

On motion of TRUSTEE _____, seconded by TRUSTEE _____, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York.

WHEREAS, the New York Department of Environmental Conservation classifies actions by type: Type I which by definition are more likely to require an environmental impact statement, and Type II, which by definition do not require an environmental review because these actions will have no significant environmental impact, and Unlisted actions, which by definition are those that fall outside either the Type I or II list; and

WHEREAS, the Village Board is considering taking an action to adopt Local Law Introductory No. 2 of 2011 (the "Draft Law") which would amend Chapter 116 of the Village Code to supplement the list of Type II actions contained in the New York State Environmental Quality Review Act (SEQRA) Regulations; and

WHEREAS, the Village's consideration of an expansion of the Type II SEQR list is consistent with NYS DEC policy; and

WHEREAS, the Zoning Board of Appeals, Planning Board, Village Engineer, and Police Chief, are also considering the adoption of their own lists of Type II actions to supplement the Type II list contained in the SEQR regulations; and

WHEREAS, the proposed adoption of the Draft Law and proposed determinations of the Planning Board, Zoning Board of Appeals, Police Chief, and Village Engineer (the "Proposed Determinations") constitute the Proposed Action; and

WHEREAS, on April 19, 2011 the Village Board took the following steps with respect to the Proposed Action:

1. Determined that the Proposed Action was an Unlisted action
2. Declared its intent to be the Lead Agency for SEQRA purposes in connection with the Proposed Action
3. Issued the EAF in connection with the Proposed Action
4. Issued the Coastal Assessment Form in connection with the Proposed Action
5. Authorized the circulation of the Draft Law, the Proposed Determinations, the EAF, and the Coastal Assessment Form to all involved agencies
6. Referred the Draft Law, the Proposed Determinations, the EAF and the Coastal Assessment Form to the Village Waterfront Advisory Committee for a recommendation back to the Village Board in accordance with Village Law
7. Referred the Draft Law, the Proposed Determinations, the EAF and the Coastal Assessment Form to the Westchester County Planning Board/Planning Department for review in accordance with law; and

WHEREAS, on May 3, 2011 the Waterfront Advisory Committee issued its preliminary recommendation of consistency with a recommendation to broaden the language related to “radio communication or microwave transmission facilities” to be more inclusive so as to take into consideration future radio, television, telephone, or electronic communication developments; and

WHEREAS, in its memo to the Village Board of Trustees dated May 13, 2011 the Zoning Board recommended adoption of the proposed additions to the Type II list which are within its jurisdiction with one addition to the proposed list: the request for an extension of an expiration date of a special permit; and

WHEREAS, the Village Engineer reviewed the proposed additions to the Type II list which are within his jurisdiction and recommends eliminating three of these additions; and

WHEREAS, the EAF, CAF, Draft Law, and Proposed Determinations have been revised to reflect the recommended changes to the proposed Type II lists,

NOW THEREFORE BE IT RESOLVED:

1. The Village Board authorizes the circulation of the Draft Law, the Proposed Determinations, the EAF, and the Coastal Assessment Form to all involved agencies; and
2. The Village Board hereby refers the Draft Law, the Proposed Determinations, the EAF and the Coastal Assessment Form to the Village Waterfront Advisory Committee for a recommendation back to the Village Board in accordance with Village Law; and
3. The Village Board hereby refers the Draft Law, the Proposed Determinations, the EAF and the Coastal Assessment Form to the Westchester County Planning Board/Planning Department for review in accordance with law; and
4. The Village Board hereby directs Village staff to make any other circulations and notifications regarding the Proposed Action as may be required by law.

July 11, 2011