forth in Code section 305-52 (C)(24)(j).

SECTION 2 – PURPOSE & INTENT

The Village of Walden is committed through the implementation of its zoning ordinance to provide and allow for quality housing opportunities for people of all ages and socio-economic backgrounds. In particular, the Village seeks to ensure that its zoning ordinance specifically allows, and encourages, quality housing for the Village’s aging population. While the existing zoning ordinance in the Village does seek to accommodate and provide this stated objective, the Village Board believes that the existing zoning ordinance can and should be improved to provide incentives for the construction of quality residential living facilities for those who are age 55 years or older. The purpose of this local law is to amend the existing zoning ordinance to provide an increase in density commensurate with certain amenities provided to increase the quality of life of the residents who will occupy this housing will enjoy as well as to decrease the minimum age from 60 to 55 to expand the demographic having access to this type of quality living arrangement.

SECTION 3 – AMENDMENT TO TEXT OF CHAPTER 305.

Section 305-3, entitled “Definitions” is hereby amended to the extent of deleting the current definition of Senior Citizen Dwelling Unit and replacing it with the following language:

SENIOR CITIZEN DWELLING UNIT - A dwelling unit occupied exclusively by one or more persons who is/are at least 55 years of age.

Section 305-52(C)(24)(j) is amended by adding the following items to the list of ancillary facilities currently set forth in the Code:

- [11] Elevators in all buildings;
- [12] Community room/social hall;
- [13] Pedestrian connection to downtown;
- [14] Landscape buffers from adjacent properties;
- [15] Garages for at least half of the units;
- [16] Onsite walking paths, trails and/or gardens.

Section 305-52(C)(k) is amended by deleting the second sentence thereof and replacing it with the following language:

In addition to the foregoing, the planning board may, in its discretion, extend an additional one unit per acre credit to a development which includes one of the ancillary facilities set forth in Section 305-52(C)(j)1-16; an additional two units per acre credit to a development which includes two of the ancillary facilities set forth in Section 305-52(C)(24)(j)1-16; an additional three units per acre credit to a development which includes three to four of the ancillary facilities set forth in Section 305-52(C)(24)(j)1-16; an additional four units per acre credit to a development which includes five to six of the ancillary facilities set forth in Section 305-52(C)(24)(j)1-16; an additional five units per acre credit to a development which includes seven to eight of the ancillary facilities set forth in Section 305-52(C)(24)(j)1-16; an additional six units per acre credit to a development which includes nine to ten of the ancillary facilities set forth in Section 305-52(C)(24)(j)1-16 and seven units per acre credit to a development which includes more than ten of the ancillary facilities set forth in Section 305-52(C)(24)(j)1-16.

SECTION 4 - VALIDITY

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5 - EFFECTIVE DATE

This Local Law shall take effect immediately when it is filed in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Village of Walden, Orange County, New York

Name of Action: Falcon's Rest Senior Citizen Housing Development

Date: May 18, 2020

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

The Village of Walden Planning Board, as Lead Agency, has determined that the Proposed Action described in the project narrative and Environmental Assessment Form consistent with the procedures and criteria set forth in 6 NYCRR 617.7, analyzed the relevant areas of environmental concern using the SEQR standards and determined that the proposed Action will not have a significant adverse impact on the environment and a Draft Environmental Impact Statement will not be prepared.

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description of Action: The project consists of 68 age-restricted, multi-family units in a single structure to be served by municipal water and sewer and 1 caretakers' unit. A maintenance garage and small office are also included within the site plan design within existing buildings. The Project Site will be accessed from North Montgomery Street/ NYS Route 52. A zoning text change is requested from the Village Board of Trustees to increase the number of units permitted at the site and an area variance is required.

Location: West side of North Montgomery Street (NYS Route 52), between Liberty Street and Montgomery Court.

Reasons Supporting This Determination:

The proposed action is not anticipated to result in any adverse environmental impacts based on the following:

1. Senior citizen housing developments in multi-unit buildings are permitted by Special Exception Use in the B-3 Zone and the applicant has met the Special Exception Use criteria set forth in the zoning code.
2. A Stormwater Pollution Prevention Plan consistent with the NYSDEC design manual was prepared for the Project Site and reviewed by the Village Engineer. The treatment practices

proposed can handle the stormwater volumes projected and erosion and sediment control measures will be in place throughout the construction phase of the project.

3. No surface water resources are present on the Project Site.
4. Based on the NYSDEC mapper, the Project Site does not contain any potential habitat for threatened or endangered species.
5. The Project Sponsor coordinated with the NYS Office of Parks, Recreation and Historic Preservation and they have determined the project will not have any adverse impacts on archaeological resources.
6. The Jacob T. Walden House is located at 34 N. Montgomery Street and an additional single-family dwelling located at 73 N. Montgomery Street has been determined to be eligible for listing on the NRHP. The Proposed Project will be set back a considerable distance from the road and will not impact the use of the two structures.
7. The project will connect to municipal water and sewer systems. The Village's municipal systems have adequate capacity for the proposed uses. New water and sewer service lines will need to be extended to the proposed building.
8. A Traffic analysis was prepared for the site which indicated that the increase in the number of trips to and from the site will not significantly impact the volume of traffic. Also, the peak time for trips from the development will be at off peak times.
9. Proposed architectural designs have been provided by the Project Sponsor and a visual analysis of the site was completed. The visual analysis along with lighting and landscaping plans have mitigated anticipated offsite impacts to adjacent properties. The lighting plan has been prepared to eliminate light outside of the property boundaries and the landscaping plan has incorporated existing buffer and proposed screening in various locations throughout the site.
10. The proposed site development provides for adequate emergency vehicle access and provides for the required fire access road throughout the site. The plan was reviewed by the Walden Fire Department.
11. A landscaping plan has been prepared which shows a mix of evergreen, deciduous and ornamental species. The proposed plantings will improve aesthetics and attenuate both stormwater and noise impacts.

For Further Information, Contact:

Stan Plato, Planning Board Chair
1 Municipal Plaza
Walden, New York 12586
(845) 778-2177

**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 applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Falcons Rest Senior Citizen Housing Development		
Project Location (describe, and attach a general location map): 120-126 North Montgomery Street, Village of Walden		
Brief Description of Proposed Action (include purpose or need): Proposed senior citizen housing development with 68 senior citizen dwelling units, each containing 2-bedrooms, and 1 caretaker dwelling unit, containing two-bedrooms. Including the caretaker unit, the structure is proposed to contain 23 dwelling units per floor with a total of 3 floors. The proposed structure has a footprint of approximately 33,025 square feet. The project involves the consolidation of 2 existing tax parcels. A zoning amendment is proposed for the Village of Walden Village Board to permit an increased bonus density for senior citizen housing. The facility will be served by public water and sewer service on the parcel. Access to the building and parking areas is proposed from a single 26-foot wide driveway from NYS Route 52. Drainage from the site will drain to stormwater facilities located on either side of the proposed entrance and ultimately drain to the existing ditch on the westerly side of NYS Route 52.		
Name of Applicant/Sponsor: Lewis Donnelly	Telephone: (845) 590-0927	
	E-Mail: mpbulderinc@outlook.com	
Address: 67 Leslie Road		
City/PO: Newburgh	State: NY	Zip Code: 12550
Project Contact (if not same as sponsor; give name and title/role):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Alda Segarra Cinosi	Telephone:	
	E-Mail:	
Address: 27 Merlin Avenue		
City/PO: Sleepy Hollow	State: NY	Zip Code: 10581

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 Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Zoning Amendment	February 2019
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Site Plan Approval	January 2019
c. City, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Area variance for existing garage	March 2020
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Orange County Department of Health: Water service extensions	March 2019
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS DOT: Road entrance and utility connections NYS DEC: Stormwater permit	March 2019
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

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

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	

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?
Zoning District: R-3

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? Proposed zoning amendment

C.4. Existing community services.

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

b. What police or other public protection forces serve the project site?
Village of Walden Police Department, Orange County Sheriffs Department, New York State Police Department

c. Which fire protection and emergency medical services serve the project site?
Walden Fire Department, Town of Montgomery Volunteer Ambulance Corps

d. What parks serve the project site?
Bradley Park, James W. Olley Community Park, Mary Jean "Midge" Norman Park, Wooster Grove, Veteran's Memorial Park, Walden-Walkkill Rail Trail, Marlin "Marty" Besdesky Playground, Maple Street Boat Launch

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)? Senior citizen housing development

b. a. Total acreage of the site of the proposed action? 6.2 acres
b. Total acreage to be physically disturbed? 6.0 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 6.2 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)
The project involves a lot consolidation of two existing tax parcels
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 the proposed action be constructed in multiple phases? Yes No
i. If No, anticipated period of construction: 24 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? Yes No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	1			69
At completion				
of all phases	1			69

g. Does the proposed action include new non-residential construction (including expansions)? Yes 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? Yes No

If Yes,

- i. Purpose of the impoundment: Stormwater treatment and detention basins
- ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: Stormwater runoff from proposed building and parking lot
- iii. If other than water, identify the type of impounded/contained liquids and their source. _____
- iv. Approximate size of the proposed impoundment. Volume: _____ <1 million gallons; surface area: _____ <2 acres
- v. Dimensions of the proposed dam or impounding structure: _____ <6 height; _____ <300 length
- vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): Earth fill

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) Yes 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?
 - 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? Yes 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? Yes 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? Yes 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 the proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

iv. Will the 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: 110 gpd/bdrm * 2 bdrm/unit * 69 total units

i. Total anticipated water usage/demand per day: 15,180 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: Village of Walden
- 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: _____
Water service extension to proposed building - 8" diameter anticipated
- Source(s) of supply for the district: Water wells - Sand & Gravel

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), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes: 110 gpd/bdrm * 2 bdrm/unit * 69 total units

i. Total anticipated liquid waste generation per day: 15,180 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):
Sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: Village of Walden Wastewater Treatment Plant
- Name of district: Village of Walden
- 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

Yes No
 Yes No
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
Sanitary sewer service lateral to proposed building

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:

- 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? Yes No
 If Yes:

- How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ ±3 acres (impervious surface)
 _____ Square feet or _____ 6.2 acres (parcel size)
- Describe types of new point sources. Stormwater runoff from building and parking lot
- 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)?
Stormwater treatment and detention basins
 - If to surface waters, identify receiving water bodies or wetlands: _____

Will stormwater runoff flow to adjacent properties? Yes No
 iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

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? Yes No
 If Yes, identify:

- Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)
Construction equipment
- Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)
Temporary power (generators) and temporary heating
- Stationary sources during operations (e.g., process emissions, large boilers, electric generation)
Fuel consumption for generation of heat, air conditioning, and cooking and electrical usage

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? Yes No
 If Yes:

- 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) Yes No
- In addition to emissions as calculated in the application, the project will generate:
 - _____ 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)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

- i. Estimate methane generation in tons/year (metric): _____
- ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

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? Yes No

If Yes:

- i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____
- ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
500,000 kWh per year

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
NYSEG

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

- i. During Construction:
 - Monday - Friday: _____ 7am - 7pm
 - Saturday: _____ 7am - 7pm
 - Sunday: _____ None
 - Holidays: _____ None

- ii. During Operations:
 - Monday - Friday: _____ 24 hours
 - Saturday: _____ 24 hours
 - Sunday: _____ 24 hours
 - Holidays: _____ 24 hours

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:

i. Provide details including sources, time of day and duration:
Source: Construction equipment
Time of Day & Duration: See Section D.2.1.1 above

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
Describe: _____

n. Will the proposed action have outdoor lighting? Yes No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
All fixtures will be downward facing and properly shielded to reduce spillover to neighboring properties

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

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? Yes No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ 12 tons per _____ month (unit of time)
- Operation : _____ 6 tons per _____ month (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: Reuse or recycling of some of construction waste will occur
- Operation: Residents will separate general waste from recyclable materials

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: Roll off construction containers
- Operation: Three (3) - 9 yard dumpsters located around the perimeter of the building with separate containers for recyclable materials

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

Urban Industrial Commercial Residential (suburban) Rural (non-farm)

Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.3	3.0	+2.7
• Forested	4.1	0.4	-3.7
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	1.6	0.0	-1.6
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: Lawn	0.2	2.8	+2.6

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? Yes No

- 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? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ >8 feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

Pittsfield gravelly loam	_____	100 %
_____	_____	_____ %
_____	_____	_____ %

d. What is the average depth to the water table on the project site? Average: _____ >8 feet

e. Drainage status of project site soils:

<input checked="" type="checkbox"/> Well Drained:	_____	100 % 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 checked="" type="checkbox"/> 0-10%:	_____	66 % of site
<input checked="" type="checkbox"/> 10-15%:	_____	16 % of site
<input checked="" type="checkbox"/> 15% or greater:	_____	18 % of site

g. Are there any unique geologic features on the project site? Yes 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)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either i or ii, 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? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

• 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? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p>		
<p>Eastern Chipmunk _____</p> <p>Cottontail Rabbit _____</p> <p>Various Amphibians & Reptiles _____</p>	<p>Raccoon _____</p> <p>Striped Skunk _____</p> <p>Various Brds _____</p>	<p>Grey Squirrel _____</p> <p>Opossum _____</p> <p>Whitetail Deer _____</p>
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 		
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Species and listing (endangered or threatened): _____</p> <p>_____</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 checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Species and listing: _____</p> <p>_____</p>		
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" 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 checked="" 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 checked="" type="checkbox"/> No</p> <p>i. If Yes: acreage(s) on project site? _____</p> <p>ii. Source(s) of soil rating(s): _____</p>		
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p>		
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p>		

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? Yes No

If Yes:

i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District

ii. Name: Eligible property: Frame Italianate-style dwelling

iii. Brief description of attributes on which listing is based:
NYS OPRHP has identified the house at 73 North Montgomery Street as an eligible building for designation as a historic building

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? Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes 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? Yes 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? Yes 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? Yes No

F. Additional Information

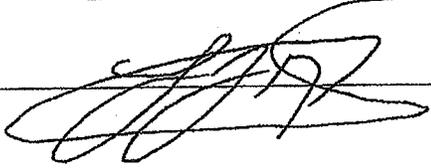
Attach any additional information which may be needed to clarify your project.

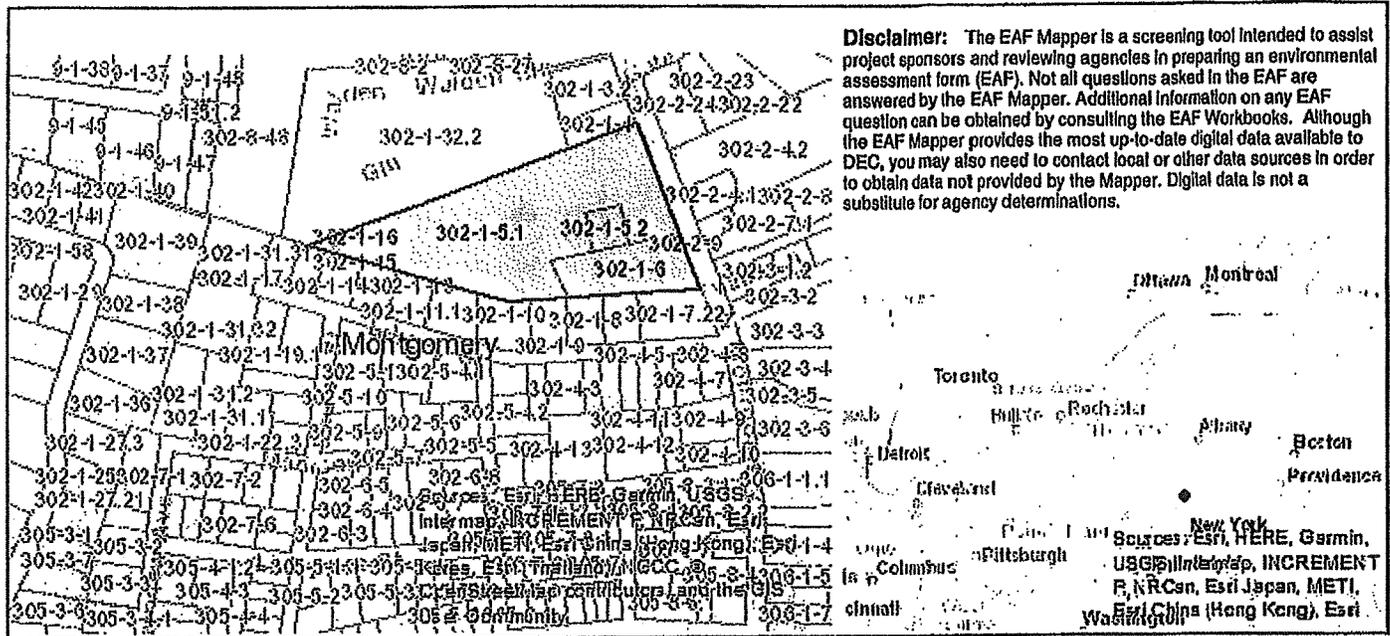
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name Lewis Donnelly Date November 13, 2019

Signature  Title Applicant



B.1.i [Coastal or Waterfront Area]	No
B.1.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No

- E.3.c. [National Natural Landmark] No
- E.3.d [Critical Environmental Area] No
- E.3.e. [National Register of Historic Places] Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
- E.3.e.ii [National Register of Historic Places - Eligible property:Frame Italianate-style dwelling Name]
- E.3.f. [Archeological Sites] Yes
- E.3.i. [Designated River Corridor] No

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

Agency Use Only [If applicable]
 Project: Falcons Rest
 Date: 5-18-2020

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 type="checkbox"/> NO	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" 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.	D2g, 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. <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES (See Part I. 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>			
	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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input checked="" 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 checked="" 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 checked="" 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 checked="" 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. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part I. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
	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. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	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)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
ii. More than 3.5 tons/year of nitrous oxide (N ₂ O)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iv. More than .045 tons/year of sulfur hexafluoride (SF ₆)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	<input type="checkbox"/>	<input type="checkbox"/>
vi. 43 tons/year or more of methane	D2h	<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.) <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

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

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

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>		<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation
 The proposed action may result in a change to existing transportation systems. NO YES
 (See Part 1. D.2.j)
 If "Yes", answer questions a - f. If "No", go to Section 14.

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

14. Impact on Energy
 The proposed action may cause an increase in the use of any form of energy. NO YES
 (See Part 1. D.2.k)
 If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input checked="" 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: _____		<input type="checkbox"/>	<input type="checkbox"/>

15. Impact on Noise, Odor, and Light
 The proposed action may result in an increase in noise, odors, or outdoor lighting. NO YES
 (See Part 1. D.2.m., n., and o.)
 If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

16. Impact on Human Health

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

NO YES

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

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

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <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"/>

PRINT FULL FORM

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

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

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

Reasons Supporting This Determination:

To complete this section:

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

See attached written Negative Declaration

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
Designed Site plan, SWPPP, Landscaping and Lighting Plans, Erosion and Sediment Control Plans

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Village of Walden Planning Board _____ as lead agency that:

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

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

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

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

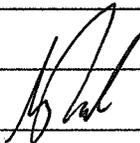
Name of Action: Site Plan for Falcons Rest

Name of Lead Agency: Village of Walden Planning Board

Name of Responsible Officer in Lead Agency: Stan Plato

Title of Responsible Officer: Planning Board Chairman

Signature of Responsible Officer in Lead Agency:



Date: 8/16/2020

Signature of Preparer (if different from Responsible Officer) John Queenan, P.E.

Date:

For Further Information:

Contact Person: Stan Plato

Address: One Municipal Square Walden NY 12586

Telephone Number: 845-778-2177

E-mail: Buildinginspector@villageofwalden.org

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

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

Other involved agencies (if any)

Applicant (if any)

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

PRINT FULL FORM

LOCAL LAW 4 OF 2020

A LOCAL AMENDING THE CODE OF THE VILLAGE OF WALDEN BY ADDING ADDITIONAL PENALTIES FOR NONCOMPLIANCE WITH CHAPTER 117, ENTITLED “CLOTHING BIN CONTAINERS.”

BE IT ENACTED by the Village Board of the Village of Walden as follows:

SECTION 1 - TITLE

A Local Law amending the Code of the Village of Walden by adding additional penalties for noncompliance with Chapter 117, entitled “Clothing Bin Containers.”

SECTION 2 – PURPOSE & INTENT

The purpose of this Local Law is to address noncompliance with the requirements of Chapter 117 by the imposition of additional penalties in an attempt to ensure compliance with the requirements of this Code provision.

SECTION 3 – AMENDMENT TO TEXT OF CHAPTER 117-5.

The Code of the Village of Walden is hereby amended by the addition of a new paragraph, to be designated as Paragraph 117-5(C) and shall read as follows:

- C. In addition to any other penalty set forth herein and further in addition to any other remedy at law, upon conviction of the third violation of the provisions of this Chapter of any person or entity, any and all clothing bin containers owned or maintained by such person or entity must be immediately removed and thereafter neither the property owner where such bin or bins were located nor the person or entity owning and/or maintaining said clothing bin containers shall be permitted to maintain any clothing bin containers in any location in the Village of Walden.

SECTION 4 - VALIDITY

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION – SUPERCEDEANCE

This local law is enacted pursuant to the authority of subparagraphs (a)(11), (a)(12) and (d)(3) of § 10 (1)(ii) of the Municipal Home Rule Law and § 22 of the Municipal Home Rule Law is inconsistent with this local law, it is the express intent of the Village Board to supersede such statutes.

SECTION 6- EFFECTIVE DATE

This Local Law shall take effect immediately when it is filed in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

NOTICE OF HEARING

TO: SDF Capital Fund I LLC, the owner of record of the premises known as 45 North Montgomery Street, Walden New York 12586, and designated on the Tax Maps as Section 306, Block 1, Lot 3.1.

PLEASE TAKE NOTICE, that pursuant to Chapter 214 of the Village of Walden Property Maintenance Code, the Village of Walden Board of Trustees will hold a hearing on August 18, 2020 at 6:30 PM, or as soon thereafter as can be heard, at the Village Offices, One Municipal Square, Walden New York to consider ordering the remediation of Property Maintenance Violations on the property located at 45 North Montgomery Street, which remain and have been corrected or removed pursuant to the Notice of Violation from the Building Inspector dated July 15, 2020, relating to unsanitary and unhealthy conditions that exist on the exterior ground and building areas of this property.

In the event you fail to contest the Board's order and fail to remove all junk, debris and garbage from all yard and house area's of 45 North Montgomery Street by 12:00 PM on August 18, 2020, the Village Board of Trustees may order the removal of the unsanitary and unhealthy conditions related to the junk, debris and garbage currently located in all yard and house area's to be performed by the Village of Walden, and the Village will assess all costs incurred in such clean-up, plus 10% of the total thereof, against the real property and such costs shall constitute a lien and charge thereon and, if unpaid, such costs shall be levied and collected in the same manner as provided in Article 5 of the Village Law for the levy and collection of real property taxes.

**BY ORDER OF THE BOARD OF
TRUSTEES OF THE VILLAGE OF
WALDEN**

SUSAN TAYLOR, MAYOR

**BUILDING DEPARTMENT OFFICE
VILLAGE OF WALDEN**

Grass
DOT
7/22/20

One Municipal Square
Walden, New York 12586
(845) 778-2177, ext 1505

ORDER TO REMEDY VIOLATION

TO SDF Capital Fund I LLC
c/o Mr. Sheldon Robinson
560 Fenimore Road, 2nd Floor
Mamaroneck, NY 10543

DATE: July 15, 2020

SEC-BLK-LOT 306-1-3.1

INCIDENT NO: 20-201

LOCATION 45 North Montgomery Street

PLEASE TAKE NOTICE, there exists a violation(s) at the location described above, in that the above named individual(s) did commit the following offense(s):

The Owner or Owners agent of the above named property has failed to clean junk, debris, plastic toy, garbage from front side and rear yards and to mow all grass areas.

IN VIOLATION OF

CHAPTER(S): 105 and 214

SECTION: Brush, Grass and Weeds, Property Maintenance

SUB-DIVISION: 105-2 thru 105-6, 214-4d,f and 214-7b & c

TITLE: Removing and trimming vegetation, Garbage and Refuse, Open Areas

PAGE: 105:1 thru 105:3, 214:3 thru 214:4, 214:6

When I Did Observe the Following:

It has been noted and observed that the Owner or Owners Agent has failed to clean all yard areas of junk, debris, plastic toys, garbage and have removed from front side and rear yard, and failed to mow and maintain all yard area. If items are not corrected within five (5) days of above date, village will have these items cleaned up and yard mowed and provide you with invoice for that service.

YOU ARE THEREFORE DIRECTED AND ORDERED to comply with the law and to remedy ALL Violations above noted are to be remedied by July 20, 2020.

Failure to remedy the conditions aforementioned and to comply with the applicable provisions of law may constitute an offense punishable by fine or imprisonment or both.

Dean Stickles Building Inspector

Dean Stickles, Building Inspector, VILLAGE OF WALDEN

**Village of Walden
Board of Trustees Regular Meeting
August 4, 2020**

Deputy Mayor Moore called the regular meeting of the Village of Walden Board of Trustees to order at 6:30pm.

On roll call the following were:

Present:	Deputy Mayor	Faith Moore
	Trustees	Brian Sebring
		Larry Kraus
		John Ramos (via Zoom)
		Dan Svarczkopf
		Lynn E. Thompson

Absent:	Susan Taylor
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Also Present:	John Revella, Village Manager
	Marisa Kraus, Village Clerk
	Kelly A. Kelly, Village Treasurer
	Dave Donovan, Village Attorney

Public Hearing – Local Law 3 of 2020 – Zoning Code Amendment

Becky Pearson: 167 Walnut St, I know Mary Ellen isn't here, but if someone can read her letter into the minutes.

Manager Revella: If the Board so inclines, they can make it a part of the minutes.

Deputy Mayor Moore: We can add it as part of the minutes without having to read it.

Becky Pearson: This law being for the Village as a whole, not just for one project. I know that you all talked about this before and it is part of what the Village zoning change will be. It's not just for a single project. I really think you are in the right path of what we were discussing about some of the issues that should be part of this plan anyway. Not part of what you're going to be giving a developer who has a concession to extra density. You're also talking about annexation. This all ties into annexation because who knows what's going to happen with the properties around us. When you look at that, this law should be counted for also those properties that may come into this Village later on. It's for 20, 30 years down the road. Yes, every board can change the zoning. Mary Ellen did write a letter and I did read it. We have the same comments about some of the issues that are on there. Should already be designed for the developer to use that and utilize that in their plan anyway. What you're going to give as extras really needs to be discussed, because I don't think you have that full picture yet. Amenities should be like a tennis court or a pool. It shouldn't be an elevator. Elevators for seniors, I know it's not mandatory, but I think you're changing this law, you can change this law what you want it to read . I think if you're going to make 55 and older, then you should have an elevator or 2. I don't think that should be getting as a concession to get extra density. Handicap accessibility should be in this law. Maybe that's something that could be part of the concession for density is making sure that handicapped seniors are also allowed to live there. Sidewalks should be mandatory anyway. That is not something that should be a concession. *inaudible* developments to have 2 sidewalks, sometimes a Planning Board will let them only have one. I still think sidewalks should be mandatory. I think Brenda Adams also wrote a letter before

about elevators as well. Hopefully there'll be a great big discussion tonight without a decision. That's your job. That's what you're designed to do.

Deputy Mayor Moore: We can have Mary Ellen Matise's comments added into the minutes. Brenda Adams letter that was sent was not sent during a public hearing, but can we add them in?

Manager Revella: Yes.

Attorney Donovan: Anything that's been submitted during the process is part of the Village's record.

Deputy Mayor Moore: We will add both letters into the minutes.

Trustee Svareczkopf made a motion to close public hearing for Local Law 3 of 2020. Seconded by Trustee Kraus. All ayes. Motion carried.

Attorney Donovan: In terms of the notice for tonight's meeting, it indicated a period of 10 days following to accept written comment to be submitted

Village Manager's Report

Manager Revella: Have been trying to reopen, get things back to normal at Village Hall. We do have sort of a kiosk at the entrance to the buildings with the sanitizer and paper towels. Notices at all entrances to make sure people are wearing a mask and safe distancing and if you have symptoms do not enter or make an appointment to come in, do business online. Will continue to do that until we're beyond this pandemic. Going through various invoices, FOILs with the Clerk and Treasurer. Been giving job assignments for DPW since the Superintendent was out the past 2 weeks. Some follow up items with Chief Holmes, his last hurrah. He is officially retired. Went over applications for Code Enforcement with various board members and the Building Inspector. Went over some 207c issues with Labor Counsel and the Clerk. Reviewed capital project contracts with the Village Engineer. We have one confirmed later tonight that's being added for sewer lines. It was discussed on July 7th, but can officially award it now. We received the third arm broom for the sweeper. We can actually cut the curb brush now. That's going out now depending on the weather. Had a good meeting with the some members from Fox Hill about doing some volunteer work around the Village. They like to try and do some service projects when they can. Also met with City Winery with the Rec Coordinator to talk about coordinating river travel, kayaking, along the Wallkill River. Will coordinate with our boat launch on Maple St. They'll have one at the City Winery. Attended the Associates Towns and Villages meeting at City Winery with Village Clerk and Village Treasurer. We heard some talk about finances and how the County is doing financially. Then they were talking about film industry in the county. Parks has been continuing to do updating in the parks. There's maintenance going on there. There have been a few property maintenance issues. Soccer registration is going on now for the fall. Reviewed the Village Engineer's drawings, rendering for capital projects. They did just update plans for the Community Center. Will share with the board as I get it back. Maple St Boat Launch plan should be finalized soon as well for the board to review. Building Inspector has been working on CO's, municipal reports, permits. Follow up on Planning and Zoning Board things. He had vacation one of the weeks as well. Reviewed some follow up matters with him. The Secretary of the Department went over some transitional issues with the software system as well. Trying to finalize some items for the Ulster Ave project with the Village Treasurer. Still trying to work out the bonds and how to pay back the grants to make sure that works. Went over several rehab loans. Went over some sales tax numbers that we got from the last quarter. They are a little poor. Year to date, is about 13% down, and from the last quarter was down about 25% percent. We did hire 2 new police dispatchers and 2 police officers, part time. Right now, we 2 officers out on 207c, one out on FMLA, one out for personal reasons. So, we're

kind of short. While Fred was out, the guys were still out patching, repairing catch basins, sewer maintenance. We had an emergency break at Gatehouse pump station. They dealt with property issues, including boarding up a building that was insecure. Sweeper went out a little bit. Library is still on curbside pick-up. They are working on some programming, preparing for the opening of the building eventually.

Trustee Kraus: When do you think they're going to open the courts?

Manager Revella: They're opening this month. Right now, it is by paper or adjourned until further notice. But they will have court here this month. A lot of courts are opening this month. Some are doing minimal people allowed in. Usually more of the severe cases, the other ones are not coming in, such as traffic.

Approval of July 21, 2020 Minutes

Deputy Mayor Moore: I did notice one correction. Kelly Kelly was not present at that meeting. I just would like to publicly say that I noticed that on page 10, I want to apologize to Trustee Ramos for calling him Ramos.

Trustee Ramos made a motion to approve the July 21, 2020 Minutes with changes. Seconded by Trustee Thompson. All ayes. Motion carried.

Action Items

Local Law 3 of 2020 – Zoning Code Amendment

Attorney Donovan: The Planning Board has issued a Negative Declaration for the project that's in front of them. The concept was started 3 years ago. They declared Lead Agency for the zone change as well as the site specific project. I'm told that there is a written resolution, I'm not sure if the Chairman has signed, the board has authorized him to do so. You need to adopt that before you take any action on the Local Law. Once you adopt that Negative Declaration, you would be in position to take action, should you choose to do so.*inaudible* there's no time frame. Act when you're ready to act.

Deputy Mayor Moore: In light of us not having 2 board members actively present tonight, I would like to just put this on to the next agenda. That would meet the 10 day period for additional comment, as well as get the Negative Declaration from the Planning Board and then have the rest of our board members here to have the full discussion on it. If it's the pleasure of the board.

All: Agreed.

Intro to Local Law 4 of 2020 – Donation Boxes

Trustee Ramos made a motion to set Public Hearing for Local Law 4 of 2020 - Donation Boxes for August 18, 2020 at 6:30pm or soon thereafter. Seconded by Trustee Sebring. All ayes. Motion carried.

Discussion – Court Prosecutor

Manager Revella: The judge actually reached out to see if the board was interested in allowing there to be resolution of traffic type tickets by mail. Will allow the prosecutor to review those for potential settlement.

Attorney Donovan: Some upstate municipalities it's a common practice before this all happened. Village of Goshen, the prosecutor is going to go by written. Make an offer to someone by mail. They can accept and go for trial. It helps keep people out of the building. Traffic court can be busy,

lengthy, so limiting the number of people that are together in one room at one time at the present circumstances.

Trustee Thompson: What is the expense factor?

Manager Revella: The prosecutor is already here and is paid by hour. The courts are already mailing out correspondence. It wouldn't be any more cost per mailing. It may save the Village money. The officer might not have to come that night. It may work itself out that way.

Trustee Thompson: Financially and public health wise, it sounds like a good idea.

Trustee Ramos: This is for all law enforcement agencies?

Manager Revella: That's correct.

Trustee Sebring made a motion to approve prosecutions by mail. Seconded by Trustee Thompson. All ayes. Motion carried.

Park Use Request

Deputy Mayor Moore: I just want to make it known so that is on the record that pretty much everybody here has a personal relationship with Mr. Montanaro. He is a Village employee. I don't think hinders in any factor of us approving the request for the park and the request to use alcohol.

Trustee Svarczkopf: Is there a concern about the number of people?

Manager Revella: The park is 100 acres and they can space out as much as they need to be. You just have to separate location.

Trustee Sebring made a motion to approve Park Use Request for August 22, 2020 and to allow the use of alcohol. Seconded by Trustee Kraus. All ayes. Motion carried.

Payment of Audited Bills

Trustee Thompson made a motion to pay audited bills. Seconded by Trustee Kraus. All ayes. Motion carried.

Correspondence

Trustee Thompson: Just the letter from Mary Ellen Matisse.

Trustee Kraus: Just the Letter from Mary Ellen.

Trustee Svarczkopf: Me too.

Deputy Mayor Moore: I did receive some correspondence from a resident asking a possibility of having an extra yard sale added this year and an extra pick up this year. I also had correspondence with Jody Nicoli, who was going to do a presentation last month about her idea to do a memorial for people that have lost their lives due to the opioid epidemic. We had said we would get her on in August. She would like to come to her presentation at the August 18th meeting. If everybody's in favor of that, I will let her know that again.

Manager Revella: We do have bulk pick up scheduled for October 18th and the 17th is the yard sale.

Miscellaneous Comments from the Board of Trustees

Trustee Ramos: Great job the guys did today with the storm.

Trustee Sebring: Good job that they did for the storm.

Deputy Mayor Moore: As follow up, wanted to make everyone aware that I did send out to the entire board the information on the new zoning, as well as some fair housing questions that came up at the last board meeting. Also, I did research some of the information that they wanted to regarding the term limits. So, whenever the board is so inclined and/or the Village Manager, the Mayor to put those items back on the agenda, I think that I sent everything that we needed to that we're able to have those conversations going forward.

Public Comment

Becky Pearson: Before you move further within the annexation as well, I have been involved in discussions about annexation for years, number one and number two, since the Comprehensive Plan was voted on to discuss that also, I think this board needs to do it's due diligence before you annex any piece of property into this Village to get the zoning correct. It is part of your job to plan for this Village for the future. I don't think that's been done right now. I'm not trying to make it a negative for you. I met with the Manager the other night as well. I talked about planning and how important really it is for this Village for 20 years down the road. Your boarder is what you want to see there. You don't have that in place right now. And the annexation is going to be happening, unless you choose not to. From the last Comp Plan meeting, the manager, especially, and the board should be reviewing zoning issues. That's something that hasn't happened since you approved this plan. Zoning is a huge issue. Your due diligence to write laws in place for the proper growth of this Village. Been talking about new zoning for any annexations that may be happening in the future, looks like that one in the near future. You need to do what's right for this Village and its citizens. Sometimes you talk about annexations, but it really doesn't follow through. Is annexation right for the Village? Those discussions should happen before any annexations come. Do you want the Village to grow? How big do you want it to be? Where do you want your borders? There's a property pretty much on three sides of this Village that want to annex in. Do we have the services? Those discussions should happen before any annexation takes place. The last one that happened, it was more of a business annexation. I just watched the last Planning Board meeting, the gentleman who owns the property doesn't feel like he wants to do the water and sewer now. He feels like he's under old Town's laws instead of Village law. I spoke to John about it, he said it's in the law so he will have to do it. He has a year to do it. But our plan needs to be in place before any more annexation. We don't have that right now. *inaudible* If you decide to expand Village borders, what is your job? To design the path and the growth of this Village? Where do you want it to go? What do you want to see there? The Comprehensive Plan in the Town of Montgomery is being talked about. I know Faith's on that committee, so there is some type of the input and that input should be coming back to this board. Most of the time it's going to be multiple houses. They want more density in our Village. Do we want that? You really need to step back. *inaudible* smart growth and to protect the Village. Maybe you want to consolidate instead. Maybe we want services through the Town instead of the Village if you're going to get so big. You're just going to keep adding more and more services, which means I'm going to be paying, you're going to be paying for more trucks and DPW and more Police Officers to go out. Those discussions should be happening now and they're not. I'm not trying to berate the board at all. I just think you need to be smart about the direction that this Village needs to go has to happen now. You brought up a clustering and things like that. I talked about 2 acre lots and we talked about rezoning and what zoning you want the next piece of property to be. Make a new zone R2. Do you want them to be what size? What sized housing on those lots? Do you want to consolidate or not? Before an annexation should take place, I believe this board should step back and design a path with proper zoning. Don't do a disservice to our Village and just sit back and let it happen without instituting what we want for

Walden's future. You're going to pass things because people want to come in. That's not the path that we should be taking? Planning needs to happen before any annexation should be taking place. *inaudible* I'm just talking about how I feel about it. I've talked about it for years and maybe somebody will listen. Things need to be talked about, I hope you take the time to do that.

Adjourned

Village of Walden Board of Trustees
Regular Meeting
August 4, 2020
Motions & Resolutions

Public Hearing – Local Law 3 of 2020 – Zoning Code Amendment

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