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April 12, 2021

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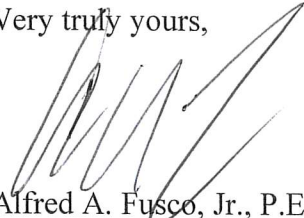
RE: Local Law
Our File #SBG-006

Dear Scott,

Enclosed please find draft local law for South Blooming Grove with SEQR resolutions, EAF and revised ordinance.

Please advise if you need further attention.

Very truly yours,



Alfred A. Fusco, Jr., P.E.
FUSCO ENGINEERING &
LAND SURVEYING, P.C.
AAF/jh

Cc: Mayor George Kalaj
Issac Ekstein
Joel Stern
Alfred A. Fusco, Jr., P.E.

**RESOLUTION TO
ESTABLISH LEAD AGENCY**

The Village of South Blooming Grove, New York Village Board hereby declares its intent to be lead agency as required by SEQR (6NYCRR Part 617)

Name of Action:	Village of South Blooming Grove Zoning Amendment Chapter 235
Location:	Village-wide
Project:	Local Law #1 of 2021
Action:	Type I – Coordinated Review
Documents:	Available at Village Hall or available upon FOIL request for viewing

The Village Board had declared its intention to become Lead Agency on April 12, 2021.

RESOLVED that the Village Board of the Village of South Blooming Grove hereby declares its intent to be Lead Agency for the SEQRA review of the Zoning Amendment, Chapter 235.

LOCAL LAW NO. 1 OF 2021
A LOCAL LAW AMENDING ZONING CHAPTER 235
ZONING CODE

ITEM NO 1:

AMEND ARTICLE II Terminology

Chapter 235-4 Definitions.

To include:

HOUSE OF WORSHIP – A church, mosque, synagogue, or other place of religious worship or other place of religious retreat (subject to NY State Building Codes).

ITEM NO. 2:

AMEND CHAPTER 235

Zoning Attachment I – Village of South Blooming Grove – Table of General Use Requirements as follows:

Replace current Table with the following: enclosed new zoning 235 attachment 1, Village of South Blooming Grove Table of General Use Requirements.

ITEM NO. 3:

AMEND ARTICLE XVIII – VILLAGE BOARD SPECIAL PERMIT - §235-93 GENERAL PROVISIONS:

B: Add – There will be a separate Village Board Special Permit for House of Worship (see 235-94G)

NEW SECTION: 235-94G:

Requests to the Village Board for a Special Permit for House of Worship will be reviewed as follows:

- 1) If request is for worship in a home, such as a Shtiebel, the Board can review and consider approval with conditions to be enforced by Code Enforcement Officer.
- 2) If request is for a Shul with larger number of worshipers proposed, the Village Board can seek recommendations from the Code Enforcement Officer or forward to the Planning Board to follow the procedure in §235-94 A, B, C, D, E, and F.
- 3) If request is for a synagogue, church, mosque, or other larger house of worship, the Village Board would forward to the Planning Board for their recommendation under §235-94 A, B, C, D, E, and F.

ITEM NO. 4:

ELIMINATE:

Article VA

Chapter 235-14.4 Overlay District

Section C - Ridgeline Overlay District

(ii), (iii), (iv)

Also Section C – (4)(a)(2)

All other provisions of the above noted code to be as currently written.

NEW CODE TO READ AS FOLLOWS:

Article VA

Village of South Blooming Grove
Amendment to Zoning Code

Chapter 235-14.4 Overlay District
Section C - Ridgeline Overlay District

(3) General Provisions.

- (a) The provisions of this section shall apply to any parcel of land lying fully or partially within the Ridge Overlay district.
 - (i) All applications for land use development, including site plan, subdivision, special use and conditional use permits, zoning variances, building permits for new residential dwellings.
 - (b) To ensure the placement of structures outside of the exposed ridgeline area on proposed building lots, building sites, including areas of vegetation, shall be clearly designated on the applicable subdivision plat and/or site plan. The ridgeline's boundary shall be shown on plot plans.
 - (c) No land shall be developed and no building or structure erected or developed unless the Planning Board finds that the development proposed will be consistent with the standards of the Ridgeline Overlay District and grants approval.
 - (d) Sites in the RL District, also located within the Scenic Roads, Scenic Viewshed or Scenic Gateways Overlay Districts are subject to the provisions and standards found therein.
- (4) Vegetation and Landscaping.
- (a) Height.
 - (1) The total height of any structure or accessory element attached to any structure shall be measured from the natural ground level to the top of the structure or to the top of the uppermost accessory affixed to the structure, whichever is higher.
 - (2) Restrictions on height. Within the RL District, no principal or accessory structure with a building height of greater than 35 feet shall be constructed.
 - (3) Structures shall comply with other height provisions of the Zoning Law if they are most restrictive.

ARTICLE II Terminology

§ 235-4. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ACCESSORY APARTMENT – An apartment unit in an owner – occupied residence subject to the provision of Section 235 - 45.6.

ACCESSORY BUILDING OR USE - The term applied to a building, structure or use which is clearly incidental or subordinate to, and is found customarily in connection with, the principal building, structure or use, and which is located on the same lot with the principal building, structure or use. Any accessory building or structure attached to a principal building or structure is deemed to be part of such principal building or structure in applying the bulk requirements to such building or structure. No use shall be considered accessory where such use requires a greater area of a lot or larger yards or for which greater restrictions than for the principal use on the lot are imposed by this chapter.

ACTIVE ADULT USE - The use of a building, a portion of a building or land for any adult use that is not a passive adult use, as defined herein, including but not limited to an adult entertainment cabaret, adult motel/hotel, adult theater, massage establishment, peep show or similar adult use, generally of such nature as to result in customers congregating in or about the use.

ADULT USE - The use of any building, structure or land, or portion thereof, for any purpose involving activities that are not open to the public generally but exclude, or are required by law to exclude, any minor by reason of age or which sell products designed or intended for use by adults, including but not limited to the establishments defined below:

- A. **ADULT BOOKSTORE OR VIDEO STORE** - An establishment having as a substantial or significant portion of its stock-in-trade books, magazines, other periodicals, films, photographs, slides and/or videotapes, of which establishment a substantial portion is customarily not open to the public generally but excludes, or is required by law to exclude, any minor by reason of age. In determining whether a substantial portion of such establishment or stock is devoted to such materials or use, the following factors shall be considered:
 - (1) The proportion of floor area allocated to such use that is not available to the general public in comparison to the floor area that is available to customers without restriction by reason of age;
 - (2) The proportion of such materials maintained in space that is not available to the general public in comparison to the floor area that is available to customers without restriction by reason of age; and
 - (3) The total amount of floor space allocated to use that is not available to the general public but which is restricted by reason of age.
- B. **ADULT ENTERTAINMENT CABARET** - A public or private establishment which presents nude or seminude dancers, strippers, male or female impersonators or exotic dancers or other similar entertainments and which establishment is customarily not open to the public generally but excludes, or is required by law to exclude, any minor by reason of age.
- C. **ADULT MODELING/PHOTOGRAPHY STUDIO** - A modeling or photography studio which is not open to the public generally but excludes, or is required by law to exclude, any minor by reason of age or which engages in nude or seminude modeling or photography.
- D. **ADULT MOTEL/HOTEL** - A motel/hotel which is not open to the public generally but excludes minors by reason of age or which makes available to its patrons in their rooms films, slide shows or videotapes which, if presented in a public movie theater, would not be open to the public generally but would exclude, or be required by law to exclude, any minor by reason of age.

- E. ADULT THEATER - A theater that customarily presents motion pictures, films, videotapes or slide shows that are not open to the public generally but exclude, or are required by law to exclude, any minor by reason of age.
- F. MASSAGE ESTABLISHMENT - Any establishment having a fixed place of business where massages are administered, including but not limited to massage parlors, sauna baths and steam baths. This definition shall not be construed to include a hospital, nursing home or medical clinic or the lawfully established office of a duly licensed health care professional, such as a physician, surgeon, chiropractor, osteopath or physical therapist, or barbershops or beauty salons in which massages are administered only to the scalp, face, neck or shoulders or total body massage in said establishments by certified or licensed massage therapists. This definition shall also exclude health clubs which have facilities for exercise, such as tennis courts, racquetball courts or exercise rooms, and which do not receive their primary source of revenue through the administration of massages.
- G. PEEP SHOWS - The use of a building or a portion of a building to present material in the form of live shows, films or videotapes viewed from an individual room or similar enclosure which is not open to the public generally and which excludes, or is required by law to exclude, any minor by reason of age.

AFFORDABLE HOUSING - Housing units for which occupants of a household earning up to 80% of the Village of South Blooming Grove median income (as defined by the latest United States Census Bureau data) would pay less than 30% of total gross income for mortgage and property taxes. If median income information for the Village is not available, information for the Town shall apply.

AGRICULTURAL USE

- A. The principal or accessory use of a parcel of land for equestrian purposes, the raising, training and breeding of horses, the cultivating, raising or growing of crops, fruits, vegetables, flowers or ornamental trees or plants; or the feeding, breeding and management of livestock or poultry.
- B. "Agricultural use" does not include the following:
 - (1) Breeding, raising or maintaining of fur-bearing animals or of a poultry flock of less than 12 birds;
 - (2) Animal kennels;
 - (3) Riding or livery stables; and
 - (4) A garden which is accessory to a residential use.

ANIMAL KENNEL/HOSPITAL - A use or building where keeping, raising, breeding, boarding and/or medical care of household pets occurs. For the purpose of this chapter, any such activity, excluding boarding, shall not be considered a kennel where accessory to a principal residential use, provided that not more than five animals exceeding six months of age are kept.

AREA, GROSS - The measure of land in a horizontal plane, uncorrected or adjusted for legal encumbrances, surface conditions or slope.

AUTO BODY REPAIR SHOP - A building used for the repair of motor vehicles or machinery; such repair shall be wholly within a completely enclosed building.

AUTO SALES - An establishment used for the sale of new or used motor vehicles; no outside storage or display of motor vehicles shall be permitted in the required front yard.

BASEMENT- A story partly underground but having at least 1/2 of its height above the average curb level of the street abutting the front of the lot or above the average finished grade level of the ground immediately adjacent to the building.

BED-AND-BREAKFAST ESTABLISHMENT - An establishment in a private owner-occupied dwelling or in a building located on the same lot or on an adjacent lot under the same ownership, which establishment offers guest rooms for occupancy on a transient basis and meals for guests only in exchange for a fee.

BOARD OF APPEALS - The Zoning Board of Appeals of the Village of South Blooming Grove, New York.

BUFFER - An area of specified dimension extending between the property line and a required yard which may be required for conditional or special permit uses in residential districts. The buffer shall not be used or otherwise encroached upon by any activities on the lot.

BUILDING - Any structure, or extension thereof or addition thereto, having a roof supported by such things as columns, posts, piers or walls and intended for the shelter, business, housing or enclosing of persons, animals or property.

BUILDING AREA - The total area of a lot covered by all buildings thereon, both principal and accessory, measured by the exterior dimension of such buildings as viewed from above, but not including uncovered steps, courts and terraces.

BUILDING COVERAGE - The percentage of the area of the lot covered by a building or buildings.

BUILDING HEIGHT - The vertical distance from the average elevation of the proposed finished grade along the wall of a building (or adjacent to the side of a non-building use) to the highest point of the roof for flat roofs and the mean height between eaves and ridge for gable, hip and gambrel roof of such building (or non building uses), except as specifically exempted in Article VII, Section 235-20.

BUILDING INSPECTOR- The individual or firm designated by the Village Board as building inspector.

BULK - A term used to describe the size, volume, area, shape of buildings and structures and the physical relationship of their exterior walls or their location to lot lines, other buildings and structures or other walls of the same building, and all open spaces required in connection with a building, other structure or tract of land.

BURIAL GROUNDS - Any piece of land where a person is buried, notwithstanding that the land or site may not be recognized as a traditional cemetery.

BUSINESS CENTER DEVELOPMENT - Establishments that deal in the retail sales of convenience goods (food, drugs and sundries) and such personal services as laundry and dry cleaning (pickup and delivery), hair styling and shoe repair. The maximum permitted aggregate gross floor area on any site shall not exceed 100,000 square feet. The floor area of any single store shall not exceed 15,000 square feet, except that food stores or combined sales stores may not exceed 45,000 square feet. Other commercial uses of any kind elsewhere specified in this chapter shall not be deemed a business center development.

CATERING FACILITY - A facility containing space and equipment for the preparation and serving of food at functions for which advance reservations are made, guests are present by invitation, menu is established in advance, and all guests at a particular function are served at the same time.

CELLAR - That space of a building which is partly or entirely below grade which has more than half of its height, measured from floor to ceiling, below the average established curb level or finished grade of the ground adjoining the building.

CEMETERY - A public, private, religious, historic and/or family cemetery where (a) deceased person(s) are buried.

CHURCH or OTHER PLACE OF WORSHIP - A freestanding building or structure, or groups of freestanding buildings or structures, by design and construction primarily intended for conducting organized religious services and associated accessory uses.

CLUB, MEMBERSHIP - Land, buildings or other facilities operated by a membership corporation, association or fraternal order, for the purpose of accommodating recreational, athletic, social, literary or similar activities, where the members of the membership corporation, association or fraternal order control the assets and management of the club. A membership club does not operate primarily for profit, nor regularly render services to the general public.

CLUSTER DEVELOPMENT - Residential development in accordance with Section 7-738 of the Village Law.

COMMUNITY CENTER OR BUILDING - A building used for recreational, social, educational and cultural activities, open to the public or a designated part of the public, usually owned and operated by a public or nonprofit group or agency.

COMMERCIAL TRAILER - Any non-motorized vehicle used intended, or constructed for commercial purposes as described in the definition of **COMMERCIAL VEHICLE**. The use of such vehicles or trailers for dwelling purposes or for storage purposes is prohibited. See Attachment 1 Types of Recreations, Commercial, Trailers and Vehicles at end of code for illustrative examples of commercial trailers.

COMMERCIAL VEHICLE - Any motor vehicle used or intended for commercial purposes, such as the transportation of goods, wares and merchandise or passengers for hire; or any type of vehicle used as a place in which any business or commercial enterprise is conducted, or which is objectionable for reasons such as noise, fumes, vibration, odor, dust, gas or lights. The use of such vehicles for dwelling purposes or for storage purposes is

prohibited. See Attachment 1-Types of Recreations, Commercial, Trailers and Vehicles at end of code for illustrative examples of commercial vehicles.

COMMUNITY WATER AND/OR SEWER SYSTEM - A utility system approved as to design and capacity by the Village Engineer and Planning Board and which is capable of acceptance by the Village Board as a community water or sewer district or system.

CONFERENCE CENTER – One or more buildings and accessory facilities designed, arranged, intended and used for conferences, meetings and similar activities. A conference center may be a principal use or an accessory use to a hotel or similar use otherwise permitted in the zoning district, provided that the parking and other zoning requirements for both uses are met.

CORPORATE TRAINING CENTER - A facility for the training of executives and technicians employed in offices, research institutes or research laboratories permitted in the ORI District.

COURT — An open, uncovered and unoccupied space bounded on two or more sides by the walls of a principal building.

- A. **COURT, DEPTH OF** - The dimension of a court at right angles to its width.
- B. **COURT, HEIGHT OF** - The distance from the lowest level the court is required to serve to the top of the highest wall which bounds it.
- C. **COURT, INNER** - A court entirely within the walls of a building.
- D. **COURT, OUTER** - A court extending to a street, front yard or rear yard.
- E. **COURT, WIDTH** - The horizontal dimension parallel to the principal open side in the case of an outer court; and the least horizontal dimension in the case of an inner court.

CUSTODIAN RESIDENCE - A dwelling unit permitted for a caretaker employed in connection with an office building and/or research institute or laboratory in an ORI District.

CUSTOMARY AGRICULTURAL OPERATION - The conducting of usual farm activities, including the processing of products which primarily originate from the farm on which such processing is conducted.

DEVELOPMENT COVERAGE - The percentage of the area of a lot covered by buildings, indoor and outdoor parking areas, accessory structures and any impervious materials, including natural impervious areas.

DUMP - A lot or land, or part thereof, used primarily for disposal by abandonment, dumping, burial, burning or any other means and for whatever purpose, of garbage, offal, sewage, trash, refuse, junk, discarded machinery, vehicles or parts thereof or waste materials of any kind.

DWELLING - A building arranged, intended or designed to be occupied by one or more families living independently of each other upon the premises.

DWELLING, SINGLE-FAMILY - A building containing one dwelling unit only.

DWELLING, TWO-FAMILY - A building containing two dwelling units only.

DWELLING UNIT - A building or portion thereof providing complete housekeeping, cooking, sanitary, sleeping and living facilities and quarters for one family.

ENTERTAINMENT COMPLEX - A tract of land, maintained and operated under common management and sharing common elements of infrastructure and including indoor and/or outdoor areas arranged, intended, maintained and operated pursuant to a common plan for entertainment activities open to the general public, such as theaters for live stage or music performances, movie theaters, sports arenas, miniature golf, accessory gift and souvenir shops and similar uses. Such complex may include more than one structure or use if common ownership and management is maintained. Motor sports or activities, adult use, video or pinball arcades or uses primarily involving coin-operated amusement devices are not permitted in or as part of an entertainment complex.

EVENT – Any proposed or actual sale, lease or other transaction concerning real and/or personal property.

FAMILY- One or more persons living as a single housekeeping unit and using cooking facilities and certain rooms in common as a nonprofit household. A "family" shall not include the occupants of a boarding- or rooming house, a residential club or a hotel.

FARM ANIMALS - Domestic animals, i.e., horses, cattle, pigs, sheep, goats, chickens and ducks, whether housed on the property as an agricultural use or as pets.

FAST-FOOD ESTABLISHMENTS - Any establishment whose primary business is the selling of a food product for off-premises consumption, provided that such establishment does not have a delivery service, does not have a drive-through for sales, does not exceed 15,000 square feet in gross floor area and is not less than 200 feet from the zone district boundary of any residence district.

FENCE - An unroofed wall or barrier or construction of materials made from concrete, wood, plastic, wire, stone or other materials erected on premises for the purpose of enclosing an area of land, including berms and retaining walls if located beneath same. A substantially opaque hedge, shrubs or other materials or other living fence shall be regulated as a fence.

FLAG LOT - A parcel of land that does not have at least 100 feet of frontage on a Village, County, or State road and the bulk of which parcel is located behind another lot or lots with frontage on a Village, county, or State road.

FLOODWAY - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

FRONTAGE - See "street frontage."

FRONT WALL - The wall of a building which is nearest to and faces the street on which the lot fronts.

FUNERAL HOME - The business establishment of a funeral director and/or undertaker.

GARAGE, PRIVATE - An accessory building or part of a main building used only for the permitted storage of motor vehicles for the owner's private use.

HEALTH CLUB, FITNESS CENTER or SPA - A membership facility designed, intended and used for physical conditioning and/or physical rehabilitation activities.

HOME OCCUPATION - An accessory use of a personal service character customarily conducted entirely within a residence, by the residents thereof, which use is incidental and secondary to the use of the residence for dwelling purposes; does not change the character thereof; does not have any exterior evidence of such accessory use other than a permitted announcement sign; does not involve the parking, storage or standing of any commercial vehicles or construction equipment or the outdoor storage of materials; and which does not involve keeping stock-in-trade or the sale of any goods or the use of any chemical, mechanical or electrical equipment which is not a customary household appliance or light office equipment. Said activity shall not occupy more than 1/2 of the ground floor area of the dwelling or its equivalent elsewhere in the dwelling, if so used. No more than one person other than the residents engaged in such activity may be employed by them in connection with said activity. Conducting of a clinic, hospital, barbershop, beauty parlor, photographer's salon, tea room, tourist home, animal hospital, boarding or breeding kennel, convalescent home, funeral home, stores of any kind or any similar use shall not be a home occupation.

HOME PROFESSIONAL OFFICE - The office or studio which is the principal residence of a physician, dentist, lawyer, architect, artist, engineer, real estate broker or salesperson, insurance broker or agent, accountant or teacher, as herein restricted, provided that not more than two persons are employed or engaged who are not members of the family, and that such office shall be in the main building and shall not occupy more than the equivalent of 1/2 of the area of one floor of said building. For the purposes of this definition, a "teacher" shall be restricted to a person giving individual instruction in academic or scientific subjects to a single pupil at a time. A home professional office shall not include the office of any person professionally engaged in the purchase or sale of economic goods. Dancing instruction, musical instrument or voice instruction, tea rooms, tourist homes, beauty parlors, barbershops, hairdressing and manicuring establishments, convalescent homes, mortuary establishments and stores, trades or business of any kind not herein excepted shall not be deemed to be home professional offices. The home professional office of a physician shall not include a biological or other medical testing laboratory or a dental laboratory, other than personal, professional use.

HOSPITAL - An establishment for temporary occupation by the sick or injured for the purpose of medical treatment, and does not include an establishment for permanent occupation by the poor, infirm, incurable and insane.

HOTEL - A building or part thereof which offers transient lodging accommodations to the general public and which contains at least 50 separate sleeping units, none of which have cooking facilities or direct access to the outside except for emergency purposes.

HOTEL UNIT - Any room or combination of rooms comprising a single suite that is made available for transient lodgers.

HOUSEHOLD PET - Animals that are customarily kept for personal enjoyment or use within the home. Household pets shall include, but not be limited to, domestic dogs, domestic cats, domestic tropical birds and rodents.

HOUSE OF WORSHIP – A church, mosque, synagogue, or other place of religious retreat.

INDUSTRY, NON-NUISANCE - Industrial uses such as manufacturing, processing and assemblage that are of a nonpolluting nature, particularly in regard to reservoir, groundwater resources, air and noise.

JUNKYARD - A lot, land or structure, or part thereof, used primarily for the collecting, storage and sale of wastepaper, rags, scrap metal or other scrap or discarded material; or for the collecting, dismantling, storage or salvaging of machinery or vehicles not in running condition, and for the sale of parts thereof.

LABORATORY AND RESEARCH FACILITIES - A building for experimentation in pure or applied research, design, development and production of prototype machines or of new products, and uses accessory thereto, wherein products are not manufactured for wholesale or retail sale.

LOADING SPACE - Any off-street space available for the loading or unloading of goods.

LOT - A parcel of land used or designed to be used by one use or structure, or by a related group of uses or structures, and the accessory uses or structures customarily incident thereof, including such open spaces as are arranged or designed and required in connection with such structure or group of structures. A lot may be or may not be the land shown as a single lot on a duly recorded plat or other official record.

LOT AREA - The total horizontal area included within the lot lines.

LOT, CORNER - A lot at the junction of and fronting on two or more intersecting streets.

LOT, INTERIOR - A lot other than a corner lot.

LOT LINE - Any boundary of a lot. Any lot line not a rear line, nor a front lot line, shall be deemed a side lot line.

LOT LINE, FRONT - The street line at the front of a lot. On a corner lot, the owner may specify the front lot line on the plot plan.

LOT LINE, REAR - The lot line opposite to the front lot line.

LOT, THROUGH - A lot extending from one street to another.

LOT WIDTH - The distance between side lot lines taken at the minimum front yard setback and measured by the straight line distance between side lot lines.

MEMBERSHIP CLUB - See "club, membership."

MOTOR VEHICLE SERVICE STATION — Any area of land, including structures thereon, or any building or part thereof that is used for the sale of motor fuels and which may include the sale of motor vehicle accessories and facilities for lubricating, washing or otherwise servicing motor vehicles, but not including body work or painting by any means. Repair work shall be permitted on premises only within a totally enclosed soundproof building. Sale of other retail products from the premises shall not be deemed to affect use of the facility as a motor vehicle service station, so long as gasoline continues to be sold on the premises.

NONCOMPLYING BULK - A structure or building the size, dimension or location of which was lawful prior to the adoption, revision or amendment to a zoning law, but which fails by reason of such adoption, revision or amendment, to conform to the present requirements of the zoning district.

NONCONFORMING USE — Any use of a building or structure, lot or land, or part thereof, lawfully existing at the effective date of this chapter or of any amendments thereto affecting such use, which does not conform to the use requirements of this chapter, as may be amended, for the district in which it is located.

NURSERY SCHOOL — A private establishment enrolling more than four children between two and five years of age, where tuition fees or other forms of compensation for the care of children is charged, and which is licensed or approved to operate as a child-care center.

OPEN SPACE — That percentage of the land area not covered by the combined area of all buildings, structures and paved areas on all or that portion of the lot within the same zoning district as the main building.

PARKING AREA — A lot or part thereof used for the storage or parking of motor vehicles, with or without the

ranch or similar establishment, subject to the provisions of § 235-42.

ROADSIDE STAND — A temporary structure constructed for the seasonal sale of fruits, vegetables and other agricultural produce items. Roadside stands shall not include mobile refreshment stands or stands erected for the sale of retail goods.

SAND OR GRAVEL PIT OR ROCK QUARRY — A lot of land or part thereof used for the purpose of extracting stone, sand, gravel, topsoil or any natural material for sale, as an industrial operation, and exclusive of the process of grading a lot preparatory to the construction of a building for which application for a building permit has been made to the Building Inspector.

SCHOOL, PRIVATE — A kindergarten, primary or secondary school, junior college, college or university, not operated by a public school district but furnishing a comprehensive curriculum of academic instruction similar to that of a public school, licensed by the State of New York Education Department.

SCHOOL, PUBLIC — Any educational institution operated by a public school district under the laws of the State of New York, or any junior college, college or university operated under or by any municipal or quasi-municipal subdivision or agency.

SENSITIVE USE — The use of a parcel of land for certain uses determined to be by their nature particularly susceptible to the secondary impacts of adult uses, such as existing residences; a public or private school; a church or other place of religious worship; a cultural, civic or historic use open to the general public; a day-care use; or a park, playground or recreational facility open to the general public.

SIGN — The term "sign" shall include every billboard, illustration, insignia, lettering, picture, display, banner, pennant, flag or other device, however made, displayed, painted, supported, attached, intended for use for the purpose of advertisement, identification, publicity or notice, when located out-of-doors and visible from any street or from any lot other than the lot on which the sign is located. The term "sign" shall not include any flag, pennant or insignia of any governmental unit or nonprofit, civic, political, philanthropic or educational organization.

SIGN ADVERTISING — A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than on the premises and only incidentally on the premises, if at all.

SIGN AREA — Where a sign consists of a single board or face with the information on one or both sides, the area which results by measuring the outside dimensions of such sign, and not including the vertical, horizontal or diagonal supports which may affix the sign to the ground or to a structure. Where the sign consists of individual letters or symbols attached to or painted on a building, the area shall be considered to be that of the smallest basic geometric shape (rectangle, circle or triangle) which encompasses all of the letters or symbols of the sign.

STEEP SLOPES — Areas with an average slope equal to or greater than 25% with a minimum area of 200 square feet and a minimum width perpendicular to the contour of 10 feet.

STREET — A street which is one of the following: an existing Village, County or State highway or street; a street shown on an approved subdivision final plat; a street shown on a map filed with the County Clerk (in accordance with section prior to Planning Board authorization to review subdivisions); or a street shown on the Official Map.

STREET FRONTAGE — The length of the street line across the frontage of a lot.

STREET LINE — The dividing line between a street and a lot.

STRUCTURE — Anything or any combination of materials constructed, assembled or erected on, above or below the ground or attached to something having location on, above or below the ground, including, but not limited to, buildings, fences, tanks, towers, flag poles, dish antennas and solar energy collectors and swimming pools. A driveway shall not be considered to be a structure.

SWIMMING POOL, NONCOMMERCIAL — A constructed body of water or structure to contain water, and any accessory equipment pertaining thereto, used or intended to be used for swimming or bathing by a family or persons residing on the premises and their guests. Such noncommercial swimming pool shall not be operated for gain and shall be located on a lot only as an accessory use to the dwelling or dwellings, hotel, motel or membership club.

TELEPHONE EXCHANGE — A building housing a telephone communication center controlling the distribution of a telephone communication network.

TOWN — The Town of Blooming Grove, unless otherwise specified.

TEMPORARY SIGN - A sign which is constructed of aluminum, cardboard, cloth, fabric, paper, plastic, plywood, or other similar materials which is or may be portable or capable of being used on more than a single occasion, in whole or in part. Such signs are of a nature that they are installed, or are intended to be installed, for a definite and limited period of time, are designed to advertise or give notice of any particular event or series of events; including, but not limited to, the sale, lease or rental of real property, or the sale of any real or personal property for a limited period of time.

USE — The specific purpose for which land, water or a building or structure is designed, arranged or intended or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.

UTILITY, PRIVATE — Those normal and customary services to a building or group of buildings within a corporate park or subdivision to provide heat, electric, power, water, communications, sanitary waste disposal and/or fire protection.

UTILITY, PUBLIC — Any person, firm, corporation or municipal agency duly authorized to furnish to the public, under public regulation, electricity, gas, water, sewerage treatment, steam, cable TV, telephone or telegraph.

VARIANCE — A modification of the regulations of this chapter granted on grounds of practical difficulties or unnecessary hardship, not self-imposed, pursuant to the provisions of § 235-89C.

VILLAGE ATTORNEY – The duly designated attorney of the Village.

VILLAGE ENGINEER – The duly designated engineer or engineering consultant of the Village.

WAREHOUSE — A building, a part of a building or a group of buildings used by a business or similar commercial enterprise for the storage and/or distribution of goods and merchandise manufactured, used or sold by the enterprise, and which is not open to the public. A warehouse may be an accessory use to the principal enterprise use, and may include accessory office or garage areas, but shall not include vehicle maintenance or repair facilities not otherwise allowed in the district. "Warehouse" shall not be construed to mean a self-storage center or similar use allowing access to the general public.

WATERCOURSE — A visible path through which surface water travels on a regular basis, including an intermittent stream. A drainage ditch, swale, or surface feature that contains water only during and immediately after a rainstorm or a snowmelt shall not be considered to be a watercourse.

WETLANDS — Any area, regardless of size, that meets the definition for wetlands according to the Federal Clean Water Act and regulations and using the methodology contained in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands (1989) (also known as the "Federal Interagency Wetland Delineation Manual of 1989") as revised from time to time.

WHOLESALE FACILITY — Establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional or professional users; to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

YARD, FRONT — An open unoccupied space on the same lot with a building situated between the nearest roofed portion of the building and the front lot line of the lot and extending from side lot line to side lot line.

YARD, REAR — An open unoccupied space on the same lot with a building situated between the nearest roofed portion of the building and the rear lot line of the lot and extending from side lot line to side lot line.

YARD, SIDE — An open unoccupied space on the same lot with a building situated between the nearest roofed portion of the building or any accessory building and the side lot line of the lot and extending through from the front lot line, where no front yard exists, to the rear yard.

Zoning
235 Attachment I
Village of South Blooming Grove Table of General Use Requirements

Principal Uses	Rural Residential	Rural Crossroads I	Rural Crossroads II	Office / Research / Industrial
Residential single-family detached	PB Subdivision Approval	Site Plan	Site Plan	
Residential multifamily		Site Plan	Site Plan	
Mixed-use building(retail/office/residential)	VB Special Permit	Site Plan	Site Plan	Site Plan
Retail (under 2,000 sq. ft. footprint)	PB CU Permit	Site Plan	Site Plan	Site Plan
Retail (over 2,000 sq. ft. footprint)Se	VB Special Permit	PB CU Permit	PB CU Permit	Site Plan
Office (under 1,000 sq. ft. footprint)	PB CU Permit	Site Plan	Site Plan	Site Plan
Office (over 1,000 sq. ft. footprint)	VB Special Permit	Site Plan	Site Plan	Site Plan
Personal service	PB CU Permit	Site Plan	Site Plan	Site Plan
Animal kennels and hospitals	PB CU Permit	PB CU Permit	PB CU Permit	PB CU Permit
Bed-and-breakfast	PB CU Permit	PB CU Permit	PB CU Permit	PB CU Permit
Restaurant	PB CU Permit	PB CU Permit	PB CU Permit	PB CU Permit
Entertainment complexes	VB Special Permit			VB Special Permit
Golf course/ country club	VB Special Permit			VB Special Permit
Hotel/conference center/corporate training center	VB Special Permit	VB Special Permit	VB Special Permit	VB Special Permit
House of worship	VB Special Permit	VB Special Permit	VB Special Permit	VB Special Permit
Membership Club	PB CU Permit	PB CU Permit	VB Special Permit	PB CU Permit
Motor Vehicle service station		PB CU Permit	PB CU Permit	PB CU Permit
Non-nuisance industry				Site Plan
Passive adult uses				PB CCU Permit
Research institute or laboratory				Site Plan
Residential farming	PB CU Permit			PB CU Permit
Riding academies, boarding stables, breeding farms	PB CU Permit			PB CU Permit
Roadside stands	PB CU Permit	PB CU Permit	PB CU Permit	PB CU Permit
Trade or vocational schools	PB CU Permit	PB CU Permit	PB CU Permit	PB CU Permit
Warehouses; distribution				PB CU Permit
Unlisted uses	VB Special Permit	VB Special Permit	VB Special Permit	VB Special Permit
Accessory Uses				
Home occupation	PB CU Permit	PB CU Permit	PB CU Permit	
Accessory apartment to single-family house	PB CU Permit	PB CU Permit	PB CU Permit	
Accessory apartment to retail/office building	PB CU Permit	Site Plan	Site Plan	Site Plan

Note: A blank cell indicates that a use is not permitted within that zoning district.
Site Plan = Allowed use, subject to site plan approval.
PB CU Permit = Use allowed by Planning Board conditional use permit (and site plan) approval.
VB Special Permit = Use allowed by Village Board special permit approval and Planning Board site plan approval.

ARTICLE XVIII Village Board Special Permits

§ 235-94. Application procedure.

G. NEW SECTION: 235-94G:

Requests to the Village Board for a Special Permit for House of Worship will be reviewed as follows:

1. If request is for worship in a home, such as a Shtiebel, the Board can review and consider approval with conditions to be enforced by Code Enforcement Officer.
2. If request is for a Shul with larger number of worshipers proposed, the Village Board can seek recommendations from the Code Enforcement Officer or forward to the Planning Board to follow the procedure in §235-94 A, B, C, D, E, and F.
3. If request is for a synagogue, church, mosque, or other larger house of worship, the Village Board would forward to the Planning Board for their recommendation under §235-94 A, B, C, D, E, and F.

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

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

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

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

A. Project and Sponsor Information.

Name of Action or Project: Village of South Blooming Grove Zoning Code Amendment		
Project Location (describe, and attach a general location map): Chapter 235 Code Amendment		
Brief Description of Proposed Action (include purpose or need): Amendment of Chapter 235 of the Zoning Code of the Village of South Blooming Grove.		
Name of Applicant/Sponsor: Village of South Blooming Grove		Telephone: 845-782-2600
		E-Mail: deputyclerk@villageofsouthbloominggrove.com
Address: 811 State Route 208		
City/PO: Blooming Grove	State: New York	Zip Code: 10914
Project Contact (if not same as sponsor; give name and title/role): Alfred A. Fusco, Jr., P.E.		Telephone: 845-344-5863
		E-Mail: aafjr@fuscoengineering.com
Address: 233 East Main Street		
City/PO: Middletown	State: New York	Zip Code: 10941
Property Owner (if not same as sponsor): SAME AS SPONSOR		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees		January 2021 (T)
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		January 2021 (T)
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
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	OC Planning Department	February 2021 (T)
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input type="checkbox"/> No		

C. Planning and Zoning

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

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?
 N/A

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? Amended Zoning Code Chapter 235

C.4. Existing community services.

a. In what school district is the project site located? Monroe-Woodbury and Washingtonville School Districts

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

c. Which fire protection and emergency medical services serve the project site?
 South Blooming Grove Fire District

d. What parks serve the project site?
 N/A

D. Project Details

D.1. Proposed and Potential Development

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

b. a. Total acreage of the site of the proposed action? _____ acres
 b. Total acreage to be physically disturbed? _____ acres
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? Yes No
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
 If Yes,
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____
 ii. Is a cluster/conservation layout proposed? Yes No
 iii. Number of lots proposed? _____
 iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? Yes No
 i. If No, anticipated period of construction: _____ months
 ii. If Yes:
 • Total number of phases anticipated _____
 • Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
 • Anticipated completion date of final phase _____ month _____ year
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? 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: _____

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- 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 proposed action cause or result in disturbance to bottom sediments? Yes No
 If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No
 If Yes:

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

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

c. Will the proposed action use, or create a new demand for water? Yes No
 If Yes:

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

ii. Will the proposed action obtain water from an existing public water supply? Yes No
 If Yes:

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

iii. Will line extension within an existing district be necessary to supply the project? Yes No
 If Yes:

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

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No
 If, Yes:

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

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

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

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

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

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

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

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

- Do existing sewer lines serve the project site? Yes No
- Will line extension within an existing district be necessary to serve the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

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:

i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

- If to surface waters, identify receiving water bodies or wetlands: _____

- Will stormwater runoff flow to adjacent properties? Yes No

iv. Does 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:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No

ii. 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 semi-trailer truck trips/day: _____

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 ½ 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: _____

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

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.

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
--	---

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:

ii. Will 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:

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 an 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 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: _____ tons per _____ (unit of time)
 • Operation : _____ tons per _____ (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: _____

 • Operation: _____

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

 • Operation: _____

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

If Yes:

- i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
- ii. Anticipated rate of disposal/processing:
 - _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 - _____ Tons/hour, if combustion or thermal treatment
- iii. If landfill, anticipated site life: _____ years

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

If Yes:

- i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____
- ii. Generally describe processes or activities involving hazardous wastes or constituents: _____
- iii. Specify amount to be handled or generated _____ tons/month
- iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

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

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

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

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? _____ 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: _____ %
 _____ %
 _____ %

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

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ % of site
 10-15%: _____ % of site
 15% or greater: _____ % 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: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

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? Yes No

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? Yes No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

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? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: _____	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
<i>iii.</i> Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

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

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

G. Verification

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

Applicant/Sponsor Name George Kalaj, Mayor Date _____

Signature _____ Title Mayor

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

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

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

Tips for completing Part 2:

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

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

2. Impact on Geological Features
 The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) NO YES
If "Yes", answer questions a - c. If "No", move on to Section 3.

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

3. Impacts on Surface Water
 The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) NO YES
If "Yes", answer questions a - l. If "No", move on to Section 4.

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

1. 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. NO YES
 (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)
If "Yes", answer questions a - h. If "No", move on to Section 5.

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

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. NO YES
 (See Part 1. E.2)
If "Yes", answer questions a - g. If "No", move on to Section 6.

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

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air			
The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO ₂)	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.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

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

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

9. Impact on Aesthetic Resources

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)

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

NO 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.)

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

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

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

11. Impact on Open Space and Recreation
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. NO YES
(See Part 1. C.2.c, E.1.c., E.2.q.)
If "Yes", answer questions a - e. If "No", go to Section 12.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) NO YES
If "Yes", answer questions a - c. If "No", go to Section 13.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

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

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

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

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

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

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

16. Impact on Human Health
 The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)
If "Yes", answer questions a - m. If "No", go to Section 17.

NO YES

	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"/>		

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.

This project will have no significant adverse environmental impacts.

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

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

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

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

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

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

Name of Action: Village of South Blooming Grove Zoning Code Amendment

Name of Lead Agency: Village of South Blooming Grove

Name of Responsible Officer in Lead Agency: George Kalaj

Title of Responsible Officer: Mayor

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date: 4/12/21

For Further Information:

Contact Person: George Kalaj, Mayor

Address: 811 State Route 208, Blooming Grove, New York 10914

Telephone Number: 845-782-2600

E-mail: deputyclerk@villageofsouthbloominggrove.com

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

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

Other involved agencies (if any)

Applicant (if any)

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