

Amenia Town Clerk

JUN 28 2022

Received



TOWN OF AMENIA

4988 Route 22, AMENIA, NY 12501
TEL: 845-373-8860, x118 FAX: 845-373-9147

TOWN OF AMENIA PLANNING BOARD

Resolution # 7 for 2022

Adopting a Negative Declaration Under the State Environmental Quality Review Act ("SEQRA") for Selective Timber Harvesting by Lower Hudson Forestry Services, LLC on Deep Hollow Road

June 22, 2022

WHEREAS, Deep Hollow Game Preserve, LLC is the owner of approximately 364.68± acres of land located at 253 Deep Hollow Road (SBL #7065-00-596985) in Amenia, New York (the "Property"); and

WHEREAS, Lower Hudson Forestry Services, LLC (the "Applicant") has been authorized by the Property owner to manage the selective timber harvesting of a total of 881 trees on approximately 25 acres of the Property (the "Project"); and

WHEREAS, the proposed Project is located in the Rural Agricultural (RA) Zoning District and Upland Aquifer Overlay District. Portions of the Property, not including the lands involved in the Project, are situated in the Stream Corridor Overlay and the Scenic Protection Overlay; and

WHEREAS, pursuant to Section 121-47 of the Town of Amenia Zoning Law (the "Zoning Law"), site plan approval is required for timber harvesting; and

WHEREAS, pursuant to Article IX of the Zoning Law on or around April 11, 2022, the Applicant submitted an application to the Planning Board seeking site plan approval for the Project; and

WHEREAS, pursuant to the Zoning Law, timber harvesting is permitted in the RA zoning district subject to site plan approval from the Planning Board; and

WHEREAS, the documents submitted by the Applicant as part of its application consisted of, among other things, (1) a cover letter and Land Use Application; (2) a SEQRA Short Environmental Assessment Form; (3) a forest management plan; (4) an Agricultural Data Statement; (5) the requisite filing fee and escrow amount for the application; and (6) maps of affected areas and a variety of additional documentation (the "Application"); and

WHEREAS, the Planning Board and its consultants reviewed and considered all of the above-referenced documents submitted by the Applicant as part of its Application; and

WHEREAS, the Planning Board is acting as the lead agency for uncoordinated review of the proposed action and, after review of the SEAF Part 1 has determined that the Project is an Unlisted Action under SEQRA; and

WHEREAS, the Planning Board, with the assistance of its technical and legal consultants, engaged in a detailed review of the Application materials and completed Part 2 of the SEAF; and

WHEREAS, the SEQRA regulations provide that for an Unlisted 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 the SEQRA regulations; (2) review the EAF, the criteria for determining significance contained in the SEQRA regulations 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 to “determine whether a proposed ... Unlisted 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, after reviewing and completing Parts 1 and 2 of the SEAF; after reviewing all the other information submitted to the Planning Board by the Applicant; and after reviewing the criteria for determining significance set forth under Section 617.7(c)(1) of the SEQRA regulations, the Planning Board has determined that no significant adverse environmental impacts will be created by the Project and that no environmental impact statement will be prepared.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Planning Board issues a SEQRA Negative Declaration for the Project concluding that the Project will not create any significant adverse environmental impacts and 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
3. The Planning Board directs that this resolution making a Negative Declaration be filed as required by Section 6 NYCRR 617.12 of the SEQRA regulations.

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

Motion by:

Second by:

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., Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Stefanopoulos	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
James Walsh	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Neal Kusnetz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Matthew Deister	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nina Peek	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Robustelli	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Dated: June 22, 2022
Amenia, New York



Judy Westfall, Planning Board Clerk