

STATE ENVIRONMENTAL QUALITY REVIEW FINDINGS STATEMENT

Town of New Baltimore

Comprehensive Plan

March 12, 2007

Pursuant to Article 8 (State Environmental Quality Review Act - SEQR) of the Environmental Conservation Law and 6 New York Codes, Rules and Regulations (NYCRR) Part 617, the New Baltimore Town Board (hereinafter "Town Board"), as Lead Agency, makes the following findings:

***NAME OF ACTION:* TOWN OF NEW BALTIMORE COMPREHENSIVE PLAN**

LEAD AGENCY: New Baltimore Town Board
3809 County Route 51
Hannacroix, NY 12087

Contact Person: David Louis, Town Supervisor

Phone: (518) 756-6671

DATE DGEIS FILED: 11/13/2006

DATE FGEIS FILED: 02/13/2007

Signature of Responsible Official

Name of Responsible Official

Title of Responsible Official

Date

INTRODUCTION

This findings statement has been prepared pursuant to the requirements of 6 NYCRR Part 617.11, which states that no agency shall make a decision on an action which has been the subject of a Final GEIS until a written findings statement has been prepared concerning the facts and conclusions of the Draft and Final GEIS and relied on to support its decision. To meet this SEQRA provision, the Town Board has prepared these generic findings related to the significant issues identified in the Draft and Final GEIS documents.

DESCRIPTION OF ACTION

The Proposed Action is the adoption by the Town Board of the Comprehensive Plan for the Town of New Baltimore, which is a Type I action. This plan sets forth policy recommendations pertaining to Future Land Use, Rural Character and the Environment, Economic Development, Agriculture, and Community Services and Administration within the Town. It sets forth a vision, goals, subgoals, and strategies, a general future land use map, and a plan for implementation.

The Town Board, in compliance with SEQRA, has taken the following steps:

- A draft Comprehensive Plan and draft Generic Environmental Impact Statement were prepared, accepted, and were the subject of a Public Hearing on December 4, 2006.
- A final Comprehensive Plan has been prepared and recommended for adoption.
- A final Generic Environmental Impact Statement has been prepared and accepted on February 12, 2007.
- A Notice of Completion of the final Generic Environmental Impact Statement was issued by the Board on February 12, 2007.

LOCATION OF ACTION

The location of the Action consists of the entire Town of New Baltimore, Greene County.

AGENCY JURISDICTION

Pursuant to Town Law Section 272-a, the Comprehensive Plan is prepared and adopted under the authority of the Town Board. The Town Board has also declared itself as Lead Agency pursuant to SEQR.

REASONS, FACTS & CONCLUSIONS

Compliance with Article 8 of the Environmental Conservation Law

Both the DGEIS and the FGEIS demonstrate that the Plan satisfies the requirements of the Environmental Conservation Law (ECL) as embodied in the SEQR Regulations Part 617. The DGEIS evaluated the Plan's efforts to:

1. Preserve and protect the rural character and environmental quality of the town

Town of New Baltimore
Comprehensive Plan GEIS Findings Statement
March 12, 2007

2. Promote and encourage business development that is consistent with the rural and historic character of the town and that contributes to the town tax base
3. Promote agriculture and protect farmland by recognizing the unique role that agriculture can play in supporting economic prosperity and protecting the things that make New Baltimore special
4. Advance the administration and understanding of local laws and ordinances.

Both the DGEIS and the FGEIS demonstrate that the plan achieves these goals in a manner which avoids or mitigates any potential environmental impacts associated with the adoption of the plan. The DGEIS and FGEIS specifically examined potential environmental impacts in the following categories:

Land Resources

As stated in the DGEIS, adoption of the Comprehensive Plan will likely indirectly impact land resources in the town. The plan calls for residential development to minimize environmental impact, by:

- Creating open space by requiring conservation subdivisions for major subdivisions.
- The plan also calls for the more intensive commercial and industrial development to take place in areas which have the potential to be served by infrastructure and which have easy access to transportation routes.
- The plan proposes several ways to encourage development that minimizes environmental impact, including the creation of a Rural Siting Manual, revisions to the zoning ordinance to require conservation subdivisions for major subdivisions, and incentives to achieve desired land use patterns.
- The plan calls for the creation of a Natural Resources Inventory, which would include information about existing soil, vegetation, slopes, wildlife, ecosystems, and groundwater resources. The Natural Resources inventory provides a framework for the location of potential open spaces which are part of the conservation subdivision regulations. These open spaces can be sited to take advantage of existing ecosystems, such as wetlands, or be contiguous to other valuable features, such as forests or farm fields.

These measures will mitigate the potential for sprawl. Through these recommendations, any significant adverse impacts on land which could arise as a result of this plan have been mitigated.

Water Resources

As stated in the GEIS, the Comprehensive Plan calls for several measures which will protect the streams, lakes, ground water, and wetlands within the Town, including the following:

- The plan calls for stricter engineering requirements for major subdivisions. This would require developers to provide detailed information concerning how the development of private wells will affect surrounding groundwater resources. This measure will mitigate

the negative impacts associated with major residential development on groundwater resources throughout the town.

- The plan calls for collaborations with the Greene County Soil and Water Conservation District in the review of stormwater plans.

These measures will have a positive impact on the water resources within New Baltimore.

Air Resources

Adoption of the Comprehensive Plan will not result in adverse environmental impacts on air quality within the Town. The plan calls for continued industrial development in and around the areas currently zoned for industrial uses, and for the boundaries of the Developmental Zone to be reviewed and revised as necessary. However, the plan calls for careful consideration of environmental features when undertaking any rezoning efforts. In addition, the plan calls for a review of uses in the Developmental Zone, so that the land uses allowed correspond to the Greene County Industrial Development Agency and Planning and Economic Development initiatives. These initiatives call for economic development that maintains environmental quality. The *Land Use and Infrastructure Report*, a key component of the County's recent draft *Comprehensive Economic Development Plan*, calls for development that will "Preserve and enhance the physical and environmental characteristics that make Greene County a distinct and identifiable place." These measures mitigate the potential for significant adverse impacts associated with air quality in the town.

Plants and Animals

Adoption of the Comprehensive Plan will not result in adverse environmental impacts on plants and animals within the Town. The plan calls for the creation of a Natural Resources Inventory, which will identify areas of ecological significance. This will allow for any conservation or open space preservation efforts to be coordinated, which will maximize the resulting benefits to plants and animals in the Town. These measures mitigate any potential adverse environmental impact as a result of the adoption of the comprehensive plan to the maximum extent practicable.

Impact on Agricultural Land

Adoption of the Comprehensive Plan will have a positive impact on agricultural lands within the Town. The plan recommends several methods designed to preserve, enhance agricultural activities within the town. These measures include:

- The creation of a standing Agricultural Committee to promote the local application of farming resources in New Baltimore.
- The adoption of a Right to Farm/Right to Forestry Law
- The consideration of zoning changes that protect and promote farming
- Research into the feasibility of a conservation easement program to provide tax relief to large landowners and farms.

Impact on Aesthetic Resources

As stated in the GEIS, adoption of the Comprehensive Plan will not result in adverse impacts on aesthetic resources within the Town. The plan calls for improvements to the aesthetics of

commercial development through the implementation of Design Guidelines. The plan also calls for the implementation of a Rural Siting Manual, which addresses the aesthetic impacts of major subdivisions. These measures mitigate any potential adverse impact as a result of the adoption of the comprehensive plan to the maximum extent practicable.

Impact on Historic and Archeological Resources

As stated in the GEIS, the plan calls for the preparation of a Historic Preservation Plan. This plan will research which buildings, landscapes, and estates are most important to the Town and should be preserved. In addition, the plan will identify and consolidate the variety of information on financial assistance programs (including local, state, and federal programs) as well as technical assistance programs available to protect those identified historic resources. Finally, the plan will identify ways to adapt properties with historic character, but are not eligible for formal historic designation, for re-use. These measures mitigate any potential adverse impact as a result of the adoption of the comprehensive plan to the maximum extent practicable.

Impact on Open Space and Recreation

Adoption of the Comprehensive Plan will not result in adverse impacts on open space and recreation within the Town. The plan calls for the town codes to be revised to make conservation subdivisions mandatory for all major subdivisions. This measure, combined with the recommendation for the preparation of a natural resources inventory, will have a positive impact on open space resources in the town.

Impact on Critical Environmental Areas

Adoption of the Comprehensive Plan will not result in adverse impacts on critical environmental areas. There are no critical environmental areas presently listed for Greene County, therefore no impact is anticipated.

Impact on Transportation

As stated in the GEIS, future development as proposed within the parameters of the plan will likely result in an increase in automobile trips compared to current levels. However, this increase is likely to be less than if future development were to be created outside of the recommendations of the plan.

The plan calls for several measures designed to increase the efficiency of automobile transportation in the Town. This includes the proposal to create design guidelines to reduce curb cuts along major roads, and mandating conservation subdivisions for major subdivisions, which could result in more efficient street layouts.

In addition, the plan calls a Corridor and Connectivity Plan for the Route 9W corridor. This plan will consider the relationship of vehicular and pedestrian travel routes along Route 9W, and may result in fewer automobile trips within the town if pedestrian amenities are recommended. These measures mitigate any potential adverse impact as a result of the adoption of the comprehensive plan to the maximum extent practicable.

Impact on Energy

Adoption of the Comprehensive Plan will not result in adverse impacts on energy. Although future development as proposed within the parameters of the plan will likely result in an increase in energy compared to current levels, this increase is likely to be less than if future development were to be created outside of the recommendations of the plan. For instance, the proposal to encourage development through conservation subdivision for major subdivisions will result in less energy consumption, since the development will be more compact. These measures mitigate any potential adverse impact as a result of the adoption of the comprehensive plan to the maximum extent practicable.

Noise, Odor, and Public Health

Adoption of the Comprehensive Plan will not result in adverse impacts on noise, odor, and public health within the Town.

Growth and Character of Community

Adoption of the Comprehensive Plan will not result in adverse impacts on growth and character of the community. The intent of the plan, as outlined in the Vision Statement, is to integrate the future development necessary for the continued prosperity of the Town into the existing rural character, environmental quality, and quality of life.

To accomplish this, the plan seeks to focus the form and location of development, so that it is appropriate to the town. Specifically, the plan seeks to:

- Preserve and protect the rural character and environmental quality of the town
- Promote and encourage business development that is consistent with the rural and historic character of the town and that contributes to the town tax base
- Promote agriculture and protect farmland by recognizing the unique role that agriculture can play in supporting economic prosperity and protecting the things that make New Baltimore special
- Advance the administration and understanding of local laws and ordinances.

These measures mitigate any potential adverse impact as a result of the adoption of the comprehensive plan to the maximum extent practicable.

SEQR 617.10 REGULATIONS – FUTURE ACTIONS PURSUANT TO THE PLAN

SEQR regulations, Part 617.10(c), state that "Generic EISs and their findings should set forth specific conditions or criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQR compliance. This may include thresholds and criteria for supplemental EISs to reflect specific significant impacts, such as site specific impacts, that were not adequately addressed or analyzed in the generic EIS".

Thresholds for Future Actions

Pursuant to the requirements of SEQR 617.10(c), this Findings Statement includes the thresholds for future actions not adequately addressed or analyzed in the GEIS. These include:

1. The proposed action is brought forth by an individual applicant, firm, partnership, trust, company, association, or corporation, or any agency thereof, which would directly or indirectly result in a physical change to the environment, such as a development or construction project or subdivision, or which would be considered a Type I or Unlisted Action as stated in SEQRA Part 617.4.
2. The proposed action involves a zoning change or establishment of a Planned Unit Development (PUD) by an individual applicant which is not associated with the zoning revisions recommended in the Comprehensive Plan, even if the proposed zoning change conforms to the Future Land Use Map contained in the Plan.

Future actions which trigger these thresholds have not been adequately addressed in the GEIS. The significance of these actions must be determined through SEQR review appropriate to the specific action Type (I, II, or Unlisted).

Criteria for Future Actions

Pursuant to the requirements of SEQR 617.10(c), this Findings Statement includes the criteria under which future actions may be undertaken. These conditions and criteria to determine the significance of future actions upon adoption of the Plan are listed below.

Comprehensive Plan recommendations – whether the action fulfills one or several recommendations of the Comprehensive Plan. A complete list of actions is listed in Section IV – Implementation Plan. This includes, but is not limited to, the following actions:

- An update to the Zoning Ordinance, Subdivision Ordinance, or Streets and Roadways Ordinance. The implementation plan lists several individual changes to the zoning, subdivision, and streets and roadway ordinances. These recommendations can be combined into one action. Any other changes to the ordinance included in this combined action which were not specifically called for in the implementation matrix must conform to the vision, goals, and objectives of the Comprehensive Plan. Zoning changes associated with specific recommendations should conform as closely as feasible to the changes recommended in the Plan.
- Funding or undertaking plans, studies, or designs called for in the Comprehensive Plan, such as the Route 9W Corridor and Connectivity Plan.
- Creation of Town committees (such as the Economic Development Committee or Agricultural Committee) or partnerships with private groups for the purpose of undertaking an action recommended in the Plan.

Regulatory Compliance - compliance with all other applicable local, regional, State, and Federal regulations must still be met.

SEQR Thresholds - Regardless of any pending application status, all future development actions within the Town of New Baltimore shall be undertaken pursuant to the four (4) SEQR Generic EIS thresholds established by Part 617.10(d) as follows: "When a final generic EIS has been filed under this part: 1. No further SEQR compliance is required if a subsequent proposed action will be carried out in conformance with the conditions and thresholds established for such actions in the generic EIS or its findings statement; 2. An amended findings statement must be prepared if the subsequent proposed action was adequately addressed in the generic EIS but was not addressed or was not adequately addressed in the findings statement for the generic EIS; 3. A negative declaration must be prepared if a subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action will not result in any significant environmental impacts; 4. A supplement to the final generic EIS must be prepared if the subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action may have one or more significant environmental impacts."

CONCLUSIONS AND GENERIC FINDINGS

Based upon the information contained in the DGEIS and FGEIS, and as outlined in these Findings, the Lead Agency finds that the Proposed Action will minimize potential environmental impacts and will provide the necessary balance between the protection of the environment and the need to accommodate social and economic considerations. Therefore, having considered the Comprehensive Plan and the Draft and Final GEIS, and having considered the foregoing written facts and conclusions relied upon to meet the requirements of 6 NY CRR 617.11, this Statement of Findings certifies that:

1. The Lead Agency has considered the relevant environmental impacts, facts and conclusions disclosed in the Draft and Final EIS;
2. The Lead Agency has weighed and balanced relevant environmental impacts with social, economic, and other considerations;
3. These findings do provide a sound rationale for the Lead Agency's decision;
4. The requirements of 6 NYCRR Part 617 have been met;
5. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigation measures that were identified as practicable.

The Lead Agency, pursuant to SEQRA Part 617.11, has prepared the Findings stated herein and shall cause it to be filed in accordance with Part 617.12.

COPIES OF THIS FINDINGS STATEMENT HAVE BEEN FILED WITH:

1. New York State Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233-1750
2. Environmental Notice Bulletin.
3. David Louis, Supervisor, Town of New Baltimore
4. Greene County Economic Development and Planning, P.O. Box 467, Catskill, NY, 12414