



TOWN OF AMENIA

PLANNING DEPARTMENT
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TOWN OF AMENIA PLANNING BOARD

Resolution # 6 for 2024

RECEIVED
JUL 11 2024
Amenia Town Clerk

Resolution Adopting A Negative Declaration Under the State Environmental Quality Review Act ("SEQRA")

July 10, 2024

WHEREAS, Turkey Hollow, Inc. (the "Applicant") has applied to the Town of Amenia Planning Board (the "Planning Board") for site plan approval to selectively harvest one hundred eighty-six (186) acres of timber located at 4754 US Route 44 (SBL # 7066-00-345640) in the Town of Amenia, New York in the Town of Amenia, Dutchess County (the "Project"); and

WHEREAS, in support of the Planning Board's review of the for the Project under the NYS Environmental Quality Review Act and its implementing regulations in 6 NYCRR Part 617 (collectively, "SEQRA"), the Applicant submitted Part 1 of a SEQRA Short Environmental Assessment Form (SEAF), a forest management plan, an erosion control plan and maps delineating the areas where timber harvesting will take place; and

WHEREAS, the Applicant had the trees assessed in the summer of 2023 and at that time approximately 850 trees were observed to be either dead or dying trees due to the excessive damage and mortality caused by spongy moth (gypsy moths) and hemlock wool adelgid infestations. These trees that were dying or dead were marked for removal; and

WHEREAS, after reviewing the Forest Management Plan, Erosion Control Plan and Part 1 of the SEAF, the Town of Amenia Planning Board confirmed that the Project is an Unlisted action under SEQRA and has conducted an uncoordinated review of its potential impacts; 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 [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 ... 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 the Forest Management Plan, Erosion Control Plan and Part 1 of the SEAF, the Planning Board completed Parts 2 and 3 of the SEAF, and after reviewing the criteria for determining significance set forth under Section 617.7(c)(1) of the SEQRA regulations, the Planning Board determined that the Project does not have the potential to result in any significant adverse environmental impacts; and

WHEREAS, as required by SEQRA, the Planning Board has prepared a written explanation providing its reasons why the Project will does not have the potential to result in any significant adverse environmental impacts, and why the issuance of a Negative Declaration is appropriate.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Planning Board issues a SEQRA Negative Declaration for the Project concluding that it does not have the potential to result in any significant adverse environmental impacts and that an environmental impact statement is not required; and
2. The Planning Board adopts and incorporates herein by reference the attached written Negative Declaration for the Project under SEQRA; and
3. The Planning Board directs that the attached Negative Declaration be filed as required by the SEQRA regulations in 6 NYCRR § 617.12

Motion By: Ken Topolsky

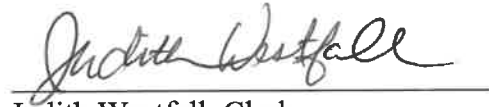
Second By: Nina Peek

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	✓ _____	_____	_____	_____
Nina Peek Deputy Chairperson	✓ _____	_____	_____	_____
John Stefanopoulos	✓ _____	_____	_____	_____
James Walsh	✓ _____	_____	_____	_____
Walter Dietrich	✓ _____	_____	_____	_____
Kenneth Topolsky	✓ _____	_____	_____	_____
Jamie Vitiello	✓ _____	_____	_____	_____

Dated: July 10, 2024
Amenia, New York

Vote certified by:

A handwritten signature in cursive script, reading "Judith Westfall", is written over a horizontal line.

Judith Westfall, Clerk
Town of Amenia Planning Board

Town of Amenia Planning Board
State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Date: July 10, 2024

This notice is issued pursuant to the State Environmental Quality Review Act, Article 8 of the NYS Environmental Conservation Law and its implementing regulations at Part 617 of the New York State Code of Rules and Regulations (collectively referred to as “SEQRA”).

The Town of Amenia Planning Board (the “Planning Board”) has determined that the proposed action described below will not have a significant adverse environmental impact and a draft Environmental Impact Statement will not be prepared.

Proposed Action: Turkey Hollow Timber Harvest

Applicant: Turkey Hollow, LLC

SEQR Status: Unlisted Action, Uncoordinated Review

Description of Action:

The Proposed Action consists of timber harvesting on a parcel of real property located at 4754 US Route 44 (SBL # 7066-00-345640) in the Town of Amenia, New York consisting of approximately one hundred eighty-six (186) acres (the “Property”) of the total eight hundred (800.94) acres. The Applicant proposes to selectively remove trees for the protection of the remaining trees from the spread of an infestation of Hemlock Woolly Adelgid and Spongy Moth on the Property.

Reasons Supporting This Determination:

The Planning Board has carefully considered whether the Proposed Action would have the potential to result in any significant adverse impacts on the environment. For the reasons set forth below, a SEQRA Negative Declaration is appropriate and an environmental impact statement will not be required for the Proposed Action.

1. The Town Board has given due consideration to the Proposed Action as defined in 6 NYCRR 617.2(b)(1) and 617.3(g).
2. The Planning Board has completed Parts 2 and 3 of the Short Environmental Assessment Form, and has concluded that the environmental effects of the Proposed Action will not exceed any of the criteria for determining significance found in 6 NYCRR § 617.7(c), as more fully described below:
 - a. No substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; no substantial increase in solid waste production; and no substantial increase in potential for erosion, flooding, leaching or drainage problems will result from the Proposed Action. The Proposed Action will not generate off-premises noise, waste,

lights, glare or any other intrusive condition. The proposed harvest will be conducted in accordance with a Forest Management Plan submitted for the project which was subject to review and acceptance by the Town of Amenia Consulting Forester.

- b. There are two state regulated environmental resources on the Property. Wassaic Creek, a DEC classified stream on the Property. The project will utilize General Permit GP-0-23-004, Temporary Bridges/Arch Culverts for the crossing of the stream for logging activities having received authorization from the NYDEC for coverage. A 50-foot no-cut buffer will be implemented on both sides of this stream. A second small DEC wetland is located in the far northern portion of the Property along Route 44. No harvesting or skidding will be taking place within 1/2 of mile of this wetland. All measures were also reviewed by Town of Amenia Consulting Forester and were found to be acceptable to him and consistent with applicable standards and practices for logging operations.
- c. Access to the Property will be made via State Route 44, on a pre-existing gravel road that enters the Property. Two landings will be located along this gravel road. Both landings will be over a mile off State Route 44. At the completion of the Proposed Action these landing areas will be smoothed off and all logging debris will be removed.
- d. The Proposed Action will not create the impairment of the environmental characteristics of a Critical Environmental Area ("CEA") as designated pursuant to subdivision 6 NYCRR 617.14(g). There are no designated CEAs on or near the Proposed Action. There are no DEC identified rare, threatened or endangered species on or near the Property.
- e. The Proposed Action will not create a material conflict with the community's current plans or goals as officially approved or adopted.
- f. The Proposed Action will not impair the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character. No historical resources are located on or in the immediate vicinity of the Proposed Action, no significant adverse impact to archeological resources is anticipated.
- g. The Proposed Action will not create a major change in the use of either the quantity or type of energy.
- h. The Proposed Action will not create a hazard to human health.
- i. The Proposed Action will not create a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses.
- j. The Proposed Action will not encourage or attract a large number of people to the Town of Amenia, compared to the number of people who would come to such place absent its adoption.
- k. The Proposed Action will not create a material demand for other actions that would result in one of the above consequences.
- l. No cumulative adverse impacts on the environment will result from the Proposed Action.

Moreover, the Planning Board finds that the Proposed Action is more protective of the environment by virtue of its stated purpose to remove diseased trees and prevent the spread of non-native invasive species from damaging or destroying surrounding forested areas.

For Further Information:

Contact Person: Robert Boyles, Jr.
Chairperson, Town of Amenia Planning Board
Address: 4988 Route 22
Amenia, New York 12501
Telephone: (845) 373-8118

A Copy of this Negative Declaration is Filed With:

Town of Amenia Planning Board

