



Planning Board

Stanley H. Kellerhouse Municipal Building
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TO: Mayor Brian Pugh and the Village Board of Trustees

FROM: Chairman Luntz, Planning Board

RE: Recommendation to Village Board regarding Local Law Introductory 3 of 2025, to amend Chapter 116, Environmental Review, of the Village Code, to update the list of additional Type II actions

DATE: March 6, 2025

At its regularly scheduled meeting on March 4th, 2025, the Planning Board reviewed the referral from the Village Board regarding Local Law Introductory 3 of 2025.

The Village Board, and other Village agencies, have adopted their own list of Type II actions under SEQRA (State Environmental Quality Review Act). Actions that are classified as Type II are deemed to not have significant adverse environmental impact, meaning that no SEQRA review is required.

Some of the adopted Type II actions were written directly into Section 116-1 of the Village Code by the Village Board of Trustees. Other Type II actions that were adopted by other Village agencies were placed in an attachment at the end of the code. The draft local law places all Type II actions in the attachment to the Village Code and not directly in the Code and adds a new Type II action.

In this local law, in the section entitled "Additional Type II Actions Adopted by Village Agencies," *Number 15, stating "Adoption of local laws, resolutions and decisions, that have no significant adverse impact on the environment and that are not Type I actions as defined under 6 NYCRR 617.4"* was added, to clarify that these minor actions are Type II actions under SEQR. After adoption of this additional Type II action (Number 15) by the Village Board of Trustees it will be a Type II action on their list of Type II actions. A determination by the Village Attorney should be made if this new Type II action should be also adopted by the other Village *agencies* (Planning Board, Zoning Board of Appeals, Police Chief and Village Engineer). If so, these other Village agencies will need to individually adopt this new Type II action.

The draft local law indicates that the list of Type II actions may be updated from time to time via resolution by the Village Board of Trustees.

*Consistent with the New York State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law), and the regulations promulgated pursuant to that statute (6 NYCRR Part 617, hereinafter "Part 617"), the Village of Croton-on-Hudson determines the actions listed in Attachment 1 of this chapter to be additional Type II actions. **This list may be updated from time to time via resolution by the Village Board of Trustees.***

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Since the SEQR regulations [6NYCRR617.5(b)] allow each **agency** to adopt its own Type II list the above paragraph may need to be amended to say,

*Consistent with the New York State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law), and the regulations promulgated pursuant to that statute (6 NYCRR Part 617, hereinafter "Part 617"), the Village of Croton-on-Hudson determines the actions listed in Attachment 1 of this chapter to be additional Type II actions. This list may be updated from time to time via resolution by the Village Board of Trustees, **the Planning Board and the Zoning Board of Appeals or an amendment to the list by the Police Chief and Village Engineer.***

Also, since each Village agency must adopt their own individual Type II list, the lists in the Attachment should be individual lists for each Village *agency (Village Board of Trustees, Planning Board, Zoning Board of Appeals, Police Chief and Village Engineer) to clearly show what Type II actions have been adopted by each Village **agency.***

The Planning Bard recommends that Local Law 3 of 2025, to amend Chapter 116, Environmental Review, of the Village Code be adopted with the above taken into consideration.