

**RESOLUTION**  
**(CHAPTER 82 – FLOOD DAMAGE PREVENTION)**

**TO DESIGNATE TOWN BOARD LEAD AGENCY TO REVIEW ENVIRONMENTAL  
IMPACTS OF THE PROPOSED CHANGES TO THE CODE  
OF THE TOWN OF NEW PALTZ**

At a regular meeting of the Town Board of the Town of New Paltz, Ulster County, New York, held at the Town Hall, in New Paltz, New York, in said Town on the 5th day of October, 2015, at 7:30 o'clock P.M., Prevailing time.

The meeting was called to order by Supervisor Zimet, and upon roll being called, the following roll was taken:

	<b><u>PRESENT</u></b>	<b><u>ABSENT</u></b>
Supervisor Susan Zimet	___X___	_____
Council Member Jeffrey Logan	___X___	_____
Council Member Kevin Barry	___X___	_____
Council Member Daniel Torres	___X___	_____
Council Member Marty Irwin	___X___	_____

The following resolution was offered by Council Member Logan, who moved its adoption, seconded by Council Member Barry, to wit:

**WHEREAS**, the Town Board of the Town of New Paltz has proposed a local law to amend certain provisions of Chapter 82, “Flood Damage Prevention” of the Code of the Town of New Paltz; and

**WHEREAS**, the proposed amendment to the Code of the Town of New Paltz must be reviewed to determine any potential impact on the surrounding environment as defined by the Environmental Conservation Law in Section 8-0105(6); and

**WHEREAS**, any project having a potential impact on the environment must have such

impact determined by a lead agency pursuant to the State Act and Town Code, and

**WHEREAS**, pursuant to said State Act and Town Code, a lead agency must be designated to review the proposed project;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of New Paltz designates the Town Board as the Lead Agency to determine all environmental matters, and directs the Town Board follow the SEQRA process for the aforementioned action within its jurisdiction.

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

<u>VOTE</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Supervisor Susan Zimet	<u>  X  </u>	<u>      </u>	<u>      </u>
Council Member Jeffrey Logan	<u>  X  </u>	<u>      </u>	<u>      </u>
Council Member Kevin Barry	<u>  X  </u>	<u>      </u>	<u>      </u>
Council Member Daniel Torres	<u>  X  </u>	<u>      </u>	<u>      </u>
Council Member Marty Irwin	<u>  X  </u>	<u>      </u>	<u>      </u>

The resolution was thereupon duly adopted.

## RESOLUTION

### RESOLUTION AND NOTICE OF DETERMINATION OF NON SIGNIFICANCE- NEGATIVE DECLARATION (Chapter 82- Flood Damage Prevention)

At a regular meeting of the Town Board of the Town of New Paltz, Ulster  
County, New York, held at the Town Hall, in New Paltz, New York, in said Town on the  
22<sup>nd</sup> day of October, 2015, at 7:30 o'clock P.M., Prevailing time.

The meeting was called to order by ~~Council Member~~ Supervisor Zimet, and upon  
roll being called, the following roll was taken:

	<u>PRESENT</u>	<u>ABSENT</u>
Supervisor Susan Zimet	<u>✓</u>	<u>      </u>
Council Member Jeffrey Logan	<u>✓</u>	<u>      </u>
Council Member Kevin Barry	<u>✓</u>	<u>      </u>
Council Member Daniel Torres	<u>✓</u>	<u>      </u>
Council Member Marty Irwin	<u>✓</u>	<u>      </u>

The following resolution was offered by Council Member Logan,  
who moved its adoption, seconded by Council Member Barry, to wit:

**WHEREAS**, the Town of New Paltz Town Board has proposed a local law to  
AMEND certain provisions of Chapter 82, AFlood Damage Prevention@ of the Code of  
the Town of New Paltz;

**WHEREAS**, the Town Board of the Town of New Paltz has declared itself lead  
agency under the State Environmental Quality Review Act as set forth in 6 NYCRR  
617.6(d)(3); and

**WHEREAS**, the Town Board of the Town of New Paltz has compared the

proposed action as described in the Environmental Assessment Form Parts One and Two with the list of criteria set forth in 6 NYCRR 617.12 and determined that the application proposed is an Unlisted Action; and

**WHEREAS**, the Town of New Paltz Town Board, as lead agency, has prepared an Environmental Assessment Form which analyzed the proposed project, identified potential environmental impacts arising from the proposal, and described how these potential impacts are small to moderate and are mitigated by the measures elaborated in the EAF and therefore are not significant;

**WHEREAS**, this Resolution and Notice of Determination of Non Significance (Negative Declaration) has been prepared in accordance with the State Environmental Quality Review Act (Article 8 of the New York State Environmental Conservation Law and 6 NYCRR 617).

**NOW, THEREFORE, BE IT RESOLVED** that in accordance with 6 NYCRR 617.6(a)(1)(i) the Town of New Paltz Town Board finds the proposed action will not result in any significant adverse environmental effects; and be it further

**RESOLVED**, that the Town Board of the Town of New Paltz, as Lead Agency, hereby issues a Negative Declaration pursuant to the requirements of the State Environmental Quality review Act (6 NYCRR 617.6(g)(2) and directs that notice of this Negative Declaration be published and filed in accordance with applicable law, including filing with the Supervisor of the Town of New Paltz and in the Office of the Town Clerk of the Town of New Paltz.

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

<u>VOTE</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Supervisor Susan Zimet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Jeffrey Logan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Kevin Barry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Daniel Torres	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Marty Irwin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The resolution was thereupon duly adopted.

# *Short Environmental Assessment Form*

## *Part 1 - Project Information*

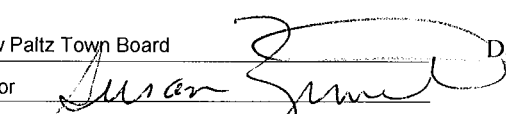
### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. 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.

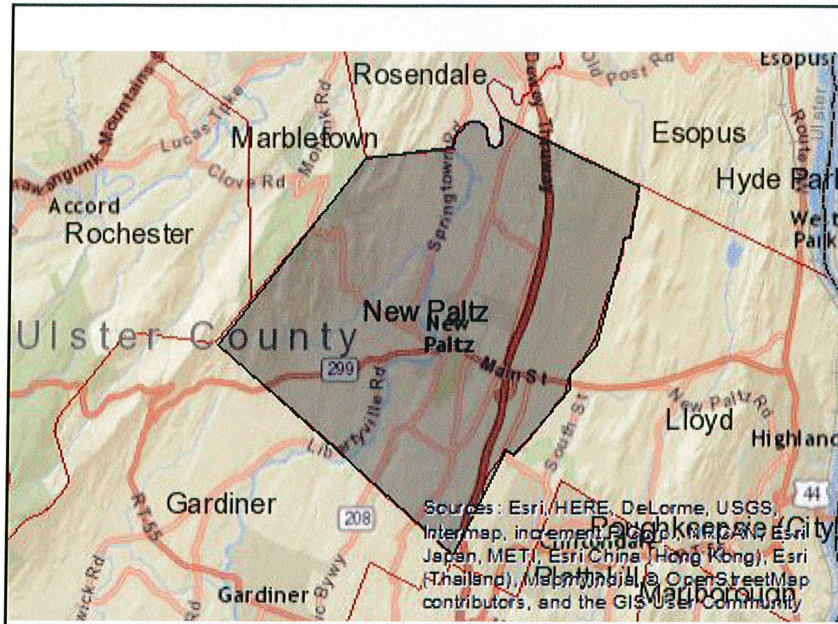
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>							
Town of New Paltz Town Board							
Name of Action or Project: Amend certain provisions of Chapter 82, "Flood Damage Prevention" of the Code of the Town of New Paltz							
Project Location (describe, and attach a location map): Areas of Special Flood hazard (land within the FEMA mapped regulated floodplains that are at an elevation below the Base Flood Elevation)							
Brief Description of Proposed Action: Amendment of the Flood Damage Prevention Code to reduce restrictions on the repair and reconstruction of existing damaged structures, requiring new construction and reconstruction and repairs of damaged structures to conform with FEMA and NYS Building Code standards for structures located in floodplains and removes restrictions on property access							
Name of Applicant or Sponsor: Town of New Paltz Town Board		Telephone: (845) 255 - 0604					
		E-Mail: supervisorzimet@townofnewpaltz.org					
Address: 1 Clearwater Road, PO Box 550							
City/PO: New Paltz		State: New York	Zip Code: 12561				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input type="checkbox"/>						
3.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							
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

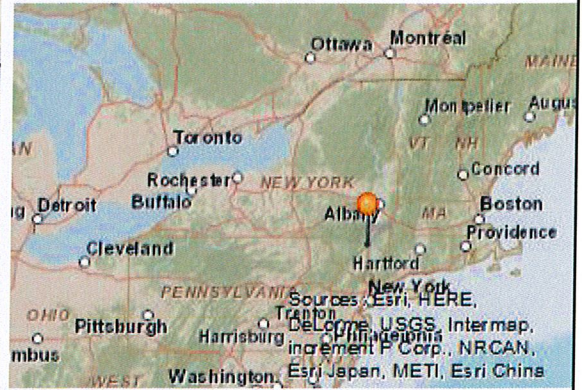
5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/> NO <input type="checkbox"/> YES		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Town of New Paltz Town Board</u> Date: <u>October 22, 2015</u>		
Signature: <u>Susan Zimet, Town Supervisor</u> 		





**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.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	Yes

## **Intent of the Amendments to the Local Floodplain Laws**

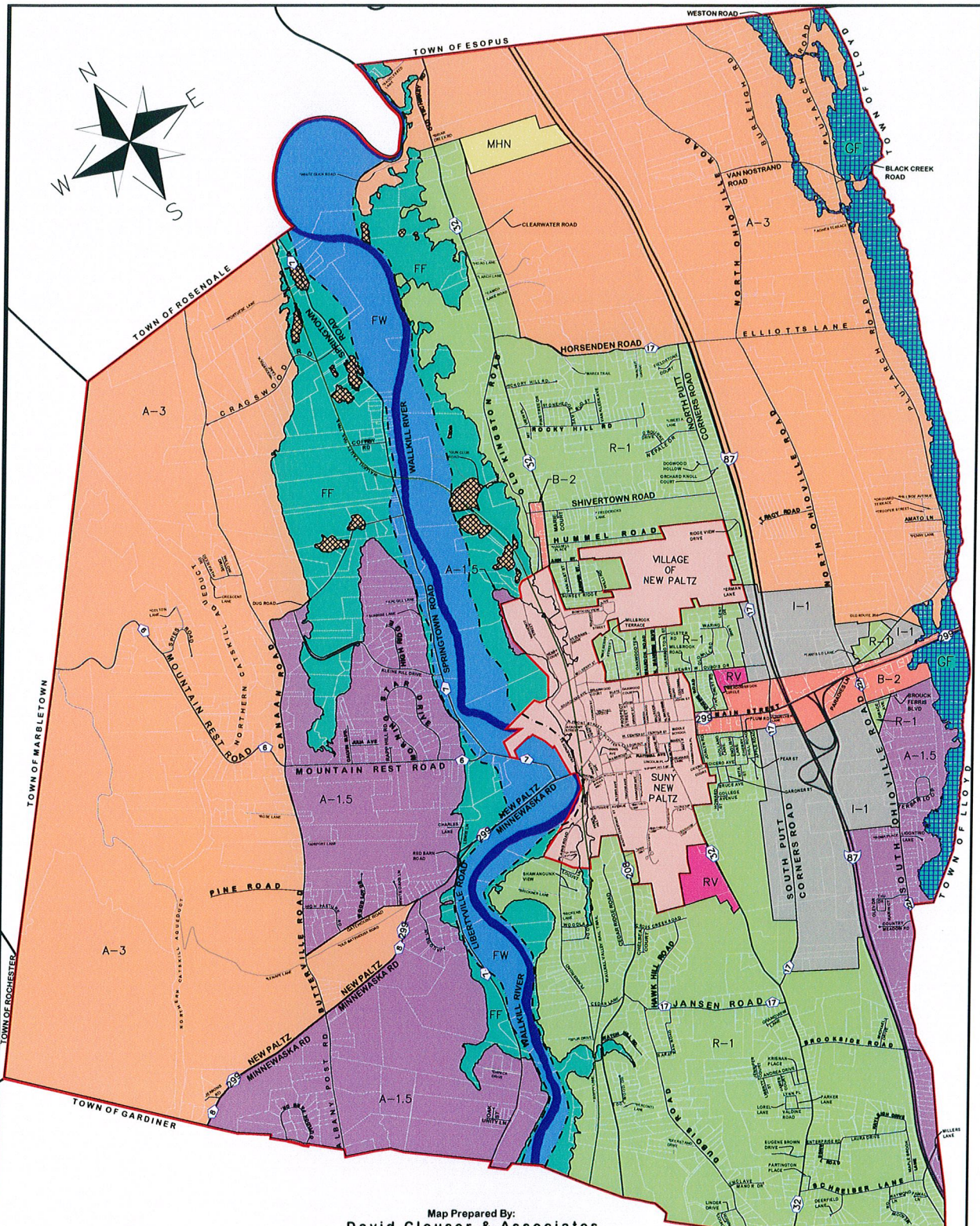
(Chapter 82, Section 140-19 of Zoning, and Chapter 121 of the Code of the Town of New Paltz)

The intent of amending Chapter 82, “Flood Damage Prevention”, Section 140-19, “Floodplain District” of the Town Zoning Code and Chapter 121, “Subdivision of Land” is to remove certain restrictions limiting repairs, reconstruction and new additions to existing structures located within special flood hazard areas (i.e., lands subject to flooding as mapped by FEMA and within the Town’s FW, FF and GF Floodway Zoning Districts). Enforcement of the Code as written regarding cumulative improvements and substantial damage and substantial repairs were not found to be reasonably enforceable by the Town Building Department.

All new construction must continue to comply with the FEMA standards for construction within flood prone areas and fully comply with the standards and requirements of the NYS Uniform fire Prevention and Building Code.

Additionally, the proposed amendment will remove specific requirements for access to properties that are located within and/or adjacent to FEMA regulated floodplain areas within the Town.





**ADOPTED**  
xx, 2010

REVISED 03/12/10: AMENDED FLOODPLAIN BOUNDARY  
REVISED 02/15/07: AMENDED I-1 / R-1 BOUNDARY ON S. PUTT

## ZONING MAP

PREPARED FOR



ULSTER COUNTY, NEW YORK

Map Prepared By:  
**David Clouser & Associates**  
Professional Engineers & Land Surveyors



1 Paradies Lane - Suite 200 New Paltz, NY 12561  
Phone: (845) 256-9600 Fax: (845) 256-9700

### Map Notes:

THIS MAP WAS COMPILED USING THE FOLLOWING AVAILABLE HARD COPY AND DIGITAL INFORMATION FOR THE PURPOSE OF SHOWING THE LOCATION OF ZONING DISTRICT BOUNDARIES AND TAX PARCELS WITHIN THE TOWN OF NEW PALTZ:

1. ZONING BOUNDARIES: INFORMATION BASED ON A MAP ENTITLED TOWN OF NEW PALTZ ZONING MAP, PREPARED BY BROOKS AND BROOKS, LAND SURVEYORS, P.C., DATED NOVEMBER 18, 1992.

2. 100-YEAR FLOOD PLAIN: THE Q3 FLOOD DATA DERIVED FROM THE FLOOD INSURANCE RATE MAPS (FIRMS) PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA). EFFECTIVE DATE: SEPTEMBER 25, 2009

0' 3,000' 6,000' 9,000'

SCALE: 1"=3,000'±

A-1.5	AGRICULTURAL 1.5 DISTRICT
A-3	AGRICULTURAL 3 DISTRICT
B-2	HIGHWAY BUSINESS DISTRICT
FW	FLOODWAY DISTRICT
FF	FLOOD FRINGE DISTRICT
GF	GENERAL FLOODPLAIN
I-1	LIGHT INDUSTRIAL DISTRICT
MHN	MOBILE HOME NEIGHBORHOOD
R-1	RESIDENCE
RV	VARIABLE DENSITY DISTRICT
—	FLOODWAY
—	TOWN ROAD
—	ULSTER COUNTY HIGHWAY
—	NEW YORK STATE HIGHWAY
—	NEW YORK STATE THRUWAY
—	PRIVATE ROAD
—	LAND AREAS IN THE FLOODPLAIN DISTRICT AND MAPPED ABOVE THE BASE FLOOD ELEVATION



Project:

Date:

## *Short Environmental Assessment Form*

### *Part 2 - Impact Assessment*

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: Date: 

### Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

TOWN OF NEW PALTZ TOWN BOARD  
Name of Lead Agency

October 22, 2015  
Date

Susan Zimet  
Print or Type Name of Responsible Officer in Lead Agency

SUPERVISOR  
Title of Responsible Officer

Susan Zimet  
Signature of Responsible Officer in Lead Agency

Karl B. Clouser, PE / Engineer for the Town of New Paltz  
Signature of Preparer (if different from Responsible Officer)