

**TOWN BOARD
TOWN OF POUND RIDGE, NEW YORK**

**RE: RESOLUTION ADOPTING LOCAL LAW ___ OF THE YEAR 2014
PERTAINING TO THE AMENDMENT OF CHAPTER 89, SLOPES
PROTECTION, OF THE POUND RIDGE TOWN CODE**

WHEREAS, the Town Board is entertaining the adoption of a Local Law pertaining to the amendment of Chapter 89, Slopes Protection, of the Pound Ridge Town Code (the “Proposed Action”); and

WHEREAS, in accordance with the requirements of the New York State Environmental Quality Review Act (SEQRA), the Town Board is the only Involved Agency with respect to the Proposed Action and is therefore the Lead Agency; and

WHEREAS, the Town Board has had an Environmental Assessment Form prepared in connection with the Proposed Action; and

WHEREAS, the Town Board referred the proposed Local Law to the Pound Ridge Planning Board and Conservation Board for their advisory opinions; and

WHEREAS, the Planning Board and Conservation Board responded to the above mentioned referrals by means of their memoranda dated January 27 and January 13, 2014, respectively, which memos contained recommended modifications to the Local Law; and

WHEREAS, the Town Board has revised the Local Law as a result of said recommendations; and

WHEREAS, the Town Board referred the proposed Local Law to the Westchester County Planning Board in accordance with Sections 239-1 and m of New York State General Municipal Law and Section 277.61 of the Westchester County Administrative Code; and

WHEREAS, the Westchester County Planning Board responded to the above mentioned referral by means of its letter dated January 30, 2014, and the Town Board has given due consideration to said letter; and

WHEREAS, the Town Board held a public hearing on the subject Local Law on February 6, 2014, at which time all interested persons were given an opportunity to be heard.

Resolution Adopting Local Law ___ of the Year 2014 Pertaining to the Amendment of Chapter 89, Slopes Protection, of the Pound Ridge Town Code

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. The Town Board hereby adopts and incorporates the recitations and statements set forth above as if fully set forth and resolved herein.
2. After conducting a “hard look” at the Full Environmental Assessment Form and other materials related to the Proposed Action, the Town Board hereby adopts the attached Negative Declaration for the reasons stated therein, thereby finding that the Proposed Action will have no significant adverse impact upon the environment and thereby ending the SEQRA process.
3. The Town Board hereby adopts Local Law __ of 2014; except as specifically modified by the amendments contained therein, the Town of Pound Ridge Slopes Protection chapter, as originally adopted and amended from time to time thereafter, is to remain in full force and effect.

The question of adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Richard B. Lyman, Supervisor	Voting: _____
Jon Powers, Deputy Supervisor	Voting: _____
Peter J. Falco	Voting: _____
Daniel S. Paschkes	Voting: _____
Alison Boak	Voting: _____
Bonnie Schwartz	Voting: _____

The resolution is hereby duly declared adopted.

Dated: _____, 2014
Pound Ridge, New York

TOWN BOARD
Town of Pound Ridge

Date

Richard B. Lyman, Supervisor

Attachment: Negative Declaration

State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Date: _____

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Pound Ridge Town Board, as Lead Agency, has determined that the Proposed Action described below will not have a significant adverse effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Amendment of Chapter 89, Slopes Protection, of the Pound Ridge Town Code.

SEQR Status: Unlisted Action

Conditioned Negative Declaration: No

Description of Action: The Proposed Action involves the adoption of a Local Law amending the Slopes Protection chapter of the Code of the Town of Pound Ridge so as to improve its practicality, and to add certain criteria to the provisions of this chapter.

Location: Town of Pound Ridge, Westchester County

Reasons Supporting This Determination:

This local law is intended to amend the Slopes Protection chapter of the Code of the Town of Pound Ridge so as to improve its practicality, and to add certain criteria to the provisions of this chapter.

More specifically, the proposed provisions would give the Planning Board the latitude to waive the prohibition to create or disturb any steep slopes in excess of 35%, only with respect to providing ingress or egress across the frontage of a property. The proposed provisions would require an analysis of the relative environmental impacts of ingress and egress alternatives. Further, the proposed provisions would allow for the minimization or elimination of any potential safety hazards relative to sight distances.

The Proposed Action is not expected to result in any significant adverse impacts on the environment. More specifically:

1. The Proposed Action will not create a material conflict with an adopted land use plan or zoning regulation.
2. The Proposed Action will not result in a change in the use or intensity of use of land.
3. The Proposed Action will not impair the character or quality of the existing community.
4. The Proposed Action will not have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area.
5. The Proposed Action will not result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walking.
6. The Proposed Action will not cause an increase in the use of energy or will not fail to incorporate reasonably available energy conservation or renewable energy opportunities.
7. The Proposed Action will not impact existing public or private water supplies or wastewater treatment utilities.
8. The Proposed Action will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources.
9. The Proposed Action will not result in an adverse change to natural resources such as wetlands, waterbodies, groundwater, air quality, flora and fauna.
10. The Proposed Action will not result in an increase in the potential for erosion, flooding or drainage problems.
11. The Proposed Action will not create a hazard to environmental resources or human health.

Lead Agency: Pound Ridge Town Board
179 Westchester Avenue
Pound Ridge, New York 10576

For Further Information:

Contact Person: Supervisor Richard B. Lyman
179 Westchester Avenue
Pound Ridge, New York 10576
(914) 764-3986