

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

GAYLE BONTECOU THREE LOT SUBDIVISION –
PLAT ENTITLED BONTECOU THREE SUBDIVISION

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 TOWN OF WASHINGTON PLANNING BOARD, as lead agency, has determined that the proposed action described below will not have a significant environmental impact and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Gayle Bontecou Subdivision
Three Lot Subdivision
Plat entitled Bontecou Three Subdivision

SEQRA Status: Type 1
Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

Owner, Gayle Bontecou, proposes to divide a 295±-acre parcel into three parcels located on the north side of the Shunpike (a/k/a County Rt 57) and the east and west side of Ludlow Road. This 295± acre parcel is also known as Lot B on Filed Map 5379A-B (November 2021). The proposal will create Lot C consisting of 47± acres located north of the Shunpike and west of Ludlow Road and there is an existing barn on this Lot C. The proposal will also create Lot D consisting of 117± acres located west of Lot C and the remainder of Lot B would consist of 131± acres located on the east side of Ludlow Road. No new construction is proposed as part of the application. Lots B and D are under contract to be sold to the Dutchess Land Conservancy.

Location: 979 Shunpike (Tax Map No. 135889-6867-00-385177-0000).

Reasons Supporting This Determination:

NOW, THEREFORE, BE IT RESOLVED, that the Town of Washington Planning Board makes the following findings based upon the conclusions identified above:

1. The Action will not result in a substantial adverse change in existing air quality, ground or surface water quality, traffic or noise levels, a substantial increase in solid waste production; or a substantial increase in potential for erosion, flooding, leaching or drainage problems. **This is a three-lot subdivision with no new construction proposed. Two of the three lots will be conveyed to the Dutchess Land Conservancy. There is an existing barn, which is nonconforming as to setbacks, but this non-conformity is not being increased by this subdivision application. No referral was required for the Dutchess County Department of Planning and Development, so no comments were received from that Department. A public hearing was held on July 5, 2022 and the Town of Stanford Town Clerk received due notice of this public hearing pursuant to NYS General Municipal Law Section 239-nn. The limited nature of this Action was considered for each of the impact areas identified below in the numbered paragraphs.**

2. The Action will not result in the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movements of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial 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, except as herein described.

3. The Action does not involve the impairment of any designated critical environmental area. **Although the Action proposes no new development, the northern boundary of proposed Lot B abuts the portion of Bontecou Lake which has been designated/mapped by NYSDEC as a Critical Environmental Area (CEA) within the Town of Stanford. The portion of Bontecou Lake within the boundaries of proposed Lot B, found within the Town of Washington, has not been designated as a CEA and will be sold to the DLC for conservation purposes. For these reasons, the Action would not result in the impairment of a CEA.**

4. The Action will not create a material conflict with the community's current plans or goals as officially approved or adopted.

5. The Action will not result in the impairment of the character or quality of important historical, archeological, architectural or aesthetic resources of the existing community or neighborhood character.

6. The Action will not result in a major change in the use of either the quantity or type of energy.

7. The Action will not create a hazard to human health.

8. The Action will not cause 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.

9. The Action will not encourage or attract a large number of people to a place or places from more than a few days, compared to the number of people who would come to such place absent the Action.

10. The Action will not result in the creation of a material demand for other actions that would result in one of the above consequences.

11. The Action does not involve changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment.

12. The action does not involve two or more actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in 6 NYCRR 617.7(c).


AND BE IT FURTHER RESOLVED THAT, the Town of Washington Planning Board, as lead agency for the environmental review of the Action, has reviewed the Action and all relevant supporting information and documentation, has identified the relevant areas of environmental concern, has compared the reasonably expected results of the Action with the criteria set forth in 6 NYCRR § 617.7 and has determined that there will be no potential significant environmental impacts associated with the Action.

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The foregoing Resolution was voted upon with Board members voting as follows:

Chairman Jorgensen	<u>absent</u>
Member Alexander	<u>aye</u>
Member Cornell	<u>aye</u>
Member Drury	<u>aye</u>
Member Meaney	<u>aye</u>
Member Philipps	<u>aye</u>
Member Spence	<u>aye</u>

Dated: Millbrook, New York
July 5, 2022


Kristen DiFiore, Secretary
Town of Washington Planning Board

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