

## *Local Law Filing*

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Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County    City    Town    Village  
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**of New Lebanon**

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DEPARTMENT OF STATE

**Local Law No. 1 of the year 2024**

**A LOCAL LAW TO AMEND CHAPTER 205 OF THE TOWN CODE OF THE  
TOWN OF NEW LEBANON, ENTITLED "ZONING."**

**Be it enacted by the Town Board of the Town of New Lebanon as follows:**

See attached.

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**(If additional space is needed, attach pages the same size as this sheet, and number each.)**

**TOWN OF NEW LEBANON**

**LOCAL LAW NO. 1 OF THE YEAR 2024**

**A LOCAL LAW TO AMEND CHAPTER 205 OF THE TOWN CODE OF  
THE TOWN OF NEW LEBANON, ENTITLED “ZONING.”**

**SECTION 1**

This local law shall be referred to as “A Local Law to Amend Chapter 205 of the Town Code of the Town of New Lebanon, Entitled ‘Zoning.’”

**SECTION 2**

Chapter 205 of the Town Code of the Town of New Lebanon, relating to Zoning, is hereby amended as follows:

A. Paragraph A of Section 205-4 of Chapter 205 of the Town Code of the Town of New Lebanon is hereby amended to read in its entirety as follows:

A. The Town of New Lebanon is hereby divided into the following districts:

- RA-5 Residential-Agricultural/Conservation
- RA-2 Residential-Agricultural
- RA-1 Residential-Agricultural
- CC Central Commercial
- C General Commercial
- C-Rec Commercial-Recreational
- C-R Commercial-Residential
- C-I Commercial-Industrial
- FZ-O Flood Zone Overlay

S-O Solar Overlay

B. Paragraph B of Section 205-4 of Chapter 205 of the Town Code of the Town of New Lebanon is hereby amended to read in its entirety as follows:

B. District purposes. The following statements of purpose define the spirit and intent of each land use district and are to be used as guides in the interpretation and application of these regulations:

- (1) Residential-Agricultural/Conservation (RA-5) District. The purpose of the Residential-Agricultural/Conservation District is to encourage agricultural operations and open space preservation and allow very-low-density residential development that is consistent with those land uses, to maintain and protect the rural and small-town character of New Lebanon, to provide for and encourage open spaces and the protection of the Town's natural resources, and to foster safe pedestrian and traffic circulation consistent with the rural character.
- (2) Residential-Agricultural (RA-2 and RA-1) Districts. The purpose of the Residential-Agricultural (RA) Districts is to provide for low-density residential development consistent with goals to maintain and protect residential and neighborhood qualities and rural character, to protect the Town's natural resources, and to foster safe pedestrian and traffic circulation consistent with the rural character.
- (3) Central Commercial (CC). This district represents the "town center" of New Lebanon, having the most dense concentration of commercial properties. In furtherance of the Town's comprehensive plan, this district is intended to have vibrant, customer intensive commercial activity in order to attract residents and visitors, and to the extent feasible, create a "walkable downtown." Residential and community-oriented uses are consistent with this downtown feel.
- (4) Commercial Districts (C and C-Rec). The purposes of the commercial districts are to provide areas in the Town for retail and nonresidential development in a variety of scales and with a variety of retail uses and services to

meet the needs of the community, to add to the economic base of the community, and to ensure that commercial development is consistent with the character of New Lebanon.

- (5) Commercial-Industrial (C-I). The purpose of the Commercial-Industrial District is to provide a location for manufacturing, industrial and large commercial development in an area having adequate access to highways.
- (6) Commercial-Residential (C-R). The purpose of this district is to maintain the historically mixed-use area on the north side of Route 20 from New Lebanon Center east to the southerly intersection of Route 20 and Route 22.
- (7) Flood Zone Overlay (FZ-O). The purpose of the Flood Zone Overlay is to protect the public health and safety by regulating development in the area of Town subject to flooding as such area is identified on a map prepared by the Federal Emergency Management Agency, as such map may be amended from time to time, and to protect the important role these locations have in the environment.
- (8) Solar Overlay (S-O). The boundaries of the Solar Overlay District are intended to identify areas that may be appropriate for large-scale solar energy systems based on the following goals, and additional lands may be added to the Solar Overlay District by legislative action of the Town Board where consistent with the following goals:
  - (a) Avoiding prime farmland;
  - (b) Encouraging the productive re-use of unused or underused land formerly used for commercial excavation or similar commercial or industrial uses, and land where the potential use and development is adversely affected by real or perceived environmental contamination;
  - (c) Focusing the use and development of land for large-scale solar energy systems on areas in close

proximity to existing electrical grid infrastructure that is sufficient to support such systems;

(d) Avoiding important wetlands and floodways;

(e) Incorporating community values and priorities;

(f) Avoiding areas intended for commercial development of labor-intensive and/or customer-oriented establishments along the Routes 20/22 corridor; and

(g) Minimizing interference with existing viewsheds to the extent practicable.

C. Subparagraph (6)(a) of Paragraph E of Section 205-13 of Chapter 205 of the Town Code is hereby amended to read in its entirety as follows:

(a) Flea markets and farmers' markets may be permitted only in General Commercial, Central Commercial, and Commercial-Recreational zoning districts.

D. Subparagraph (15)(a)[2] of Paragraph E of Section 205-13 of Chapter 205 of the Town Code is hereby amended to read in its entirety as follows:

[2] If located in a General Commercial, Central Commercial, Commercial Recreational, or Commercial Residential Zone, at least 25% of the square footage of the SBO must be devoted to retail. Such retail space must be located adjacent to the public entrance to the SBO, generally the storefront. Nothing herein should be construed to apply this requirement to a small business operation located in a Commercial Industrial Zone.

E. A new subparagraph (20) of Paragraph E of Section 205-13 of Chapter 205 of the Town Code is hereby added to read in its entirety as follows:

(20) New Self-Storage Facilities. In addition to meeting the standards set forth for special use permit uses in Paragraph B of Section 205-13 of this chapter, all self-storage facilities not existing on or before April 30, 2024, shall comply with the provisions of this subparagraph (20). Where any standard set forth in Paragraph B of

Section 205-13 and the provisions of this subparagraph (20) conflict, the provisions of this subparagraph (20) shall control.

- (a) No outdoor storage of any kind shall be permitted.
- (b) The owner of the self-storage facility shall ensure that the facility and site are kept in a clean, orderly, and well-maintained condition.
- (c) All landscaping shall be maintained in perpetuity and any dead or dying landscaping shall be replaced.
- (d) Area and Bulk Regulations. In addition to complying with all other area and bulk regulations applicable within the zoning district, self-storage facilities shall comply with the following:
  - [1] Building coverage of all structures within the area of the property situated within the applicable zoning district shall not exceed 50%, except in the Commercial-Industrial zoning district. Within the Commercial-Industrial zoning district, building coverage for all structures within the area of the property therein shall not exceed 25%.
  - [2] The minimum front setback shall be 100 feet.
  - [3] The minimum side yard (each side) setback shall be 100 feet.
  - [4] The minimum rear yard setback shall be 100 feet.
  - [5] The maximum number of stories shall be 2.
  - [6] The maximum building height shall be 15 feet for single story structures and 30 feet for two-story structures.
- (e) Building design. All buildings comprising a self-storage facility shall be designed in a rural or

agricultural style and in a way that keeps with the character and community values of the Town of New Lebanon. In addition, all such buildings shall comply with the following:

- [1] No self-storage building shall exceed 75 feet in width, nor 150 feet in length.
- [2] Roof pitch shall be no less than 3:12 and no greater than 6:12.
- [3] Gable roofs are preferred. Gambrel roofs, mansard roofs, and roofs with dormers may be acceptable in the discretion of the Planning Board.
- [4] Roofs shall include overhangs/eaves of not less than 6 inches on all sides and ends of each building.

(f) Site Design. Site design of a self-storage facility shall comply with the following:

- [1] All self-storage facilities shall be screened using one or more of the following methods as deemed acceptable by the Planning Board:
  - [a] Screening of the facility by (i) evergreens having a mature height of greater than 16 feet, and which shall be planted at a starting height of at least 6 feet; and, between such evergreens and any public street (or, if applicable, between such evergreens and any adjoining lot where deemed appropriate by the Planning Board), (ii) either an earthen berm of not less than 4 feet in height, or landscaping consisting of deciduous perennials, evergreen shrubs that mature to a height of 4 to 6 feet, and landscaping stones, boulders, and similar materials, or a combination of such earthen berm and landscaping;
  - [b] Screening of the facility by use of the rear side of one or more self-storage

buildings, provided such rear side does not include entryways to individual units and is appropriately detailed and landscaped in furtherance of the aesthetic objectives of these regulations governing special use permit requirements for self-storage facilities.

- [2] Facility entrances shall be designed whenever possible to reduce direct views into the facility. Driveway access shall be set off to the side of the facility and curve to an entry gate located at the side of the facility whenever possible. Gates shall not be permitted in the front yard. The Planning Board shall have authority to require such screening or landscaping as it deems appropriate for driveways providing access to the site.
- [3] Notwithstanding anything else contained in this chapter to the contrary, signage at the facility shall comply with the following:
  - [a] No sign shall exceed 24 square feet.
  - [b] Only one sign shall be permitted.
  - [c] Signage shall either be free-standing or mounted on a building where the building forms part of the screening required under these regulations.
  - [d] The materials, location, and architectural design of signage shall be consistent with and complimentary to the neighborhood and shall be approved by the Planning Board.
- [4] Building arrangement on the site shall take advantage of existing contours of the site and preserve existing vegetation to the extent practicable, and shall provide adequate circulation around and through the facility, including providing appropriate emergency access and circulation.



[5] Not more than 30% of the existing mature vegetation on the site may be removed for purposes of development of the facility. The Planning Board shall have the authority to require additional vegetation as it deems appropriate in furtherance of the objectives of these regulations governing special use permit requirements for self-storage facilities.

[6] Loading docks, parking areas, and waste storage containers shall be located at the rear of the facility. All waste storage containers shall be enclosed in an opaque enclosure that is consistent with the overall design aesthetic of the site.

[7] Buildings that have a building height in excess of 15 feet shall be landscaped to include trees and foundation plantings, with a mix of deciduous and evergreen trees, to reduce the scale of the building.

F. A new subparagraph (21) of Paragraph E of Section 205-13 of Chapter 205 of the Town Code is hereby added to read in its entirety as follows:

(21) Expansion of Self-Storage Facilities Existing on or Before April 30, 2024. Where located within a zoning district in which self-storage facilities are permissible under this chapter, self-storage facilities that were existing on or before April 30, 2024 may be expanded within such district upon issuance of a special use permit and shall comply with the provisions set forth below in this subparagraph (21) and the standards set forth for special use permit uses in Paragraph B of Section 205-13 of this chapter. Where any standard set forth in Paragraph B of Section 205-13 and the provisions of this subparagraph (21) conflict, the provisions of this subparagraph (21) shall control.

(a) Any application for expansion of a self-storage facility that was existing on or before April 30, 2024 shall authorize the Planning Board to review and apply the standards applicable under this subparagraph (21) to the entirety of the self-

storage facility inclusive of both the portion thereof that existed on or before April 30, 2024 and to the portion thereof constituting the expansion, except as expressly provided otherwise below.

- (b) No outdoor storage of any kind shall be permitted.
- (c) The owner of the self-storage facility shall ensure that the facility and site are kept in a clean, orderly, and well-maintained condition.
- (d) All landscaping shall be maintained in perpetuity and any dead or dying landscaping shall be replaced.
- (e) **Area and Bulk Regulations.** In addition to complying with all other area and bulk regulations applicable within the zoning district, expansion of self-storage facilities shall comply with the following:
  - [1] Building coverage of all structures within the area of the property situated within the applicable zoning district shall not exceed 50%, except in the Commercial-Industrial zoning district. Within the Commercial-Industrial zoning district, building coverage for all structures within the area of the property therein shall not exceed 25%.
  - [2] The minimum front setback for new buildings shall be 100 feet.
  - [3] The minimum side yard (each side) setback for new buildings shall be 100 feet.
  - [4] The minimum rear yard setback for new buildings shall be 100 feet.
  - [5] The maximum number of stories shall be 2, except that existing buildings lawfully exceeding 2 stories on April 30, 2024 may continue, but shall not increase in number of stories.

[6] The maximum building height for new buildings shall be 15 feet for single story structures and 30 feet for two-story structures. Existing buildings that lawfully exceed these maximum building heights on April 30, 2024 may continue, but shall not increase in height.

(f) Building Design. All new buildings and structures shall be designed and constructed so as to be compatible with the neighborhood and in keeping with the design and construction of buildings and structures then existing on the site. In considering whether this standard is met, the Planning Board shall consider the architecture, materials, colors, size, massing, and orientation of existing buildings and structures on the site.

(g) Site Design. Site design shall comply with the following:

[1] All self-storage facilities shall be screened using one or more of the following methods as deemed acceptable by the Planning Board:

[a] Screening of the facility by (i) evergreens having a mature height of greater than 16 feet, and which shall be planted at a starting height of at least 6 feet; and, between such evergreens and any public street (or, if applicable, between such evergreens and any adjoining lot where deemed appropriate by the Planning Board), (ii) either an earthen berm of not less than 4 feet in height, or landscaping consisting of deciduous perennials, evergreen shrubs that mature to a height of 4 to 6 feet, and landscaping stones, boulders, and similar materials, or a combination of such earthen berm and landscaping;

[b] Screening of the facility by use of the rear side of one or more self-storage buildings, provided such rear side does

not include entryways to individual units and is appropriately detailed and landscaped in furtherance of the aesthetic objectives of these regulations governing special use permit requirements for self-storage facilities.

- [2] New facility entrances shall be designed whenever possible to reduce direct views into the facility. New driveway access shall be set off to the side of the facility and curve to an entry gate located at the side of the facility whenever possible. Gates shall not be permitted in the front yard unless they lawfully existed in the front yard as of April 30, 2024. The Planning Board shall have authority to require such screening or landscaping as it deems appropriate for driveways providing access to the site.
- [3] Notwithstanding anything else contained in this chapter to the contrary, signage at the facility shall comply with the following:
  - [a] No sign shall exceed 24 square feet unless it is a sign that lawfully existed at the site as of April 30, 2024 (or replacement thereof), in which case such sign shall not exceed the greater of 24 square feet or the square footage of such sign as it lawfully existed April 30, 2024.
  - [b] Only one sign shall be permitted, unless more than one sign lawfully existed at the site as of April 30, 2024, in which case such lawfully existing signs (including replacements thereof) shall be permitted to continue, but no additional signs shall be permitted.
  - [c] Any new signage shall either be free-standing or mounted on a building where the building forms part of the screening required under these regulations.

- [d] The materials, location, and architectural design of any new signage shall be consistent with and complimentary to the neighborhood and shall be approved by the Planning Board.
- [4] Arrangement of new buildings on the site shall take advantage of existing contours of the site and preserve existing vegetation to the extent practicable, and shall provide adequate circulation around and through the facility, including providing appropriate emergency access and circulation.
- [5] Not more than 30% of the existing mature vegetation on the site may be removed for purposes of development of the facility. The Planning Board shall have the authority to require additional vegetation as it deems appropriate in furtherance of the objectives of these regulations governing special use permit requirements for self-storage facilities.
- [6] Waste storage containers, new loading docks, and new parking areas shall be located at the rear of the facility. All waste storage containers shall be enclosed in an opaque enclosure that is consistent with the overall design aesthetic of the site.
- [7] Buildings that have a building height in excess of 15 feet shall be landscaped to include trees and foundation plantings, with a mix of deciduous and evergreen trees, to reduce the scale of the building.

G. Paragraph D of Section 205-14 of Chapter 205 of the Town Code is hereby amended to read in its entirety as follows:

- D. Site plan review and approval shall be required prior to beginning any new land use activity, engaging in any previous land use activity after having not engaged in such land use activity for a period of 18 months or more, changing any land use activity, or expanding the size or

area of any land use activity, except with respect to the following:

- (1) Construction of one- and two-family homes and ordinary accessory structures and related land use activities.
- (2) Landscaping or grading, provided that such landscaping or grading is not undertaken in connection with a project that is otherwise subject to site plan review.
- (3) Ordinary repair or maintenance of existing structures or uses.
- (4) Exterior alterations or additions to existing structures which, when combined with all other exterior alterations or additions over the past five years, results in an aggregate increase in total square footage of such existing structures during such five-year period of not more than 25%.
- (5) Nonstructural agricultural or gardening uses.

H. Subparagraph (13) of Paragraph B of Section 205-17 of Chapter 205 of the Town Code is hereby amended to read in its entirety as follows:

- (13) Business signs in a General Commercial, Central Commercial, Commercial-Residential, Commercial-Recreational, or Commercial-Industrial District. In the General Commercial, Central Commercial, Commercial-Residential, Commercial-Recreational, or Commercial-Industrial zoning districts, any legally established business use not constituting a home occupation, a home-based business, a short-term rental, a boardinghouse, self-storage facility, or a business located within a multibusiness complex, shopping center, or mall, shall be permitted to have the following signs in addition to those permitted by § 205-17B(11):
  - (a) One freestanding sign not exceeding 24 square feet.
  - (b) One wall sign not exceeding the greater of 24 square feet or 1/2 square foot per linear foot of

building frontage, but in no event larger than 100 square feet.

(c) One sandwich board sign not exceeding eight square feet of surface area on each side, provided that such sandwich board sign is removed daily.

(d) For each food truck operating on the property, one freestanding, one-sided sign not exceeding eight square feet of surface area or one sandwich board sign not exceeding eight square feet of surface area on each side, provided that such sign is removed daily.

I. Paragraph J of Section 205-17 of Chapter 205 of the Town Code is hereby amended to read in its entirety as follows:

J. Sign schedule. The following sign schedule shall be read in conjunction with the rules and regulations set forth in this chapter:

Use	Zoning District	Maximum Size	Number Permitted	Comments
Residential, home occupation	Residential	2 square feet	1	—
Short-term rental and boardinghouse	All zones or where ZBA allows	2 square feet	1	
Farm	Residential	16 square feet	1	
Banners or flags	All zones	15 square feet each	3	
Bulletin board associated with a church, school or similar institutional structure	All zones	24 square feet	1	
Business uses, except home occupation, home-based business, short-term rental, boardinghouse, self-storage facility, and businesses located in multi-business complex	CC, C, C-Rec, C-I, and C-R	Freestanding: 24 square feet	1	Height of individual freestanding signs shall not exceed 30 feet.
		Attached to building: greater of 24 square feet or 1/2 foot per linear foot of building frontage up to 100 square feet	1	
Business, window/door	All zones	Not to exceed 25% of each window/door surface		

<b>Use</b>	<b>Zoning District</b>	<b>Maximum Size</b>	<b>Number Permitted</b>	<b>Comments</b>
Multi-business complexes, shopping centers, malls, etc.	Applicable zones	Freestanding: 24 square feet, plus 10 square feet for each individual business space therein, provided that total surface area of sign shall not exceed 75 square feet	1	Height of individual freestanding signs shall not exceed 30 feet.
		Attached to each business in shopping center: 24 square feet	1	
Real estate signs	All	6 square feet	1	Must be located on the property offered for sale or lease; must be located not closer than 6 feet from edge of any roadway.

J. Paragraph C of Section 205-20 of Chapter 205 of the Town Code is hereby amended to modify the term and definition of “Self-Storage Units” to the following term and definition of “Self-Storage Facility” to read as set forth below:

**SELF-STORAGE FACILITY**

A land use consisting of rental of storage space for personal property or business property in a warehouse building or in multiple individual units.

K. Attachment 1, entitled “Area and Bulk Regulations,” of Chapter 205 of the Town Code, is hereby amended to read in its entirety as set forth on the annexed Attachment 1.

L. Attachment 2, entitled “Zoning Law Use Table,” of Chapter 205 of the Town Code, is hereby amended to read in its entirety as set forth on the annexed Attachment 2.



### **SECTION 3**

The Zoning Map of the Town of New Lebanon, entitled "Zoning Districts of the Town of New Lebanon," adopted August 9, 2010 and amended from time to time thereafter, is hereby further amended to depict the zoning districts thereon as shown on Exhibit A hereto.

### **SECTION 4**

If any word, phrase, sentence, part, section, subsection, or other portion of this Law or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable, and the remaining provisions of this Law, and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

### **SECTION 5**

This Local Law is enacted pursuant to the New York Municipal Home Rule Law.

### **SECTION 6**

This Local Law shall become effective upon the filing of this Local Law with the New York Secretary of State.

ZONING

205 Attachment 1

Town of New Lebanon

Schedule 1, Area and Bulk Regulations

District <sup>1</sup>	Minimum Lot Size	Maximum Building Coverage (Footprint) of Principal Building	Minimum Front Setback (feet) <sup>3,6</sup>	Minimum Side Yard Each Side (feet)	Minimum Rear Yard (feet)	Maximum Stories	Maximum Height (feet)	Minimum Road Frontage (feet)
RA-5	5 acre	10,000	75	75	75	2 1/2	35	60
RA-2	2 acre	4,000	75	50	50	2 1/2	35	60
RA-1	1 acre	4,000	75	35	50	2 1/2	35	60
C <sup>7</sup>	30,000 <sup>4</sup>	75% of lot	75	20 <sup>5</sup>	25	3	40	100
CC	30,000 <sup>4</sup>	75% of lot	75	20 <sup>5</sup>	25	3	40	100
C-Rec	30,000 <sup>4</sup>	50% of lot	20 <sup>5</sup>	25	25	3	40	200
C-I <sup>7</sup>	30,000	25% of lot	75	50	50	3	40	200
C-R <sup>7</sup>	see note 2	see note 2	see note 2	see note 2	see note 2	see note 2	see note 2	see note 2

NOTES:

- <sup>1</sup> See regulations specific to overlay districts for additional area and bulk requirements.
- <sup>2</sup> In the Commercial-Residential District, residential uses shall be subject to the area and bulk regulations applicable to the RA-1 District, and commercial uses shall be subject to those applicable to the Commercial District.
- <sup>3</sup> Measured from the center of the traveled portion of the road.
- <sup>4</sup> Except for wholesale store, hotel and/or motel, which requires two acres minimum.
- <sup>5</sup> Fifty when adjacent to residential zone, and 40 when adjacent to existing building.
- <sup>6</sup> Except as pertains to motor vehicle sales businesses, which may display vehicles being outside a structure with a setback of no less than 25 feet from the edge of pavement.
- <sup>7</sup> Self-storage facilities shall comply with both this Schedule 1 and, as applicable, Section 205-13 (E) (20) (d) or Section 205-13 (E) (21) (e).

**Town of New Lebanon**

**Zoning Law Use Table**

**KEY:**  
 SP = Special use permit (may be subject to Site Plan Review pursuant to § 205-14)  
 P = Permitted use (requires zoning permit; may be subject to Site Plan Review pursuant to § 205-14)  
 TSP = Town Board Special Permit (pursuant to Chapter 189, Telecommunications Facilities)  
 See § 205-14 for applicability of Site Plan Review by the Planning Board.  
 Any use not listed shall be prohibited.

	Residential- Agricultural/ Conservation RA-5	Residential- Agricultural RA-2	Residential- Agricultural RA-1	General Commercial C	Central Commercial CC	Commercial- Recreational C-Rec	Commercial - Industrial C-I	Commercial- Residential C-R
<b>Residential Uses</b>								
Accessory dwelling unit	P	P	P	SP	SP			P
Boardinghouse or group home	SP	SP	SP	SP	SP			SP
Compact home	P	P	P	SP	SP			P
Customary accessory uses	P	P	P	P	P	P		P
Manufactured home	P	P	P	SP	SP			SP
Mobile home park			SP					SP
Multi-family dwelling	SP	SP	SP	SP	SP			SP
One-/two-family dwelling	P	P	P	SP	SP			P
Temporary housing	SP	SP	SP					SP



	Residential-Agricultural/Conservation	Residential-Agricultural 2	Residential-Agricultural 1	General Commercial	Central Commercial	Commercial-Recreational	Commercial-Industrial	Commercial-Residential
	RA-5	RA-2	RA-1	C	CC	C-Rec	C-I	C-R
Nursing home		SP	SP	SP	SP			SP
Place of worship	P	SP	SP	SP	SP			SP
Private school		SP	SP					SP
Professional office		SP	SP	P	P	P	P	SP
Public park, forest or recreational area	P	P	P	P	P	P		SP
Retirement home	SP	SP	SP	SP	SP		SP	
Short-term rental	SP	SP	SP	P	P			SP
Small business operation (SBO)				SP	SP	SP	SP	SP
Social, recreational or fraternal club				P	P	P		
Roof-mounted solar energy systems for on-site consumption	P	P	P	P	P	P	P	P
Ground-mounted solar energy systems for on-site consumption, under 1,000 square feet	P	P	P	P	P	P	P	P
Ground-mounted solar energy systems for on-site consumption, over 1,000 square feet	SP	SP	SP	SP	SP	SP	SP	SP
Large-scale solar energy systems and community solar energy systems								
Stable, commercial	SP	SP	SP	SP	SP	SP		
Stable, private	P	P	P					

See § 205-18 (D) (1) (a)

	Residential- Agricultural/ Conservation	Residential- Agricultural 2	Residential- Agricultural 1	General Commercial	Central Commercial	Commercial- Recreational	Commercial- Industrial	Commercial- Residential
	RA-5	RA-2	RA-1	C	CC	C-Rec	C-I	C-R
Telecommunications facility	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP
Temporary-business trailer				SP	SP	SP	SP	SP
Veterinary hospital	SP	SP	SP	SP	SP			
<b>Business Uses</b>								
Adult use							SP	
Auction sale, excluding livestock auction				SP	SP			
Automobile racing facility						SP		
Bank				P	P	P	SP	P
Bar				SP	SP	SP		SP
Bowling alley				P	P	P		P
Cannabis Consumption Facility				SP	SP	SP		SP
Cannabis Retail Dispensary				SP	SP	SP	SP	SP
Car wash				SP	SP	SP		SP
Commercial Event Venue				SP	SP	SP	SP	SP
Commercial excavation	SP							
Commercial trades operation				SP	SP		SP	SP
Convenience store				P	P	SP		P
Dance hall				P	P	P		P
Farm market		SP	SP	P	P	P		P
Farm stand	P	P	P	P	P	P		P
Flea market or Farmers' market				SP	SP	SP		
Food Truck				P	P	P	P	P
Greenhouse	P	P	P	P	P		P	P
Hotel				SP	SP	SP		SP
Laundromat				SP	SP			SP







# EXHIBIT A

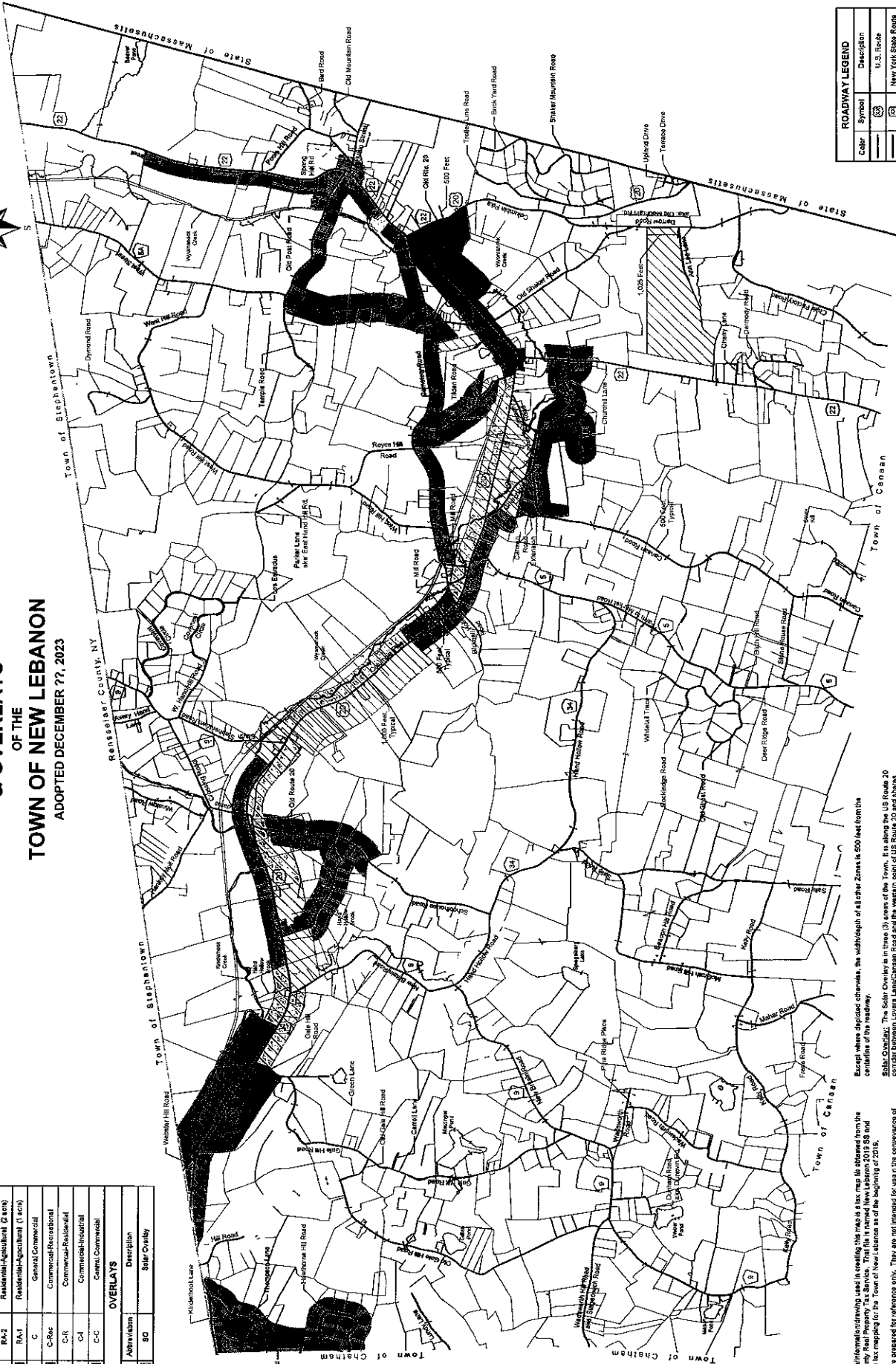
# ZONING DISTRICTS & OVERLAYS OF THE TOWN OF NEW LEBANON ADOPTED DECEMBER 27, 2023



ZONING DISTRICTS	
Color / Abbreviation	Description
RA-5	Residential-Agricultural/Conservation
RA-2	Residential-Agricultural (2 acs)
RA-1	Residential-Agricultural (1 acs)
C	General Commercial
C-Res	Commercial-Residential
C-R	Commercial-Residential
C-I	Commercial-Industrial
C-C	General Commercial

OVERLAYS	
Hatch / Abbreviation	Description
SD	State Overlay



ROADWAY LEGEND	
Color / Symbol	Description
U.S. Route	U.S. Route
New York State Route	New York State Route
County Road	County Road
Town Roadway	Town Roadway
None	None



Except where depicted otherwise, the width of all new zones is 500 feet from the centerline of the roadway.

**Scale Overlay:** The Scale Overlay is in three (3) areas of the Town. It is along the US Route 20 on the boundary of the RA-1 (Residential-Agricultural/1 acs), C (General Commercial), C-Res (Commercial-Residential), C-R (Commercial-Residential) and C-I (Commercial-Industrial) zoning districts, with a single exception, all of tax map parcel 15-27-587.1 is included. The second tier of the map parcel 15-27-587.1 is included. The third tier is a portion of tax map parcel 15-27-587.1 of an adjacent parcel.

The base geospatial data used in creating this map is a tax map file obtained from the Columbia County Real Property Tax Service. The file is named New Lebanon 2015 SR and represents the tax mapping for the Town of New Lebanon as of the beginning of 2015. The maps were created for reference only. They are not intended for use as the basis of any legal action. Absolute accuracy or completeness guarantee is implied or stated.

This map has been created to visually show the Zoning Districts and Overlay Areas in the Town of New Lebanon, NY. Tax map parcels are shown by a thin light gray color and are to be used only for locating purposes.

Except where depicted otherwise, the width of the General Commercial (C), the Commercial-Residential (C-Res), and the Commercial-Industrial zones is 1,000 feet from the centerline of the roadway.

Printed by: [Name]  
Date: [Date]

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as Local Law No. 1 of 2024 of the (County)(City)(Town)(Village) of New Lebanon was duly passed by the Town Board of the Town of New Lebanon on April 9, 2024 in accordance with the applicable provisions of law.

~~**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**~~

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_ in accordance with the applicable provisions of law.

~~**3. (Final adoption by referendum.)**~~

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

~~**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**~~

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.

Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**Full Environmental Assessment Form  
Part 1 - Project and Setting**

*file copy*

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Introductory Local Law No. 1 of 2024 - A Local Law to Amend Chapter 205 of the Town Code of the Town of New Lebanon, entitled "Zoning"		
Project Location (describe, and attach a general location map): Town of New Lebanon		
Brief Description of Proposed Action (include purpose or need): The proposed action is the adoption of a local law to: 1. Create a new zoning district, the Central Commercial zoning district, that is intended to represent the "town center" of the Town of New Lebanon and which is intended to have vibrant, customer intensive commercial activity; 2. Modify the boundaries of the existing General Commercial zoning district; 3. Require a special use permit for development and use of land for self-storage facilities, and designate such uses as permissible in the General Commercial, Commercial-Industrial, and Commercial-Residential zoning districts; 4. Adopt special use permit standards and building and site design standards applicable to self-storage facility proposals that are designed to ensure that such facilities are in keeping with the community character of the Town of New Lebanon and the surrounding neighborhood; and 5. Make other appropriate changes in the zoning to address the creation of the new Central Commercial zoning district (i.e., flea markets/farmers' markets, small business operations, signage).		
Name of Applicant/Sponsor: Town Board of the Town of New Lebanon	Telephone: 518-794-8889	E-Mail: supervisor@townofnewlebanon.com
Address: 14755 NY Route 22		
City/PO: New Lebanon	State: NY	Zip Code: 12125
Project Contact (if not same as sponsor; give name and title/role): Tistrya Houghtling, Supervisor	Telephone: 518-794-8889	E-Mail: supervisor@townofnewlebanon.com
Address: 14755 NY Route 22		
City/PO: New Lebanon	State: NY	Zip Code: 12125
Property Owner (if not same as sponsor):	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Town of New Lebanon Town Board - Enactment of Local Law	March 12, 2024
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Town of New Lebanon Planning Board - Report and Recommendation (Advisory)	March 12, 2024
c. City, Town or <input type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Columbia County Planning Board - GML 239-m (Advisory)	March 12, 2024
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  Yes  No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?  Yes  No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  Yes  No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)  Yes  No

If Yes, identify the plan(s):  
 Remediation Sites:411014  
 \_\_\_\_\_  
 \_\_\_\_\_

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?  Yes  No

If Yes, identify the plan(s):  
 Columbia County Agriculture and Farmland Protection Plan  
 \_\_\_\_\_  
 \_\_\_\_\_

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?  
Residential-Agricultural/Conservation; Residential-Agricultural 2; Residential-Agricultural 1; General Commercial; Commercial-Recreational;  
Commercial-Industrial; Commercial-Residential; Flood Zone Overlay; Solar Overlay.

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
If Yes,  
i. What is the proposed new zoning for the site? Creation of new Central Commercial zoning district; modify existing Gen. Comm'l District

**C.4. Existing community services.**

a. In what school district is the project site located? New Lebanon Central School District; Chatham Central School District

b. What police or other public protection forces serve the project site?  
Columbia County Sheriff's Department; New York State Police

c. Which fire protection and emergency medical services serve the project site?  
Lebanon Valley Protective Association

d. What parks serve the project site?  
Shatford Park

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

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

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
If Yes,  
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) \_\_\_\_\_  
ii. Is a cluster/conservation layout proposed?  Yes  No  
iii. Number of lots proposed? \_\_\_\_\_  
iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  No  
i. If No, anticipated period of construction: \_\_\_\_\_ months  
ii. If Yes:  
• Total number of phases anticipated \_\_\_\_\_  
• Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
• Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,

i. Total number of structures \_\_\_\_\_

ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length

iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

i. Purpose of the impoundment: \_\_\_\_\_

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_

iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_

iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres

v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): \_\_\_\_\_
- Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No

If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No

If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No

If, Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

\_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No

If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No



- Do existing sewer lines serve the project site?  Yes  No
- Will a line extension within an existing district be necessary to serve the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
\_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):  
\_\_\_\_\_  
\_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
\_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

\_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)

\_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)

ii. Describe types of new point sources. \_\_\_\_\_  
\_\_\_\_\_

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
\_\_\_\_\_  
\_\_\_\_\_

- If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
\_\_\_\_\_

- Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
\_\_\_\_\_

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
\_\_\_\_\_

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
\_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No

ii. In addition to emissions as calculated in the application, the project will generate:

- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
- \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
- \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

- i. Estimate methane generation in tons/year (metric): \_\_\_\_\_
- ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

- i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.
- ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

- i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_
- ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_
- iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: \_\_\_\_\_
- Saturday: \_\_\_\_\_
- Sunday: \_\_\_\_\_
- Holidays: \_\_\_\_\_

ii. During Operations:

- Monday - Friday: \_\_\_\_\_
- Saturday: \_\_\_\_\_
- Sunday: \_\_\_\_\_
- Holidays: \_\_\_\_\_

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
 If yes:  
 i. Provide details including sources, time of day and duration:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

n. Will the proposed action have outdoor lighting?  Yes  No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:  
 \_\_\_\_\_  
 \_\_\_\_\_

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally, describe the proposed storage facilities: \_\_\_\_\_  
 \_\_\_\_\_

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No  
 If Yes:  
 i. Describe proposed treatment(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 • Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No

If Yes:

- i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_
- ii. Anticipated rate of disposal/processing:
  - \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
  - \_\_\_\_\_ Tons/hour, if combustion or thermal treatment
- iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No

If Yes:

- i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_
- ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_
- iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month
- iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_
- v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)
- Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe: \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
 i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
 If Yes,  
 i. Identify Facilities: \_\_\_\_\_

e. Does the project site contain an existing dam?  Yes  No  
 If Yes:  
 i. Dimensions of the dam and impoundment:  
 • Dam height: \_\_\_\_\_ feet  
 • Dam length: \_\_\_\_\_ feet  
 • Surface area: \_\_\_\_\_ acres  
 • Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
 ii. Dam's existing hazard classification: \_\_\_\_\_  
 iii. Provide date and summarize results of last inspection: \_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
 If Yes:  
 i. Has the facility been formally closed?  Yes  No  
 • If yes, cite sources/documentation: \_\_\_\_\_  
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_  
 iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
 If Yes:  
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: \_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
 If Yes:  
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): 411014  
 Neither database  
 ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
 If yes, provide DEC ID number(s): 411014  
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): \_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site: \_\_\_\_\_ %  
 \_\_\_\_\_ %  
 \_\_\_\_\_ %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ % of site  
 Moderately Well Drained: \_\_\_\_\_ % of site  
 Poorly Drained \_\_\_\_\_ % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ % of site  
 10-15%: \_\_\_\_\_ % of site  
 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No  
 If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 863-358, 863-312, 863-319, 863-318, 863-313, 86... Classification C, C(T), C(TS), B
- Lakes or Ponds: Name 863-321, 863-364, 863-362 Classification C
- Wetlands: Name Federal Waters, NYS Wetland, Federal Waters, Fe... Approximate Size NYS Wetland (in a...
- Wetland No. (if regulated by DEC) EC-112, CA-7, EC-113, CA-6,...

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_

i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100-year Floodplain?  Yes  No

k. Is the project site in the 500-year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: Principal Aquifer

m. Identify the predominant wildlife species that occupy or use the project site: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

n. Does the project site contain a designated significant natural community?  Yes  No  
 If Yes:  
 i. Describe the habitat/community (composition, function, and basis for designation): Beech-Maple Mesic Forest  
 ii. Source(s) of description or evaluation: \_\_\_\_\_  
 iii. Extent of community/habitat:  
 • Currently: 1085.65 acres  
 • Following completion of project as proposed: \_\_\_\_\_ acres  
 • Gain or loss (indicate + or -): \_\_\_\_\_ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?  Yes  No  
 If Yes:  
 i. Species and listing (endangered or threatened): Northern Long-eared Bat  
 \_\_\_\_\_

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?  Yes  No  
 If Yes:  
 i. Species and listing: \_\_\_\_\_  
 \_\_\_\_\_

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  Yes  No  
 If yes, give a brief description of how the proposed action may affect that use: \_\_\_\_\_  
 \_\_\_\_\_

**E.3. Designated Public Resources On or Near Project Site**

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No  
 If Yes, provide county plus district name/number: COLU009

b. Are agricultural lands consisting of highly productive soils present?  Yes  No  
 i. If Yes: acreage(s) on project site? \_\_\_\_\_  
 ii. Source(s) of soil rating(s): \_\_\_\_\_

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  Yes  No  
 If Yes:  
 i. Nature of the natural landmark:  Biological Community  Geological Feature  
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: \_\_\_\_\_  
 \_\_\_\_\_

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  Yes  No  
 If Yes:  
 i. CEA name: Warm Spring Critical Environmental Area. Cool Ravines Critical Environmental Area  
 ii. Basis for designation: Warm Spring: protection of water resources, exceptional/unique character, habitat. Cold Ravines: habitat  
 iii. Designating agency and date: Warm Spring: Town of New Lebanon, May 10, 2022. Cool Ravines: Town of New Lebanon, June 14, 2022.

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  Yes  No

If Yes:  
 i. Nature of historic/archaeological resource:  Archaeological Site  Historic Building or District  
 ii. Name: Eligible property: Hand House & outbuildings, Eligible property: HARMONY ACRES FARM (BAUM), Eligible property: BRAINARD ...  
 iii. Brief description of attributes on which listing is based: \_\_\_\_\_

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f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  Yes  No

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g. Have additional archaeological or historic site(s) or resources been identified on the project site?  Yes  No

If Yes:  
 i. Describe possible resource(s): \_\_\_\_\_  
 ii. Basis for identification: \_\_\_\_\_

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h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?  Yes  No

If Yes:  
 i. Identify resource: \_\_\_\_\_  
 ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): \_\_\_\_\_  
 iii. Distance between project and resource: \_\_\_\_\_ miles.

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i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?  Yes  No

If Yes:  
 i. Identify the name of the river and its designation: \_\_\_\_\_  
 ii. Is the activity consistent with development restrictions contained in 6 NYCRR Part 666?  Yes  No

**F. Additional Information**

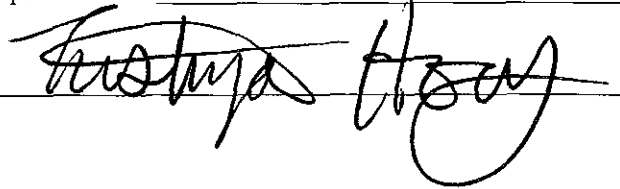
Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

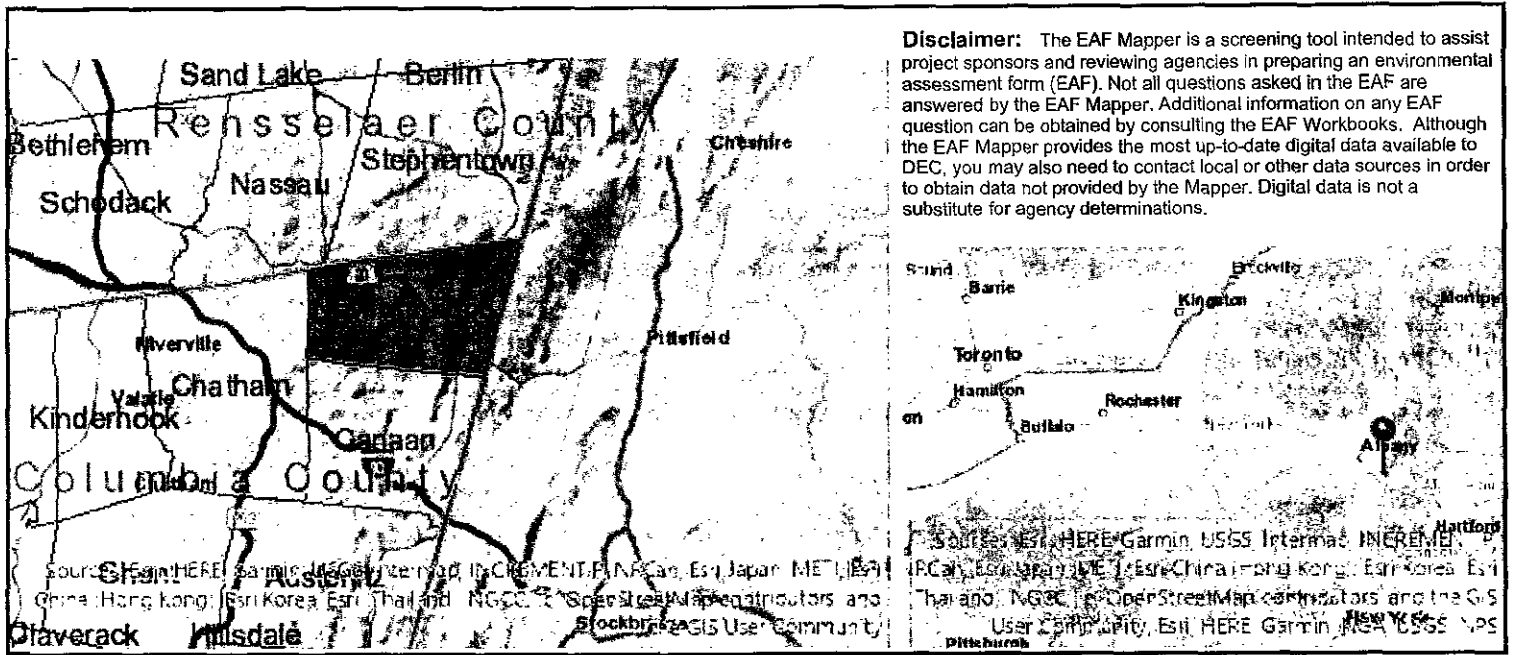
**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Town Board of the Town of New Lebanon Date 3/12/2024

Signature  Title Supervisor





**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	Remediation Sites:411014
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Yes - Digital mapping data for Spills Incidents are not available for this location. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Yes
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Yes
E.1.h.i [DEC Spills or Remediation Site - DEC ID Number]	411014
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	411014
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	863-358, 863-312, 863-319, 863-318, 863-313, 863-263.1, 863-375, 863-334, 863-359, 863-339, 863-374, 863-321, 863-363, 863-360, 863-365, 863-366, 863-361, 863-320, 863-369, 863-367, 863-368, 863-370, 863-371, 863-372
E.2.h.iv [Surface Water Features - Stream Classification]	C, C(T), C(TS), B

E.2.h.iv [Surface Water Features - Lake/Pond Name]	000-021, 000-004, 000-002
E.2.h.iv [Surface Water Features - Lake/Pond Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters, NYS Wetland
E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres):16.8, NYS Wetland (in acres):84.4, NYS Wetland (in acres):22.3, NYS Wetland (in acres):15.9, NYS Wetland (in acres):28.0, NYS Wetland (in acres):59.5, NYS Wetland (in acres):34.1, NYS Wetland (in acres):16.0, NYS Wetland (in acres):36.6, NYS Wetland (in acres):68.9, NYS Wetland (in acres):31.7, NYS Wetland (in acres):495.3, NYS Wetland (in acres):81.4
E.2.h.iv [Surface Water Features - DEC Wetlands Number]	EC-112, CA-7, EC-113, CA-6, CA-9, CA-8, CA-5, EC-109, CA-1, CA-3, CA-10, CA-4, H-3
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.j. [100 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.k. [500 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	Yes
E.2.n.i [Natural Communities - Name]	Beech-Maple Mesic Forest
E.2.n.i [Natural Communities - Acres]	1085.65
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Northern Long-eared Bat
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	COLU010, COLU009, RENS001
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	Yes
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Eligible property:Hand House & outbuildings, Eligible property:HARMONY ACRES FARM (BAUM), Eligible property:BRAINARD RAILROAD STATION, Eligible property:Abbott-Perry House, Eligible property:New Lebanon Railroad Depot, Donnelly House, Bigelow-Finch-Fowler Farm, Gilbert, Elisha, House, Mount Lebanon Shaker Society, Lebanon Springs Union Free School, Church of Our Saviour, Tilden, Governor Samuel J., Monument, New Lebanon District No. 8 School
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

**Full Environmental Assessment Form**  
**Part 2 - Identification of Potential Project Impacts**

Agency Use Only [If applicable]  
 Project : Introductory Local Law No. 1 of 2024  
 Date : April 9, 2024

**Part 2 is to be completed by the lead agency.** Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency and the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

**Tips for completing Part 2:**

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**2. Impact on Geological Features**

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

NO

YES

*If "Yes", answer questions a - c. If "No", move on to Section 3.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**3. Impacts on Surface Water**

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

NO

YES

*If "Yes", answer questions a - l. If "No", move on to Section 4.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

1. Other impacts: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>
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<b>4. Impact on groundwater</b> The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>				<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>		
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>		
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>		
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>		
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>		
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>		
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>		
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

<b>5. Impact on Flooding</b> The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>				<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>		
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>		
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>		
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>		
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>		

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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**6. Impacts on Air**  
 The proposed action may include a state regulated air emission source.  NO  YES  
 (See Part 1. D.2.f., D.2.h, D.2.g)  
 If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**7. Impact on Plants and Animals**  
 The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.)  NO  YES  
 If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>8. Impact on Agricultural Resources</b>			
The proposed action may impact agricultural resources. (See Part I. E.3.a. and b.)		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>9. Impact on Aesthetic Resources</b> The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>				<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>		
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>		
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>		
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

<b>10. Impact on Historic and Archeological Resources</b> The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>				<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>		
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>		



d. Other impacts: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

<b>11. Impact on Open Space and Recreation</b>			
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b, E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c, E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>12. Impact on Critical Environmental Areas</b>			
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

**13. Impact on Transportation**

The proposed action may result in a change to existing transportation systems.

 NO YES

(See Part 1. D.2.j)

*If "Yes", answer questions a - f. If "No", go to Section 14.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**14. Impact on Energy**

The proposed action may cause an increase in the use of any form of energy.

 NO YES

(See Part 1. D.2.k)

*If "Yes", answer questions a - e. If "No", go to Section 15.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

**15. Impact on Noise, Odor, and Light**

The proposed action may result in an increase in noise, odors, or outdoor lighting.

 NO YES

(See Part 1. D.2.m., n., and o.)

*If "Yes", answer questions a - f. If "No", go to Section 16.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**16. Impact on Human Health**

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)  NO  YES

*If "Yes", answer questions a - m. If "No", go to Section 17.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

<b>17. Consistency with Community Plans</b> The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>18. Consistency with Community Character</b> The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**Full Environmental Assessment Form**  
**Part 3 - Evaluation of the Magnitude and Importance of Project Impacts**  
**and**  
**Determination of Significance**

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

**Reasons Supporting This Determination:**

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The action is the adoption of a local law that would:

1. Create a new zoning district, the Central Commercial zoning district, that is intended to represent the "town center" and which is intended to have vibrant, customer intensive commercial activity;
2. Modify the boundaries of the existing General Commercial zoning district;
3. Require special use permit approval for self storage facilities, and designated such uses as permissible in the General Commercial, Commercial-Industrial, and Commercial-Residential Zoning Districts.
4. Adopt special use permit standards, building standards, and site design standards applicable to self-storage facilities; and
5. Make language changes where appropriate to address the creation of the new Central Commercial zoning district.

The proposed local law arises from the Town's pursuit of adopting zoning regulations to designate areas within town that are appropriate for development of self-storage facilities and to adopt standards regarding their layout and building design. The Town's Zoning Rewrite Committee analyzed self-storage facilities and the areas in town where such uses are considered consistent with the town's community and neighborhood character and developed the regulations contained within this proposed local law in order to properly address self-storage facility siting and development in Town.

The adoption of the proposed local law would merely regulate the location, layout and building design of self-storage facilities in a manner designed to be protective of the environment and the surrounding community, while empowering the Town's planning board to review such facilities under a special use permit review with specific standards. Accordingly, the local law will not result in any significant adverse environmental impacts.

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status:       Type I       Unlisted

Identify portions of EAF completed for this Project:     Part 1       Part 2       Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

Introductory Local Law No. 1 of 2024

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the  
the Town Board of the Town of New Lebanon \_\_\_\_\_ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

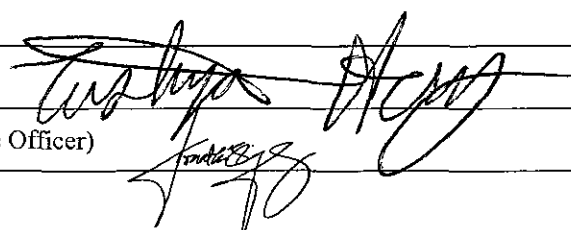
Name of Action: Introductory Local Law No. 1 of 2024

Name of Lead Agency: Town Board of the Town of New Lebanon

Name of Responsible Officer in Lead Agency: Tistrya Houghtling

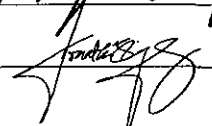
Title of Responsible Officer: Town Supervisor

Signature of Responsible Officer in Lead Agency:



Date: 4/19/24

Signature of Preparer (if different from Responsible Officer)



Date: 04/08/2024

**For Further Information:**

Contact Person: Tistrya Houghtling, Supervisor

Address: 14755 NY Route 22, New Lebanon, NY 12125

Telephone Number: 518-794-8889

E-mail: supervisor@townofnewlebanon.com

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

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>