617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information

Village of Croton on Hudson

Name of Action or Project:

Acceptance of a gift of real property in accordance with terms described in attached Term Sheet

Project Location (describe, and attach a location map):

1300 Albany Post Road, Croton on Hudson, NY Section Block Lot 67.14-3-10, 11, 12

Brief Description of Proposed Action:

Acceptance of a gift of property located at 1300 Albany Post Road from Laurel Gouveia in accordance with terms of the Term Sheet (attached). The property consists of 15.69 acres and will be used by the Village for passive recreation. The initial use of the property would involve the creation and use of trails on the southern wooded portion of the property which contains the intermittent streams and occasional use of other portions of the property for educational and Village sponsored events. Trails would be created only by trimming branches on trees and shrubs and removing brush. Over time Village use of the property would be for passive educational uses such as hiking, picnicking, music events and exhibits, environmental education, senior citizen and other club meetings. If additional parking is required during these events temporary parking will be available on the lawn area. No additional paved or gravel parking areas are planned.

Name of Applicant or Sponsor:	Telephone: 914-271-4848
Village of Croton on Hudson	E-Mail: azambrano@crotononhudson-ny.gov

Address:

1 Van Wyck Street

City/PO:	State:	Zip Code:
Croton on Hudson	NY	10520

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:	☑	☐

3.a. Total acreage of the site of the proposed action? 15.69 acres
b. Total acreage to be physically disturbed? 0 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 15.69 acres

4. Check all land uses that occur on, adjoining and near the proposed action.

☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☑ Residential (suburban)
☑ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

RESET

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☑	☐
b. Consistent with the adopted comprehensive plan?	☐	☑	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☑	☐
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	☑
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☑	☐
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: N.A.	☐	☐
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☐	☑
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: Septic	☐	☑
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	☑	☐
b. Is the proposed action located in an archeological sensitive area?	☑	☐
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☐	☑
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☑	☐

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:
☐ Shoreline ☑ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
☑ Wetland ☐ Urban ☑ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	☑	☐
16. Is the project site located in the 100 year flood plain?	☑	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☐ NO ☐ YES	☑	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES		

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	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size:	✓	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	✓	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	✓	

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Abraham Zambrano, Village Manager Date: 10/7/13

Signature:

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	✓	
2. Will the proposed action result in a change in the use or intensity of use of land?		✓
3. Will the proposed action impair the character or quality of the existing community?	✓	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	✓	
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	✓	
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	✓	
7. Will the proposed action impact existing: a. public / private water supplies?	✓	
b. public / private wastewater treatment utilities?	✓	
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	✓	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	✓	

RESET

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☑	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☑	☐

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

2. Will the proposed action result in a change in the use or intensity of use of land?

The property is currently treated as a primary residence by one homeowner. The acceptance of this gift of property will increase the usage of the property by allowing the public access to the property through use of trails and educational classes and other village-sponsored events. This will not result in a significant adverse environmental impact as the increased use of the property will be for passive recreation only.

See attached reasoning and State Environmental Quality Review Negative Declaration Notice of Determination of Non-Significance.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☑ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Village of Croton on Hudson	November 4, 2013
Name of Lead Agency	Date
Abraham J. Zambrano	Village Manager
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

12-12-79 (3/99)-9c

SEQR

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number

Date: 11-04-13

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

The Board of Trustees, Croton on Hudson as lead agency, has determined that the proposed action described below will not have a significant adverse environmental impact and a Draft Impact Statement will not be prepared.

Name of Action:

Acceptance of a gift of real property, located at 1300 Albany Post Road, Croton on Hudson, as outlined in the attached term sheet

SEQR Status: Type 1 ☐
Unlisted ☑

Conditioned Negative Declaration: ☐ Yes
☑ No

Description of Action:

Acceptance of a gift of property located at 1300 Albany Post Road from Laurel Gouveia in accordance with the terms of the Term Sheet (attached). The property consists of 15.69 acres and will be used by the Village for passive recreation. The initial use of the property would involve the creation and use of trails on the southern wooded portion of the property which contains the intermittent streams and occasional use of other portions of the property for educational and Village sponsored events. Trails would be created only by trimming branches on trees and shrubs and removing brush. Over time Village use of the property would be for passive educational uses such as hiking, picnicking, music events, and exhibits, environmental education, senior citizen and other club meetings. If additional parking is required during these events temporary parking will be available on the lawn area. No additional paved or gravel parking areas, or the construction of any additional structures are planned.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

1300 Albany Post Road, Croton on Hudson, NY Section Block Lot 67.14-3-10, 11, 12

Reasons Supporting This Determination:
(See 617.7(a)-(c) for requirements of this determination ; see 617.7(d) for Conditioned Negative Declaration)

The following summarizes the Village Board's findings based on the criterion as set forth in 617.7 (c).

See attached

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of pubication In the ENB)

For Further Information:

Contact Person: Abraham Zambrano, Village Manager

Address: 1 Van Wyck Street, Croton on Hudson, NY 10520

Telephone Number: 914-271-4848

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

Chief Executive Officer , Town / City / Village of

Other involved agencies (If any)

Applicant (If any)

Environmental Notice Bulletin, 625 Broadway, Albany NY, 12233-1750 (Type One Actions only)

REASONS SUPPORTING NEGATIVE DECLARATION IN CONNECTION WITH THE PROPOSED ACCEPTANCE OF A GIFT OF PROPERTY AT 1300 ALBANY POST ROAD,
Following the criteria set forth in SEQRA Regulations Section 617.7(C)(1)

(i) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;

The Village Board does not believe that there will be a substantive change to air quality, ground or surface water or quantity. No additional structures are proposed, no additional improved parking spaces are proposed, and any increase in the need for parking will be satisfied through parking on the lawn areas. The Board does not believe there will be any increase in potential for erosion, flooding, leaching or drainage problems as no development is proposed. With regard to traffic or noise levels, there is a potential for an increase in traffic and noise levels during certain planned events; which the Village Board will manage as it does for events it holds in its other park/recreation venues. The Village Board does not believe that the planned increase in passive recreation, such as hiking, and picnicking or the small increase in planned educational or music events, will have a significant impact on traffic or air quality.

(ii) the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;

The terms of accepting the gift of property require that the property remain undeveloped. There are no plans for new construction at the site, thus there will be no removal or destruction of vegetation or fauna. The Village Board does not believe that the small increase in the usage of the area by the public will impact any wildlife species or threatened or endangered species of animal or plant. The acceptance of the gift of property would protect this property from the potential impacts of development.

(iii) the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to subdivision 617.14(g) of this Part;

The Proposed Action will not result in the impairment of the environmental characteristics of a Critical Environmental Area. The subject area is not located within a Critical Environmental Area(CEA) and although located near the Hudson River, it is not adjacent to it, it is separated by the Metro-North rail tracks and the Route 9 Highway and the plans for passive recreation on the

property will have no impact on the Hudson River. The acceptance of the gift by the Village will protect the property and its environs from the potential impacts of development.

(iv) the creation of a material conflict with a community's current plans or goals as officially approved or adopted;

The Comprehensive Plan, adopted in 2003 recommended protecting natural resources, maintain/improve parks, preserve natural character and expand public recreational uses of the Hudson River waterfront park areas. The proposed action would protect a 15.69 acre property in the Village from further development as well as increase public access to this site. The proposed action is therefore consistent with the Village's Comprehensive Plan. The Board's general policy has been to acquire available open space where the property is appropriate for passive or active recreation and meets the goals of environmental protection and preservation. This policy is reflected in the prior acquisitions of Croton Landing, the Arboretum, and the Merrill Property.

(v) the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character;

The proposed action would preserve this property and protect it from any further development and would therefore maintain the aesthetic resources of this property. The view shed would be protected and the public would also be able to enjoy the view from the property.

(vi) a major change in the use of either the quantity or type of energy;

The potential use of this property would not result in the change in the type of energy – electricity and fuel for heating. There may be a minimal increase in the use of energy when the building is being used for events, however, ultimately the dwelling will no longer be occupied full time as a single family residence, reducing the energy usage. In any event, any change would be minor.

(vii) the creation of a hazard to human health;

The Village Board finds that the additional use of the site from the Proposed Action would not result in any hazard to human health. It will bring the benefits that passive recreation areas provide.

(viii) 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;

The EAF Part 2 identified a moderate to large impact to the change in use or the intensity in use of land. This was identified because of the proposed change from privately owned single family residential use to municipally owned property for passive recreation. At certain times the Board expects that the intensity of use will increase but does not view this as having a substantial negative impact to the environment. The Board believes that enabling this property to be used for the purposes described would have a positive environmental impact for the reasons described above.

(ix) the encouraging or attracting of a large number 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 absent the action;

The Village Board finds that the proposed action, although increasing the number of people who can enjoy the property, will not result in such a large number of people to the property so as to negatively impact the environment. It would be the Board's intention to create a set of policies managing and regulating the use of the property which would protect the property. The use of the property would be managed and regulated by the Village for low impact uses consistent with the uses described as part of the Proposed Action and in the term sheet.

(x) the creation of a material demand for other actions that would result in one of the above consequences;

The Village Board does not believe that the proposed action will create a material demand for other actions that will result in one of the consequences described in i to ix above. There is no planned construction on the site. The Village Board expects that the proposed action will protect the property from future development as well as increasing public enjoyment of the property without causing such demand for the property as to negatively impact it in any way.

(xi) changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or

The Village Board has considered the various potential elements of the environment identified in Section 617.7(c). The Village Board does not envision any combined impacts resulting in a substantial adverse impact on the environment.

xii) two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision.

The Village Board is not aware of any other action, when undertaken with this one, that would result in a cumulative negative impact on the environment.

(2) For the purpose of determining whether an action may cause one of the consequences listed in paragraph (1) of this subdivision, the lead agency must consider reasonably related long-term, short-term, direct, indirect and cumulative impacts, including other simultaneous or subsequent actions which are:

(i) included in any long-range plan of which the action under consideration is a part;

(ii) likely to be undertaken as a result thereof; or

(iii) dependent thereon.

The Village Board understands that there are constraints to acquiring the property which limit future development of the site and is not aware of any other future plans that when combined with this impact would have a negative impact on the environment. The Board has considered long term, short term, direct and indirect impacts in its reasoning articulated above.

(3) The significance of a likely consequence (i.e., whether it is material, substantial, large or important) should be assessed in connection with:

(i) its setting (e.g., urban or rural);

(ii) its probability of occurrence;

(iii) its duration;

(iv) its irreversibility;

(v) its geographic scope;

(vi) its magnitude; and

(vii) the number of people affected.

The Village Board has considered each of these factors in reviewing the criteria described above.

Summary

The Village Board finds that the proposed action will protect the property and natural resources located on the property. It finds that the benefit of the increased access to the property by the public to enjoy passive open space and scenic views will result in a positive environmental impact.