



TOWN OF AMENIA

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Amenia Town Clerk

TOWN OF AMENIA PLANNING BOARD

Resolution # 3 for 2022

SEQRA NEGATIVE DECLARATION FOR SILAND RECREATION FACILITY

March 23, 2022

WHEREAS, the Town of Amenia Planning Board (“Planning Board”) has received an application from Siland Commercial Property LLC (“Applicant”) for a recreation business which includes a field and pool house, ice-house, warming hut, and tennis, pickle ball, and paddle tennis courts, sledding area, ballfield, playground and multi-purpose fields, supported by associated parking and utilities. (the “Project”). The Project also includes a proposed 8’ tall fence on an adjoining property along the Project’s northern property boundary; and

WHEREAS, the Project is proposed to be constructed on a 53± acre parcel owned by the Applicant consisting of Parcel # 32000-7066-00-910219 situated at 4391 NYS Route 22 in the Town of Amenia, Dutchess County, New York (the “Site”); and

WHEREAS, the Site is located in the Office/Commercial/Industry and Rural Agricultural zoning districts under the Town of Amenia’s Zoning Law (“Zoning Law”), where the Project is a permissible use on the Site subject to Special Permit and Site Plan Review approval by the Planning Board pursuant to Article IX of the Zoning Law. Portions of the Project will be undertaken in the Trail Visual Protection Corridor. The easterly portion of the Site is in Primary Valley Bottom Aquifer; and

WHEREAS, the Applicant has submitted information to the Planning Board in support of the proposed Project including: (1) a land use application; (2) site development and construction plans; (3) a stormwater pollution prevention plan; (4) a SEQRA Full Environmental Assessment Form, Part 1; (5) an Operation Plan; and (6) related documents (collectively, the “Application”); and

WHEREAS, the Planning Board has reviewed the application and all other materials described above; and

WHEREAS, the State Environmental Quality Review Act and its implementing regulations in 6 NYCRR Part 617 (collectively, “SEQRA”) require a lead agency to undertake a thorough review of a proposed action’s potentially significant adverse environmental impacts prior to any discretionary approvals being granted by the Planning Board or any other involved agency; and

WHEREAS, the Planning Board determined that the Project is a Type 1 action pursuant to SEQRA and stated its intention to serve as the lead agency for purposes of conducting and coordinating the environmental review of the Action on behalf of all involved agencies; and

WHEREAS, on November 2, 2021, as required by 6 NYCRR § 617.6 of the SEQRA regulations, the Planning Board conducted a coordinated review by distributing the following documents to all potentially involved and interested agencies: (1) Notice to Designate the Planning Board as the SEQRA Lead Agency for the Project; (2) Lead Agency Consent Form; (3) Application Documentation; (4) SEQRA Full Environmental Assessment Form (“FEAF”), Part 1; and (5) Site Plans; and

WHEREAS, no involved or interested agencies objected to the Planning Board serving as the SEQRA lead agency for the Project; and

WHEREAS, the Planning Board established itself as the lead agency for conducting and coordinating the environmental review of the Project under SEQRA; and

WHEREAS, the SEQRA regulations provide that for a Type I action “the lead agency making a determination of significance must: (1) consider the action as defined in sections 617.2(b) and 617.3(g) of SEQRA; (2) review the EAF, the criteria for determining significance contained in SEQRA and any other supporting information to identify the relevant areas of environmental concern; (3) thoroughly analyze the identified relevant areas of environmental concern to determine if the action may have a significant adverse impact on the environment; and (4) set forth its determination of significance in a written form containing a reasoned elaboration and providing reference to any supporting documentation”; and

WHEREAS, the SEQRA regulations also provide that “[t]o determine whether a proposed ...Type I action may have a significant adverse impact on the environment, the impacts that may be reasonably expected to result from the proposed action must be compared against the criteria in....section 617.7(c)(1) of the SEQRA regulations”; and

WHEREAS, the Planning Board has reviewed and considered Part 1 of the SEQRA Full Environmental Assessment Form (“FEAF”) for the Action provided by the Applicant; and

WHEREAS, the Planning Board has completed SEQRA FEAF Parts 2 and 3, after reviewing all the other supporting information or comments submitted to the Planning Board by the Applicant, the Planning Board’s engineer and counsel, other agencies and the public; and after reviewing the criteria for determining significance set forth under Section 617.7(c)(1) of the SEQRA regulations and analyzing the relevant areas of environmental concern, has determined that the Project will not have any significant adverse impact on the environment.

WHEREAS, as required by SEQRA, the Planning Board has prepared a written elaboration as to why the Action will have no significant adverse environmental impacts, and why the issuance of a Negative Declaration is appropriate.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board approves the FEAF (Parts 1, 2 and 3) and the Planning Board Chairman is authorized to sign Part 3 of the FEAF on behalf of the Planning Board; and

BE IT FURTHER RESOLVED, that

1. The Planning Board issues a SEQRA Negative Declaration for the Project concluding that it will not create any significant adverse environmental impacts and that a draft environmental impact statement will not be prepared; and
2. The Planning Board adopts and incorporates herein by reference the attached written Negative Declaration for the Project; and

BE IT FURTHER RESOLVED, that the Planning Board directs its Secretary to file, distribute and publish this Negative Declaration as required by 6 NYCRR § 617.12 of the SEQRA regulations; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

The foregoing resolution was voted upon with all members of the Planning Board voting as follows:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Robert Boyles, Jr. Chairperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Stefanopoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Walter Brett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Neal Kusnetz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Matthew Deister	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nina Peek	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Anthony Robustelli	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Dated: March 23, 2022
Amenia, New York



Judy Westfall, Planning Board Clerk