

Winston Farm Planned Development District

Zoning and NYS Environmental Quality Review Act

Prepared on behalf of the
Saugerties Town Board



NELSON POPE VOORHIS

September 2024

AGENDA

Zoning Discussion

- Planned Development Districts vs Traditional Zoning

State Environmental Quality Review

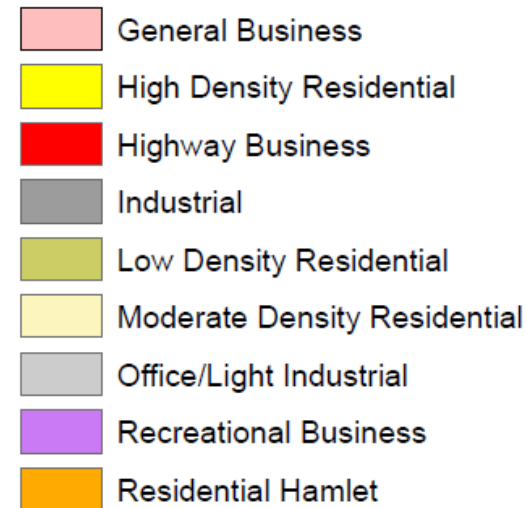
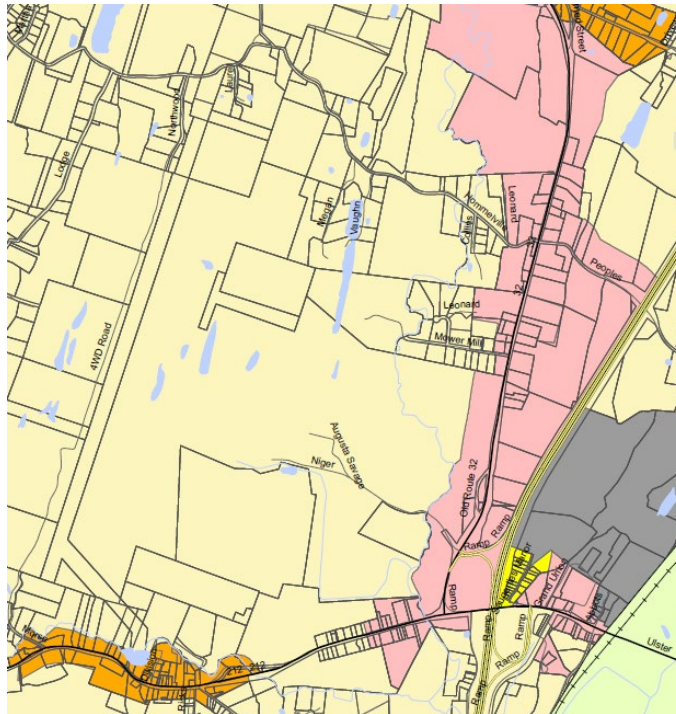
- What has been done; where are we now; what comes next?

Public Input

- When and how to provide public input

Zoning Discussion

Euclidean Zoning



Euclidean (traditional) Zoning

- Developed ~1920's to prevent incompatible land uses, protect property values and open spaces.
- Districts focus on separating land uses and establishing setbacks, heights, and buffers between uses.
- Plans designed around the regulations.

Planned Unit Developments

Eastdale Village Center, Town of Poughkeepsie NY
60 acres



Source: Eastdale Village Facebook Page



Planned Unit Development (PUD)/ Planned Development District (PDD)

- Allowable development based on a concept plan
- Clear process and parameters; flexible design
- Not based on dimensional or use requirements

NYS Environmental Quality Review

Town Board Process

- 1 Submit Zoning Petition
- 2 Perform Environmental Review
- 3 Town Board Action

NYS Environmental Quality Review (SEQR)

“ **The basic purpose of SEQR is to incorporate the consideration of environmental factors into the existing planning, review and decision-making processes** of state, regional and local government agencies at the earliest possible time.

To accomplish this goal, SEQR requires that all agencies determine whether the actions they directly undertake, fund or approve may have a significant impact on the environment, and, **if it is determined that the action may have a significant adverse impact, prepare ... an environmental impact statement.**”

6 NYCRR Part 617

Environmental Impact Statement

“A document prepared in accordance with NYCRR 617 which provides a means for agencies, public sponsors, and the public to **systematically consider significant adverse environmental impacts, alternatives and mitigation**. It facilitates the weighing of social, economic and environmental factors in the planning and decision-making process.”

6 NYCRR Part 617

Generic Environmental Impact Statement

“ Generic EISs may be **broader**, and more general than site or project specific EISs and **should discuss the logic and rationale for the choices advanced**. They may also **include an assessment of specific impacts if such details are available**. They may be based on **conceptual information** in some cases.”

The findings for a GEIS should:

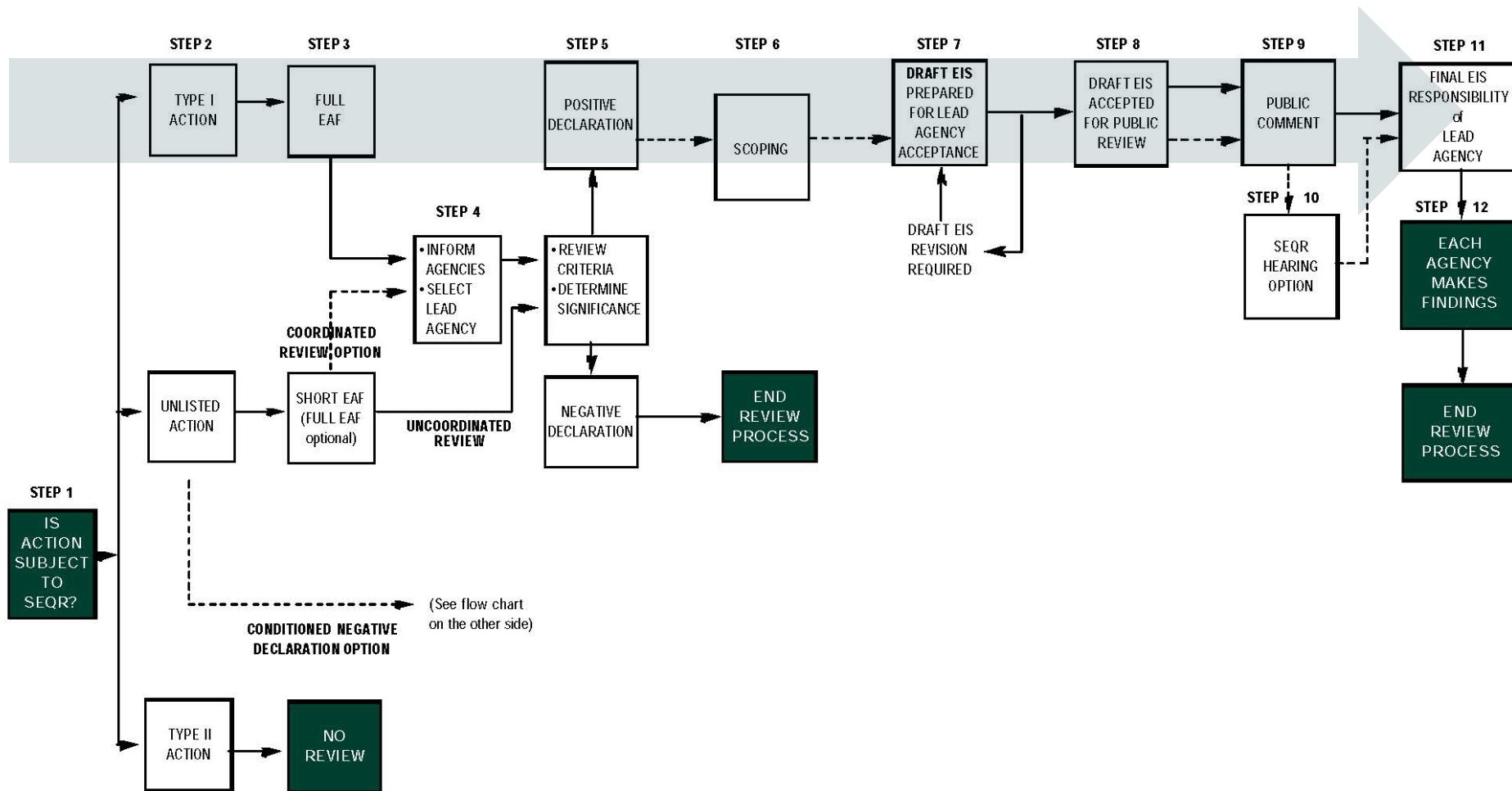
“ Set forth specific conditions or **criteria under which future actions will be undertaken or approved**, including requirements for any subsequent SEQR compliance. This may include **thresholds** and criteria for supplemental EISs to reflect specific significant impacts that were not adequately addressed in the GEIS.”

A GEIS is an appropriate mechanism for reviewing a zoning amendment under SEQR.

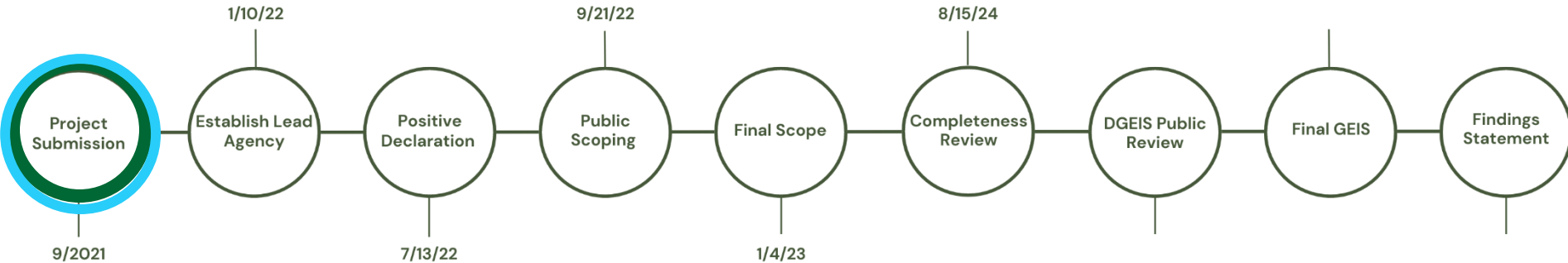
Site specific development will be reviewed and approved by the Town, against the GEIS findings.

Site specific development proposed outside of the criteria studied in the GEIS will require supplemental environmental review

SEQR Process...



SEQR Process...Simplified

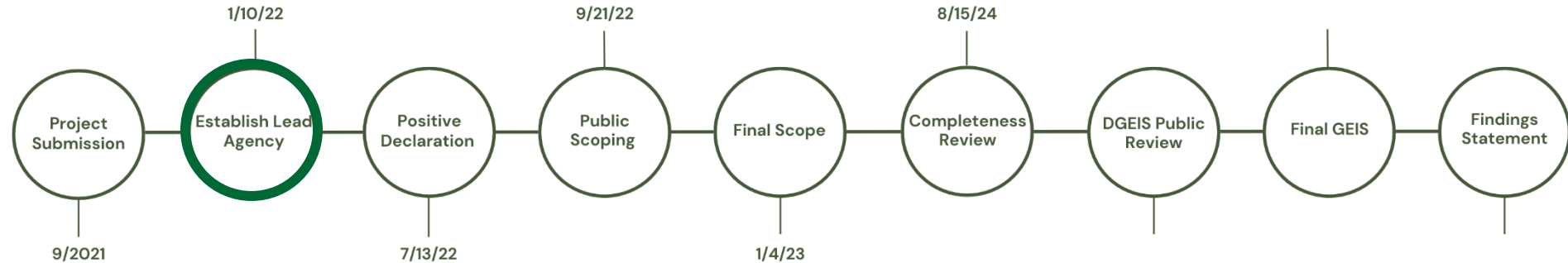


Zoning petitions are Town Board Actions that require SEQR review.

The initial submission, a petition to rezone the Winston Farm site, required the Town Board to classify the action as **Type 1** per the SEQR Law (§617.4)

A Type 1 action is more likely to require the preparation of an Environmental Impact Statement (“EIS”) than those actions which are not Type 1.

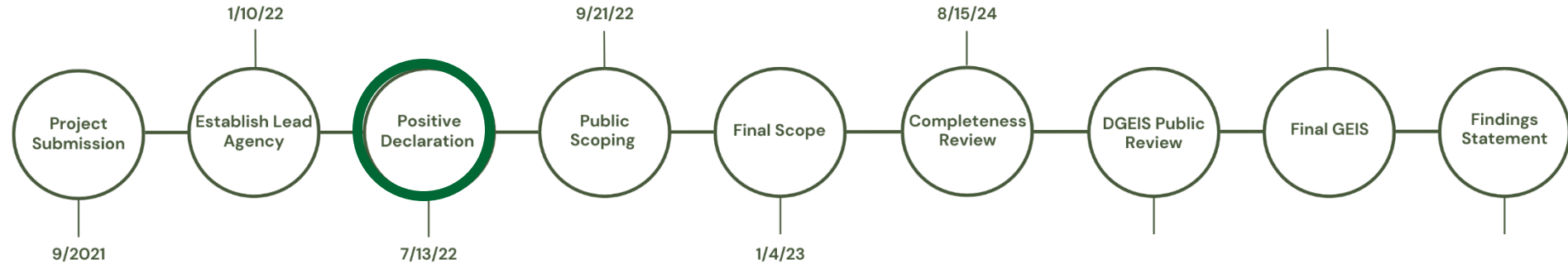
SEQR Process



The Town Board circulated its intent to **lead the environmental review process** and become the **lead agency**.

The project information was circulated to involved or interested agencies such as the NYS DOT, NYS DEC, Ulster County who consented to the Town Board as lead agency.

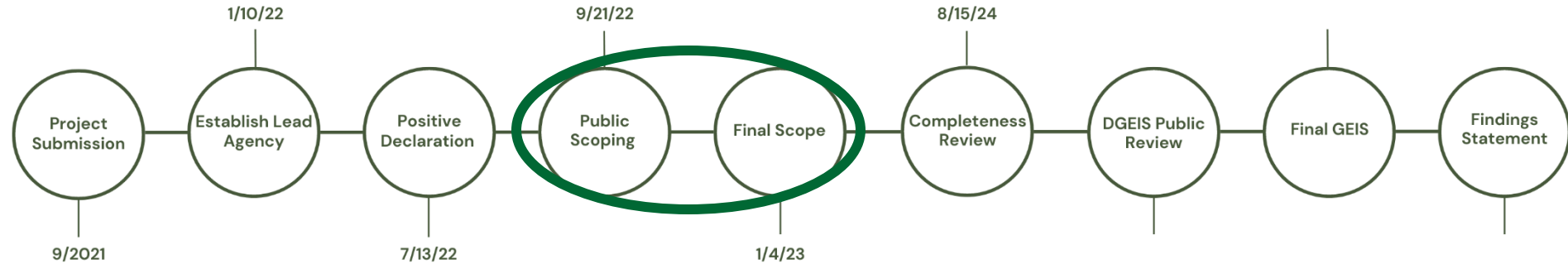
SEQR Process



Environmental Assessment Forms are completed, which aids the Town Board in identifying the potential environmental impacts of the proposed action. It was determined that a **Generic Environmental Impact Statement (GEIS)** should be prepared.

A Positive Declaration (pos dec) is the written **determination that at least one environmental impact is likely to occur** as a result of the action and orders a **GEIS** be prepared.

SEQR Process



The Town Board circulated a **draft scope** with the Positive Declaration and opened a **public scoping session** to solicit comments.

The **Final Scope** constitutes the official instructions for the preparation of the GEIS including topic areas of concern identified during public scoping, and methods for analysis.

Find the Final Scope Here:

https://saugerties.ny.us/application/files/3217/2476/0589/Final_Scope_WinstonFarm_221229.pdf

of the GEIS, and noted all comments which were statements of opinion and not incorporated into the Scope.

3.0 DGEIS REQUIREMENTS

3.1. FRAMEWORK FOR ENVIRONMENTAL REVIEW

Article 8 of the New York State Environmental Conservation Law, the State Environmental Quality Review Act (SEQRA) requires a lead agency to analyze the environmental impacts of proposed actions and, to the maximum extent practicable, avoid or mitigate potentially significant adverse impacts on the environment, consistent with social, economic, and other essential considerations. An Environmental Impact Statement (EIS) is a comprehensive document used to systematically consider environmental effects, evaluate a reasonable range of alternatives, and identify and propose mitigation, to the maximum extent practicable, of any potentially significant adverse environmental impacts. The EIS provides a means for the lead and involved agencies to consider environmental factors and choose among alternatives in their decision-making processes related to a proposed action.

3.1.1. GENERIC ENVIRONMENTAL IMPACT STATEMENT

A Generic Environmental Impact Statement (GEIS) is a broader, more general EIS that analyzes the impacts of a concept or overall plan rather than those of a specific project plan. The GEIS is useful when the details of a specific impact cannot be accurately identified, as no site-specific project has been proposed, but a broad set of further, future projects is likely to result from the agency's action. The GEIS follows the same format as the EIS for a more specific project, but its content is necessarily broader.

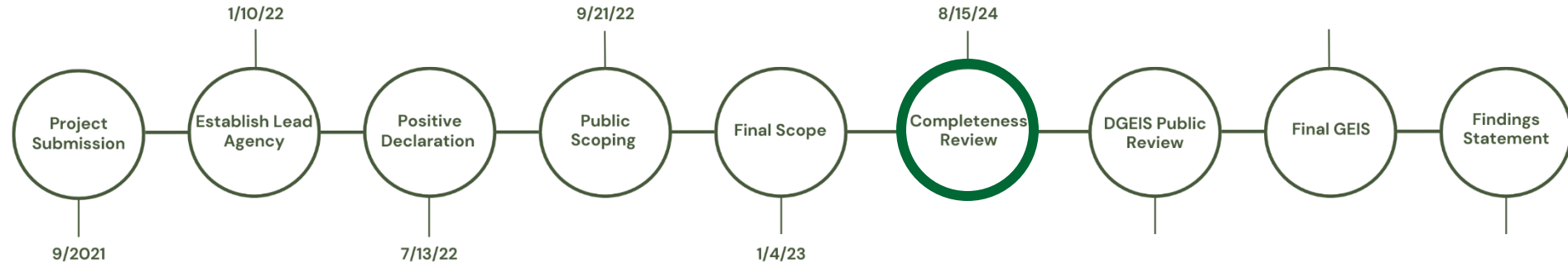
A GEIS will be prepared in accordance with SEQRA and its implementing regulations found at 6 N.Y.C.R.R. Part 617.

3.2. QUALITY OF INFORMATION

The DGEIS should be written in the third person. The terms "we" and "our" should not be used. The Applicant's conclusions and opinions should be identified as those of the "Project Sponsor", "Applicant" or "Developer."

Narrative discussions should be accompanied by appropriate charts, graphs, maps, and diagrams whenever possible. If a particular subject matter can most effectively be described in graphic format, the narrative discussion should merely summarize and highlight the information presented graphically. All plans and maps showing the site shall include adjacent homes, other neighboring uses and structures, roads, water bodies and a legend.

SEQR Process- WE ARE HERE



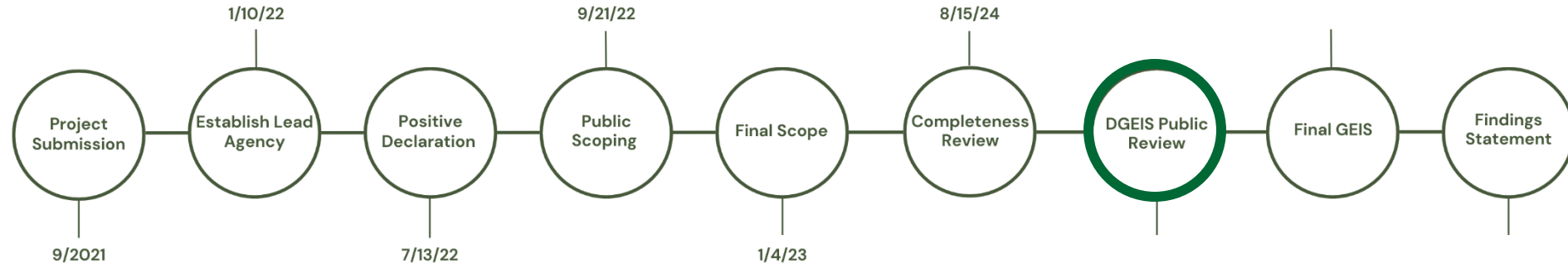
Completeness Review

Preliminary Draft GEIS submitted to the Town Board.

- Review to ensure that the document is **complete, thorough, and accurate** and reflects all items outlined in the **Final Scope**.
- Not released for review by the involved agencies or the public until deemed complete per SEQR

An incomplete GEIS must be revised by the project sponsor until it is complete.

SEQR Process- UP NEXT

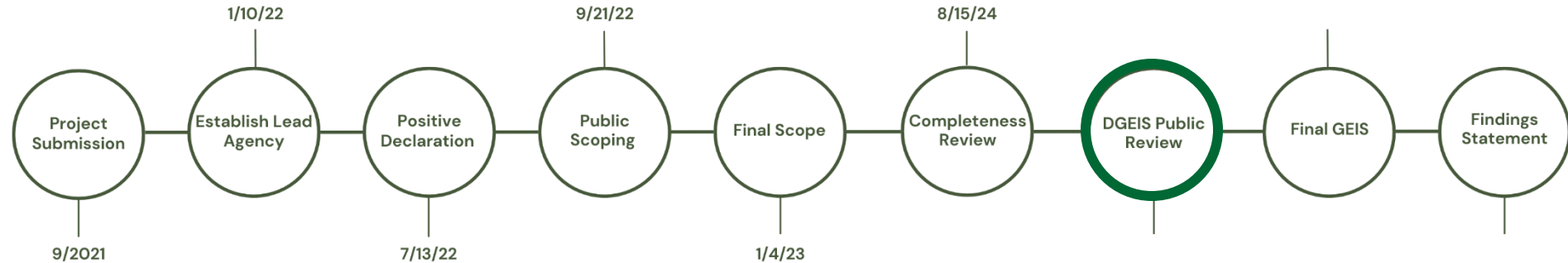


Public Review

Once accepted as complete, the Preliminary DGEIS becomes public, and the public and agency comment period begins.

- The DGEIS will be made available online and in hard copy.
- One or more public hearings will be held and noticed according to NYS Laws.
- Written comment will be accepted for a clearly defined period of time.

Public Comment



A response to all substantive comments will be provided in the Final GEIS

Substantive Comments relate to the impacts, alternatives or mitigations contained in the DGEIS, or raise important issues not previously addressed. General statements of objection or support are noted in the Final GEIS summary but do not warrant a response.

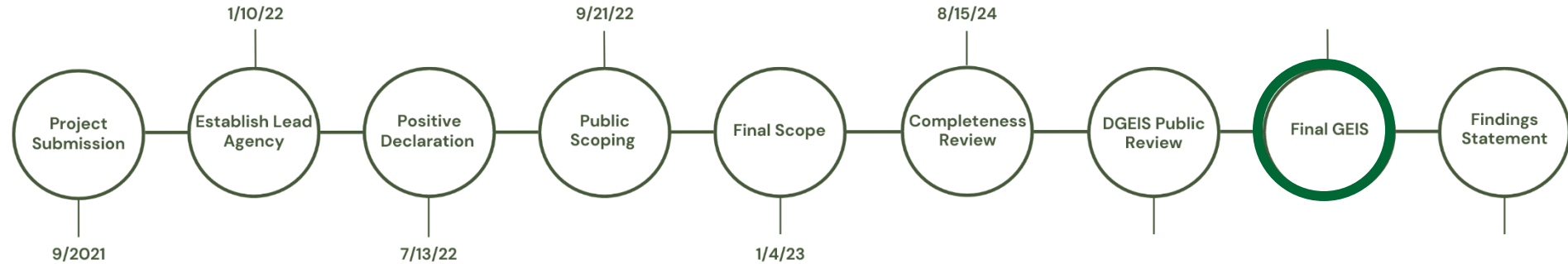
Adherence to Comment Period: Comments provided outside of the public comment period may not be included in the formal SEQR record, ie, the Final GEIS.

Comment Format: Verbal comment at the public hearing = good

Written comment during input period = encouraged

One set of comments submitted on behalf of a group = encouraged

SEQR Process- UP NEXT



Final GEIS

Necessary revisions identified by involved or interested agencies will be incorporated into the Final GEIS along with a **response** to all **substantive comments** received during the comment period.

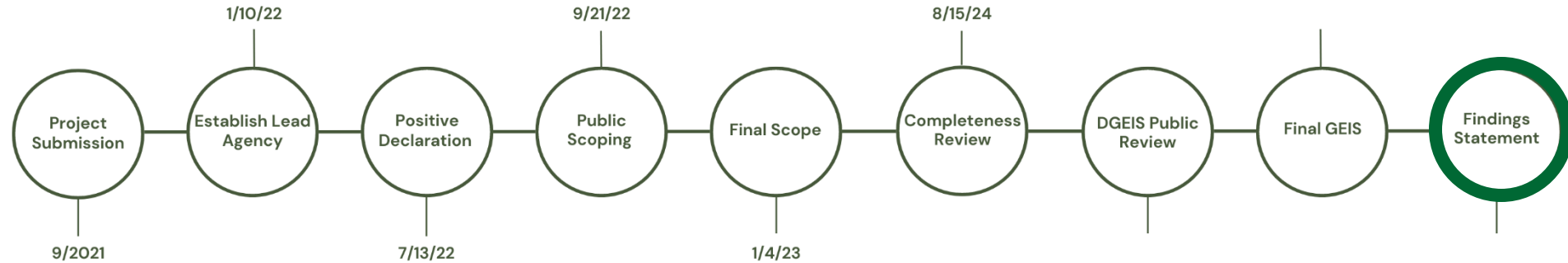
Identifies Thresholds for Impacts, Mitigation Requirements, Responsible Parties

“X gallons of water per day requiring Y infrastructure improvements”

“X vehicle trips requiring Y roadway improvements”

“X new residential units contributing Y in tax dollars”

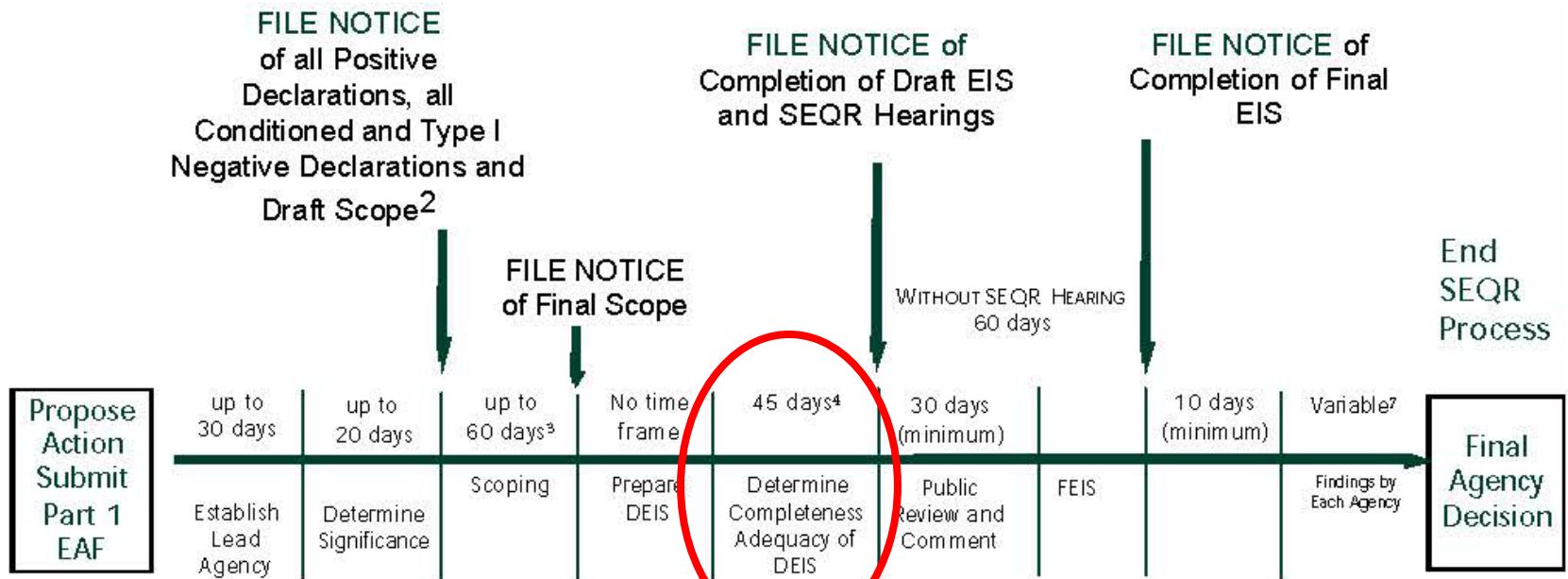
SEQR Process Completed



Findings Statement

Considers the relevant environmental impacts presented in the GEIS, weighs and balances them with social, economic and other essential considerations, provides a rationale for the **agency's decision** and certifies that the SEQR requirements have been met.

SEQR Timing

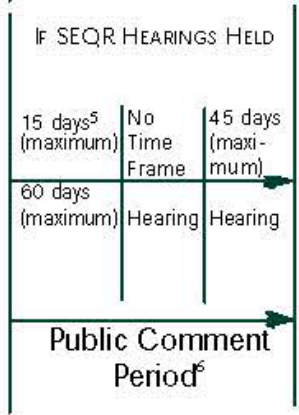


Footnotes

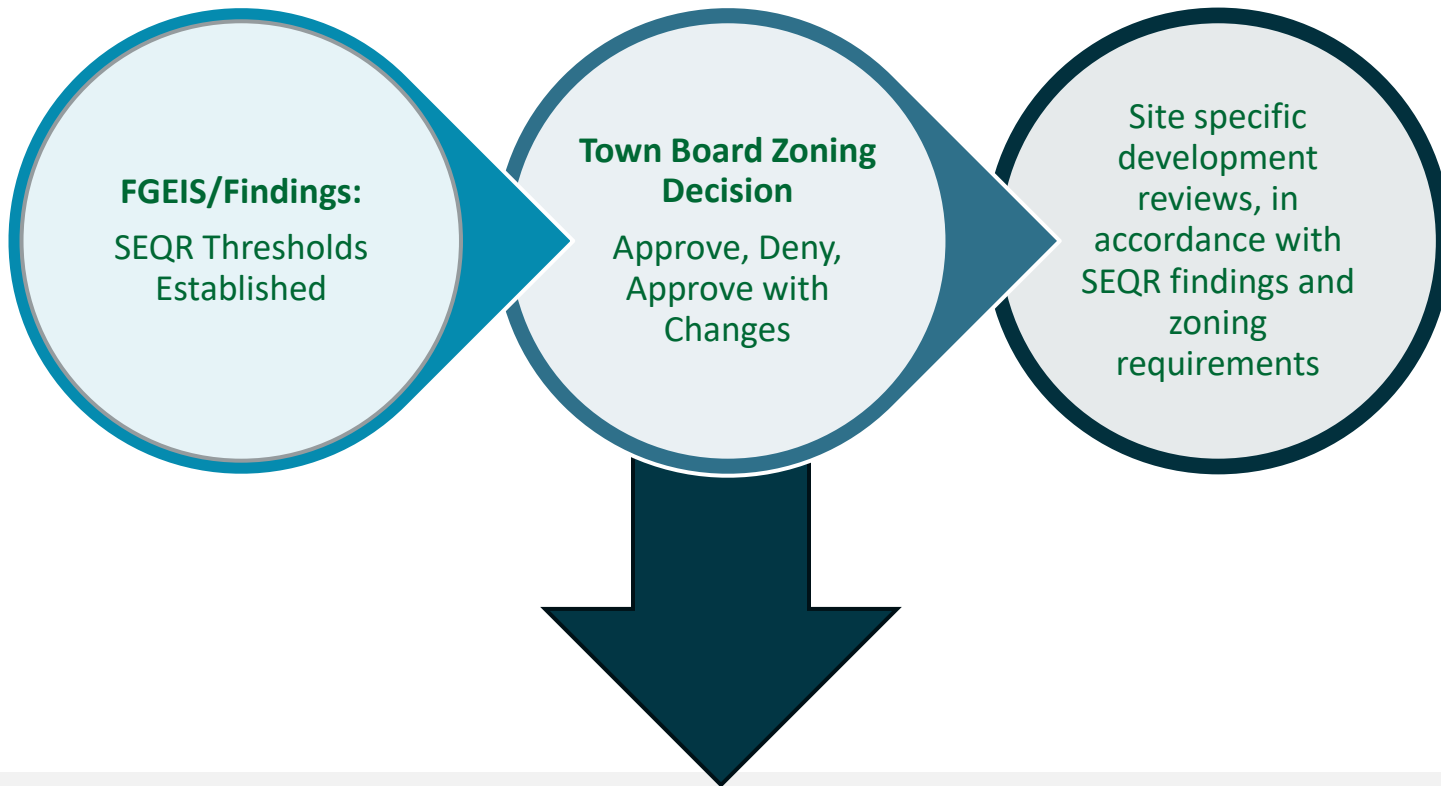
1-All time frames may be extended by mutual consent of involved parties.

2-No time frame required for submittal of a draft scope. The lead agency will send notice of the draft scope to the ENB when it receives it from the sponsor.

3-Time clock starts with submission of draft scope by applicant



Town Board Action



Action Stems from Findings

Approve- Adopt Local Law

Deny- Process Ends

Approve with Changes- Changes subjected to additional public and County review

Written Comment To:

Saugerties Town Hall
c/o [Supervisor or Town Clerk]
4 High Street
Saugerties, NY 12477

winstonfarmcomments@saugertiesny.gov

Thank You!

Town Website Resources:

<https://saugerties.ny.us/other/winston-farm>

See this presentation again:

The Orpheum, 6:45pm September 12

Links and Contacts