

RESOLUTION ADOPTING A NEGATIVE DECLARATION UNDER SEQRA

WHEREAS, 3622 Route 9, LLC has applied to the Town of Philipstown Planning Board for amended site plan approval pursuant to Town Code Chapter 175 for a site on certain real property located on Route 9, Cold Spring, New York with the "HC" Zoning District and identified as Town of Philipstown Tax Map Nos. 17.-1-44; and

WHEREAS, in regard to proposed development of the property a Long Form Environmental Assessment Form ("EAF") – Part 1 has been submitted pursuant to the New York State Environmental Quality Review Act ("SEQRA"), and

WHEREAS, a coordinated environmental review was accomplished by the Planning Board, with no other "involved" agencies raising any objections to the Town of Philipstown Planning Board serving as Lead Agency pursuant to SEQRA on the matter; and

WHEREAS, as the Planning Board has therefore deemed itself the responsible agency for review under SEQRA;

WHEREAS, the Planning Board, acting as Lead Agency, has duly reviewed the latest EAF documents, the public record and latest plans.

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Planning Board does hereby adopt the Negative Declaration attached hereto.

by Kim Conner presented the foregoing resolution which was seconded by Neal Tomann,

The vote on the foregoing resolution was as follows:

Kim Conner, Member, voting	<u>AYE</u>
Dennis Gagnon, Member, voting	<u>AYE</u>
Peter Lewis, Member, voting	<u>Absent</u>
Laura O'Connell, Member, voting	<u>AYE</u>
Neal Tomann, Member, voting	<u>AYE</u>
Heidi Wendel, Member, voting	<u>AYE</u>
Neal Zuckerman, Chair, voting	<u>AYE</u>

Adopted at a meeting of the Philipstown Planning Board on October 21, 2021.

PHILIPSTOWN PLANNING BOARD



Neal Zuckerman, Chair

NEGATIVE DECLARATION
Amended Site Plan Approval – 3622 Route 9, LLC
Town of Philipstown Planning Board, County of Putnam

Date: October 21, 2021

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

The Town of Philipstown Planning Board as Lead Agency has determined that the proposed action described below will not have potential significant harmful effects on the environment, and a Draft Environmental Impact Statement will not be prepared.

Name of Project: 3622 Route 9, LLC Site Plan
Action Type : Unlisted
Site Location : Route 9, Cold Spring, NY
Location : Town of Philipstown

Summary of Action: The property involved in this application lies along the east side of NYS Route 9, south of E. Mountain Road North and immediately north of Nicola's Restaurant, comprising a 4.5-acre parcel located in the Highway Commercial (HC) Zoning District. The subject lot contains an existing building previously utilized for contractor offices and storage, and a separate garage/shed. The applicant proposes to remove the existing buildings, associated drives and storage areas, and proposes to construct two buildings (11,620 SF and 10,500 SF), new outdoor storage enclosures and associated parking. The buildings would house contractor office space and storage.

Reasons Supporting This Determination:

- (a) The proposed site improvements proposed will not create a material conflict with the community's plans or goals as officially approved or adopted. Nor will the proposed action result in a substantial increase in traffic, solid waste production or noise level.
- (b) The proposed improvements do not pose significant potential water pollution impacts.
- (c) No significant adverse drainage impacts are expected, and appropriate erosion/sediment control measures will be implemented to ensure that erosion/sediment impacts to downstream properties and receiving waters will be minimized to the maximum practical extent possible.
- (d) The latest proposed site improvements will not substantially interfere with the movement of any resident or migratory fish or wildlife species, nor will it have an impact on a significant habitat area, or on a threatened or endangered species of animal or plant life, or the habitat of such species.
- (e) The proposed site improvements will not impair the character or quality of important aesthetic, archeological or architectural resources or be detrimental to existing community or neighborhood character.
- (f) The proposed site improvements will not attract large numbers of people to a place or places for more than a few days compared to the number of people who would come to such place without any such action.

(g) The action will not create a material demand for other actions that would result in one of the above consequences. It will not result in two or more related actions undertaken, funded or approved by an agency, none of which have or would have a significant impact on the environment, though when considered cumulatively would meet one or more of the criteria set forth in 6 N.Y.C.R.R. part 617.7(II) or (III). Nor will it create changes in two or more elements of the environment, no one of which has significant effect but when considered together results in a substantial adverse impact on the environment.

In making the foregoing determinations, the Planning Board has considered the reasonably related long -term, short-term, direct, indirect and cumulative impacts of the action as set forth in 6 N.Y.C.R.R. part 617.7(II) or (III).

No other potentially significant harmful impacts are identified.

Agency Address: Town of Philipstown Planning Board
Town Hall – 2 Cedar Street
Cold Spring, New York 10516
Tel. No. (845) 265-5200

Contact Person: Planning Board Chair, Neal Zuckerman