

Negative Declaration Pursuant to
New York State Environmental Quality Review Act

WHEREAS, the New York State Environmental Conservation Law and the regulations of the Department of Environmental Conservation as contained in 6 NYCRR Part 617 require review of the possible environmental consequences of various actions under consideration by the Board of Trustees, and

WHEREAS, the Board of Trustees is considering the adoption of legislation amending Chapter 150, entitled "Zoning", and repealing Chapter 42, entitled "Arts District", of the Code of the Village of Greenport ("Chapter 150 Amendment Law"); and

WHEREAS, the Board of Trustees has considered the nature and impact of the proposed action; and

WHEREAS, the Board of Trustees has reviewed a Full Environmental Assessment Form and Description of Proposed Action prepared with respect to the proposed law,

NOW, THEREFORE, IT IS

RESOLVED, that the Board hereby finds and concludes that the Board of Trustees is the Lead Agency with respect to environmental impact review of Chapter 150 Amendment Law as defined in the State Environmental Quality Review Act and its regulations (SEQRA), and

(a) the proposed adoption of Chapter 150 Amendment Law is a Type 1 Action under SEQRA;

(b) the Board has considered the adoption of Chapter 150 Amendment Law, which law provides for the inclusion of additional and revised definitions, amendments of the permitted and conditionally permitted uses in the CR Retail Commercial and WC Waterfront Commercial Districts, modifications of the conditional use and site plan criteria, review considerations and procedures, incorporation of parking regulation changes and clarifications, provision for entertainment purposes, repeal of the Arts District, and amendment of penalty provisions;

(c) the Board has thoroughly reviewed a Full Environmental Assessment Form and the supplemental description of the proposed action;

(d) the Board also has considered the following factors and made the following conclusions in respect to its review of the environmental impacts of the proposed action:

(i) the proposed action would not result in any substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic

or noise levels, nor any substantial increase in solid waste production, nor create a substantial increase in the potential for erosion, flooding, leaching or drainage problems;

(ii) the proposed action would not result in the removal or destruction of large quantities of vegetation or fauna, substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on a significant habitat area, substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species, or other significant adverse impacts to natural resources;

(iii) the proposed action would not impair the environmental characteristics of any Critical Environmental Area;

(iv) the proposed action would not conflict with the community's current plans or goals as official approved or adopted;

(v) the proposed action would not impair the character or quality of important historical, archeological, architectural or aesthetic resources or of existing community or neighborhood character;

(vi) the proposed action would not result in a major change in the use of either the quantity or type of energy;

(vii) the proposed action would not create a hazard to human health;

(viii) the proposed action would not create a substantial change in the use, or intensity of use, of land, including agricultural, open space or recreational resources, or in its capacity to support existing uses;

(ix) the proposed action would not encourage or attract large numbers of persons to any place for more than a few days, compared to the number who would come to such place without such action;

(x) the proposed action would not create changes in two or more elements of the environment, no one of which would have a significant impact on the environment, but when taken considered together would result in a substantial adverse impact on the environment;

(xi) the proposed action would not create substantial adverse impacts when considered cumulatively with any other actions, proposed or in process;

(xii) the proposed action would not result in substantial adverse impact with respect to any relevant environmental consideration, including noise, aesthetics, traffic, air quality, water quality or adequacy of water supply, drainage, soil conditions, or quality of life in the community in general and the immediate neighborhood in particular;

(xiii) the proposed action would enhance the protection of the environment in the Village, in that it would preserve and maintain the existing character of the Village;

(e) the proposed action would not have a significant adverse environmental impact;

(f) no further environmental review is required with respect to the proposed action, and

(g) the Mayor, or his designee, is authorized to execute the FEAF in a manner consistent with the foregoing findings stating that the proposed action will not result in a significant adverse environmental impact.