

**TOWN OF WASHINGTON TOWN BOARD  
SEQRA RESOLUTION AND FINDINGS –NEGATIVE DECLARATION FOR  
ADOPTION OF TOWN OF WASHINGTON LOCAL LAW NO. 3 OF 2024**

**A LOCAL LAW TO AMEND THE ZONING CODE OF THE TOWN OF WASHINGTON TO  
PROVIDE FOR THE USE OF THE NATURAL RESOURCES INVENTORY AND THE  
ESTABLISHMENT OF A NEW HOSPITALITY OVERLAY DISTRICT PROVIDING FOR INNS  
AND ADAPTIVE REUSE INNS**

WHEREAS, the Town of Washington Town Board (“Board”) has introduced Local Law 3 of 2024 (A Local Law To Amend The Zoning Code Of The Town Of Washington To Provide For The Use Of The Natural Resources Inventory And The Establishment Of A New Hospitality Overlay District Providing For Inns And Adaptive Reuse Inns) on June 3<sup>rd</sup>, 2024; and

WHEREAS, the proposed zoning law is in the form of a local law pursuant to the authority and power granted to the Town Board and the Town by Articles 2 and 3 of the New York State Municipal Home Rule Law and by Article 2 of the New York State Statute of Local Governments; and

WHEREAS, the proposed zoning law has been reviewed by the Town Board, the public, adjacent municipalities, the Town Planning Board, the Town’s Conservation Advisory Council, and Dutchess County Planning; and

WHEREAS, it is the Town of Washington’s intention to adopt a local law which brings Washington’s land use regulations into accord with its adopted 2023 Comprehensive Plan. In so doing, the Town, developed a draft law designed to provide for a Hospitality Overlay zoning district that allows for small Inn uses in limited locations, and in a manner that promotes adaptive reuse of existing and vacant buildings, and that promotes smart growth by focusing such uses towards locations near already built areas while prohibiting such uses elsewhere in Town; and

WHEREAS, in 2023, pursuant to the authority granted in New York State Town Law § 272-a, the Town of Washington adopted an updated Comprehensive Plan that sets forth Washington’s vision for its future, and the blueprint for how the Town should grow and how Washington should preserve the characteristics and qualities of the Town so valued by Town residents. The Comprehensive Plan consists of materials, written and/or graphic, including, but not limited to, maps, charts, elements, appendices, and other descriptive material and incorporates the Hospitality Evaluation Report and its recommendations. Section 272-a (11) of the Town Law requires, in relevant part, that all town land use regulations must be in accordance with an adopted Comprehensive Plan; and

WHEREAS, the proposed local law also recognizes and incorporates use of the Town’s Natural Resource Inventory by the Planning Board and other agencies involved in land use planning in the Town; and

WHEREAS, in addition to, and in support of the implementation of the goals of the Town’s Comprehensive Plan, it is also the purpose of the proposed updated zoning to exercise our Town’s right to protect our citizens by ensuring new uses of land are protective of the public health, safety and general welfare, and that are consistent with locally established goals and

objectives in accordance with our comprehensive plan. Washington's Plan is designed to preserve and protect, for the benefit of the town as a whole, the rural-agricultural character of the Town; and

WHEREAS, this proposed Local Law is the result of almost three years of comprehensive work and consideration of hospitality uses by the Town; and

WHEREAS, adoption of the proposed Local Law No. 3 of 2024 has been determined to be a Type I action, pursuant to the New York State Environmental Quality Review Act (SEQR) 6 NYCRR Part 617.4, and

WHEREAS, the proposed action will not require permits and approvals from any other local, regional, or State agencies prior to adoption and, the Town Board declared itself lead agency for SEQR purposes; and

WHEREAS, the Town Board carefully reviewed Parts I, II, and III of the Full Environmental Assessment Form and took the required hard look on the above-described action according to SEQRA, 6 NYCRR Part 617 as part of the required adoption procedures; and

WHEREAS, the Town Board, after consideration of the Full Environmental Assessment Form Parts I, II and III finds that:

As further detailed in Exhibit A (Determination of Non-Significance) of this Resolution, the Town has not identified any significant adverse environmental impacts that would result from adopting proposed Local Law No.3 of 2024. The Town Board has reviewed Parts II and III and has determined that there are no identified moderate to large significant adverse environmental impacts associated with adopting this zoning law update for the Town of Washington.

This action implements policies established in the 2023 Town of Washington Comprehensive Plan. Protection of the environment and maintenance of the rural character of the Town are paramount policies of the Town and this local law is established to establish zoning regulations related to hospitality uses that is designed to ensure consistency between this type of future development and the Comprehensive Plan.

The action of adopting a local law by itself will not result in any physical change to the environment. A detailed Section F narrative attached to Part I of the Full EAF associated with this action was provided to fully describe these proposed zoning regulations and potential impacts of implementation of this local law.

The proposed local law limits hospitality uses to specific locations and with limited densities as identified in the Comprehensive Plan, ensures that all underlying base, overlay and other zoning and other regulatory requirements are met in a hospitality overlay district, and that all environmental protections and requirements are incorporated into a review process when a new hospitality development is proposed. It also ensures this in part through requiring site plan review and special use permit approvals for any hospitality use within the newly created Hospitality Overlay District and requires a specific set of design and performance expectations that would need to be met in future hospitality proposals. The depth and breadth of environmental topics addressed in the

Town's Plan and translated into land use regulations via the zoning law illustrate the commitment Washington has made to protect, preserve, and enhance the environment.

**NOW THEREFORE BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WASHINGTON, DUTCHESS COUNTY:**

1. That the Town Supervisor is authorized to execute and sign the Full Environmental Assessment Form, Part III; and
2. That the Town of Washington Town Board hereby declares that adoption of the proposed Local Law No. 3 of 2024 adopting a Local Law that updates the Town of Washington Zoning Code as described herein, will not result in any significant adverse environmental impacts; and
3. That the Town Board hereby makes a negative declaration regarding SEQRA 6 NYCRR Part 617 and authorizes filing of such negative declaration (Part III of the FEAF); and
4. That the Town Board directs the Town Clerk to file a notice in the Environmental Notice Bulletin according to SEQRA, 6 NYCRR Part 617 as required for this action; and

WHEREUPON this Resolution was declared passed and adopted \_\_\_\_\_ 2024 by the Town Board of the Town of Washington.

ROLL CALL VOTE                      AYE                      NAY                      ABSTAIN

Attachments: - Exhibit A: Determination of Non-Significance

## Exhibit A

### STATE ENVIRONMENTAL QUALITY REVIEW EVALUATION OF THE MAGNITUDE AND IMPORTANCE OF ENVIRONMENTAL IMPACTS RELATED TO ADOPTION OF LOCAL LAW NO. 3 OF 2024

#### A LOCAL LAW TO AMEND THE ZONING CODE OF THE TOWN OF WASHINGTON TO PROVIDE FOR THE USE OF THE NATURAL RESOURCES INVENTORY AND THE ESTABLISHMENT OF A NEW HOSPITALITY OVERLAY DISTRICT PROVIDING FOR INNS AND ADAPTIVE REUSE INNS

### DETERMINATION OF NON-SIGNIFICANCE

**Name of Action:** Adoption of a Local Law to Amend the Zoning Code of the Town of Washington to Provide for the Use of the Town's Natural Resource Inventory and the Establishment of a New Hospitality Overlay District Providing for Inns and Adaptive Reuse Inns.

**SEQRA Status:** This is a Type I Action.

**Description of Action:** The action is adoption of a local law. The proposed Hospitality Overlay District (HOS) includes three areas within the boundaries of the Town of Washington, Dutchess County, NY (see Local Law attached Map). The portion of this Local Law that addresses use of Washington's Natural Resource Inventory (NRI) applies to the entire Town, as described below.

After adoption of the Comprehensive Plan, the Town embarked on a process to implement several of the Plan policies including those related to development and use of an NRI, and establishment of a hospitality overlay within zoning. With State funding, the Town worked with surrounding communities to map and describe the natural resources in Washington. The NRI was adopted by the Town of Washington in February 2024. Additionally, the Town Board has worked to develop new zoning language to implement their updated Comprehensive Plan as adopted in 2023. That Comprehensive Plan update was based on a multi-year-long hospitality study established to evaluate and make recommendations to address hospitality uses in the Town.

Adoption of this amendment to the Town's zoning law is deemed a Type I action pursuant to 6 NYCRR Part 617 because more than 25 acres of land are subject to this action. The Town Board has determined that this action does not need a coordinated review since the Town Board is the only agency with the authority to adopt or amend a zoning law for the Town. It is recognized however that multiple referrals for comments were made and received as required from Dutchess County, adjacent communities, the Town's Planning Board, and the Town's Conservation Advisory Council.

The environmental analysis of the related long-term, short-term, direct, and indirect impacts was initiated with a comprehensive review of all submitted materials, including the FEAF Part 1 and Part 2. The Town Board carefully reviewed and considered the Part I, Section F, which provides a detailed narrative about the potential environmental impacts that may be associated

with adoption of the Town's zoning law. This Determination of Non-Significance hereby references and incorporates in full Section F's detailed evaluation of impacts.

This action implements policies established in the 2023 Town of Washington Comprehensive Plan. Protection of the environment and maintenance of the rural character of the Town are paramount policies of the Town and these amendments were designed to protect them by limiting the location, scale and intensity of hospitality uses. This action itself is considered beneficial because it will prevent significant adverse environmental impacts by removing the possibility of wider scale and larger intensity hospitality uses throughout the majority of the Town of Washington. The action of adopting a local law by itself will not result in any physical change to the environment.

It should be emphasized that any site-specific proposal for development of Hospitality uses will be subject to its own SEQR review.

This local law is specifically designed to avoid environmental impacts. The zoning has been designed to minimize the possibility of potential adverse impacts. It sets performance expectations and development standards specifically designed to eliminate and avoid the potential for any adverse impacts that may occur in the future in order to meet the Town's environmental, character, and quality of life vision, goals, and policies.

The purpose of Part 3 is to build on evaluations made during Part 2, to decide how significant any Part 2 identified moderate to large impacts are, and to decide if further information is needed in an environmental impact statement. Part 3 is where, for each potential impact, the reviewing agency discusses the magnitude, importance, probability of occurrence, duration of impact, irreversibility of impact, geographic scope, and cumulative impacts in the context of the site and community.

In its completion of the FEAF Part 2, the Town Board did not identify any moderate to large impacts that would occur as a result of implementing this local law. As the zoning amendments are fundamentally designed to limit adverse environmental impacts related to hospitality land use in Washington, and to remove such uses from inappropriate locations in the majority of the Town, the Town Board has concluded that there will be no adverse impact to adopting the zoning law.

Further, the Town Board has:

1. Considered the entire action including both the adoption and implementation of the proposed zoning law by the Town.
2. Reviewed the following information as part of its decision making:
  - a. The 2023 Comprehensive Plan;
  - b. The proposed updated zoning law and associated map of areas to be designated as in a Hospitality Overlay District;
  - c. The Town of Washington NRI (maps);
  - d. Documents, minutes, referral comments from Dutchess County, Village of Millbrook, the Planning Board, and the Town's CAC, and public input received; and

- e. Other inventories, studies, and plans prepared related to the study and planning for hospitality uses in the Town.
3. Recognized that there is potential for some small impacts to occur when future hospitality uses are developed in the Overlay District. Regarding the 18 environmental topics evaluated in Part 2 of the FEAF, the Town Board finds that small impacts could result from the adaptive reuse of existing, vacant buildings or construction of new facilities. These identified small impacts relate to the potential for:
- Physical alteration of the land surface of the proposed site.
  - Development near one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes).
  - New or additional use of ground water.
  - Development on lands identified in the NRI as being in an aquifer.
  - Development on lands subject to flooding.
  - Loss of flora or fauna.
  - Change to transportation systems.
  - Increase in noise, or outdoor lighting.
  - Land uses that are inconsistent with the existing community character.

For each of these potential small impacts, the Town Board finds that Local Law #3 of 2024 specifically seeks to minimize or avoid these impacts by requiring specific site plan and special permit criteria that would need to be applied by the Planning Board during any project review, and by requiring all other site plan, special permit, overlay district, Town, County, and State development requirements including but not limited to those designed to protect water, wastewater, wetlands, and floodplains.

In further evaluation of these potential small impacts, the Town Board examined the specific potential environmental impacts of the proposed action in relationship to their significance, setting, probability of occurrence, duration, irreversibility, geographic scope, magnitude, and number of people affected, and concludes as follows:

**IMPACT ON LAND.** Future development as allowed by the proposed zoning may impact land resources. The Town Board determined that there is potential for small impacts to occur in the future. There could be new Inns in the HOS areas that will alter the land surface. The Town recognizes that the area in the vicinity of the Cottonwood and included in the HOS is near the Wappinger Creek and that area has significant resources to be protected. Establishment of HOS at 82/Fowler Road will allow for reuse of those buildings.

The two lots here are already developed and have been vacant for some time. The HOS is intended to focus small-scale inn use in already developed areas or those areas near the village and not in green, undeveloped areas in other areas of the Town. It will promote use of existing buildings in those locations – thus limiting new greenfield construction. Any adaptive reuse of the Cottonwood or new development would still need to meet all HOS and all other zoning requirements, undergo a SEQR analysis, and meet all special permit, site plan, and other regulatory requirements that are already currently in place. The HOS adds a layer of regulation and review and does not replace what is already required. Finally, other uses are allowed in the underlying zoning district which also could affect land resources here as detailed in the Section F analysis. It is the policy of the Town as established in their Comprehensive Plan to promote adaptive reuse of structures.

**IMPACT ON GEOLOGICAL FEATURES. NO IMPACT.** There are no unique landforms or geological features identified in the Town from local, state, or federal databases.

**IMPACTS ON SURFACE WATER.** Future development could impact surface water. Impacts on surface water in Washington involve wetlands and streams (mainly the Wappingers Creek). The Town recognizes the importance of these surface water bodies, desires to ensure high quality surface waters, and notes the significant role protection of water resources plays in the Town. The Town notes that the Wappingers Creek has many important environmental features to be protected and that the Rt 82/Fowler Road portion of HOS is nearby and could have adverse environmental impacts. The site, however, is currently developed and any future redevelopment would have to map, study, and protect those water resources as per this proposed zoning change. The updated zoning creating the HOS does not alter any of the required processes (Site Plan, Special Permit, SEQR) or required existing environmental protections (DEC Wetland regulations, Federal Wetland Regulations, NYS DEC Stream Protections, etc.) to surface water protections.

**IMPACT ON GROUNDWATER.** Impacts on groundwater relate to new or additional use of ground water or uses that have the potential to introduce contaminants to ground water or an aquifer. The Town recognizes that the NRI maps a portion of the HOS district as being over an aquifer. The Town already has in place strict requirements for uses within the Village of Millbrook Watershed Protection Area and the HOS district is not within that watershed area. For aquifers outside of the Village of Millbrooks watershed, creation of the HOS District does not negate or change existing requirements – all Inns to be allowed in a HOS District will need to meet all such requirements related to Zone 1 in order to protect Village water supplies. The Towns Wetlands and Watercourses Section (Section 328) remains unchanged due to this amendment and would still serve to protect surface and groundwater resources. It is further noted that the NRI aquifer map is not site specific and the impacts on groundwater could not be determined through use of that NRI map. No inn development would occur in the HOS district until the Planning Board conducts and approves special permits and site plans. Site specific evaluation of water capacity, water flow and drainage, and wider impacts on aquifers off site would be evaluated during a project review. Adoption of the HOS district does not negate that requirement to ensure aquifer protection.

**IMPACT ON FLOODING.** Impact on flooding relates to actions that result in development on lands subject to flooding. The Town already has in place Flood Damage Prevention

requirements for uses within regulatory floodplains. Creation of the HOS District does not negate or change those requirements – all Inns to be allowed in a HOS District will need to meet all such requirements in order to avoid impacts to floodplains. All required submissions needing identification of floodplains remain in effect in the HOS District and remain unchanged due to this amendment. None of the locations included in HOS are within a regulated floodplain. The Town does recognize that certain locations within the HOS district may be subject to flooding but are not in a designated floodplain. The Town is also cognizant of the potential for long-term flooding changes resulting from climate change impacts. Site specific evaluation of flooding and drainage (including SWPPP requirements) would be evaluated during a project review. Adoption of the HOS district does not negate that requirement to ensure protection on and off site from flooding.

**IMPACT ON AIR. NO IMPACT.** Proposed zoning will not enable land uses that are state regulated emission sources.

**IMPACT ON PLANTS AND ANIMALS.** These impacts relate to the loss of flora or fauna. In the future, new development on ‘green sites’ may disturb land and habitats and cause a loss of flora or fauna locally. The HOS District is oriented to three locations in Town, two of which have the opportunity to have existing structures adaptively reused for Inn uses. The HOS District was in large part developed specifically to allow limited hospitality uses in the Town in appropriate areas so as to protect the important natural resources and plants/animals found in most places in Washington. The Town has made a long-term commitment to protecting the plants and animals in Town via their Natural Resources Inventory and inclusion of use of the NRI in project reviews and land use decisions. All environmental protection standards and review processes remain unchanged and any applicant for an Inn in the HOS District will be required to undergo all plant and wildlife reviews as part of site plan, special permit, and SEQR procedures. The Town recognizes the important habitats found along the Wappingers Creek, and thus identifies that some small impacts may occur with future development. The underlying zoning and the new HOS District will allow the Planning Board to pay special attention to reducing or eliminating impacts on plants and animals.

**IMPACT ON AGRICULTURAL RESOURCES.** Impacts on agricultural resources relate to actions that impact prime agricultural soils, limit access to agricultural lands, result in the compaction of agricultural soils, irreversibly convert agricultural lands to non-agricultural uses, disrupt or prevent agricultural land management systems, causes increased development pressure on farmland, or is an action not consistent with an adopted municipal farmland protection plan. Although agricultural soils do exist within the three portions of the HOS, it would not adversely impact agricultural resources as no agriculture currently takes place in those locations. Creation of the HOS District will ensure that Hospitality uses will not occur in other important agricultural areas of the Town and the Town remains committed to ensuring that agriculture remains an important land use in Washington. The HOS district is designed to focus lodging uses in already developed areas and closer to the Village, as per policies established in the Comprehensive Plan. The Town has indicated that small impacts may occur with development in the HOS district as any building, whether residential or commercial, in an agricultural area can influence cumulative impacts that may make farming



more difficult over time. The Town notes that the HOS District adds Inns as a specially permitted allowed use that is in addition to residences and all other existing permitted uses, and all those other uses may also cause long-term impacts that add to difficulties that farmers have in maintaining their agricultural operations. The underlying goal of the HOS district, however, is to focus small scale inn use in appropriate locations to relieve pressure on farms elsewhere in Town.

**IMPACT ON AESTHETIC RESOURCES.** Adverse impacts on aesthetic resources can occur when a proposed action is one that is obviously different from, or is in sharp contrast to, current land use patterns. Pursuant to the Full Environmental Assessment Form (FEAF) and the SEQR Manual/EAF Workbooks, aesthetic resources relate to officially designated federal, state or local scenic or aesthetic resources, officially designated scenic views, or impacts to publicly accessible vantage points viewed during routine travel or recreation/tourist-based activities. Section 312 (11) of the proposed Washington zoning establishes the requirement that Inns require a Special Permit and that factors for consideration include that the proposed development in the HOS District shall not adversely affect the natural environment or natural resources of the town, the design must be in keeping with or enhance the architectural character of the area, and the use must prove capacity to handle additional infrastructure demands. Small potential impacts may occur as Fowler Road is identified as a Town scenic resource. Whenever an adaptive reuse may be proposed at that location in the HOS district, the Planning Board would be required to evaluate impacts on that scenic resource. A primary goal of the HOS is to ensure that new inn uses do not adversely impact aesthetic resources.

**IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES.** NO IMPACT. Proposed zoning is not near or affects any historic or archaeological resources.

**IMPACT ON OPEN SPACE AND RECREATION.** NO IMPACT. Proposed zoning does is not near or affect any historic or archaeological resources.

**IMPACT ON CRITICAL ENVIRONMENTAL AREAS.** NO IMPACT. There are no designated Critical Environmental Areas in the Town of Washington.

**IMPACT ON TRANSPORTATION.** Creation of a focused area for small scale inns has the potential to increase traffic in Washington. Zoning, however, is designed to ensure that no major project is allowed without site plan review and special use permit review of which minimizing traffic impacts and increasing multi-modal transportation opportunities are critical components. Zoning requires limiting number of curb cuts, authorizes use of traffic impact analysis, and requires the Planning Board to evaluate traffic and impacts in every site plan and special use permit review. Further, this proposed zoning amendment is the mechanism to reduce, avoid, or mitigate traffic impacts that do not currently exist. All HOS district areas have access from major State highways. There is no anticipated adverse impact to the level of service or capacity on those roads. The HOS district specifically requires access to any Inn within the HOS district from such state highways, and not local roads. The proposed amendment specifically requires the Planning Board to consider the impacts on vehicle traffic and emergency service access (Section 312 (9)). Further, issuance of any special use permit also requires proof that the site has the capacity for those lodging units with 'no adverse impacts to traffic and traffic circulation. This will ensure that projects moving

forward have avoided or mitigated traffic impacts. The site plan and special permit processes will also look at traffic impacts.

**IMPACT ON ENERGY. NO IMPACT.** No inn use within the HOS district would be permitted via special permit/site plan approvals unless there are adequate electrical connections. The Town Board recognizes that an Inn would use energy, but any impact would be none or small.

**IMPACT ON NOISE, ODOR, AND LIGHT.** The Town identified that small impacts may occur due to increased use of properties included in the HOS district. Future construction activities may result in temporary noise that exceeds local ambient noise levels. Further, issuance of any special permit also requires proof that the site has the capacity for those lodging units with 'no adverse impacts related to noise' (Section 312 (9)). This will ensure that projects moving forward have avoided or mitigated noise impacts. The site plan approval processes will also look at noise impacts. All lighting is required to be built to Dark Sky standards and thus will avoid or minimize lighting impacts.

**IMPACT ON HUMAN HEALTH. NO IMPACT.** No negative impact on human health is anticipated as a result of adopting this zoning law amendment.

**CONSISTENCY WITH COMMUNITY PLANS. NO IMPACT.** A key purpose of this zoning law is to promote the community's vision and goals articulated in the Town's recently updated Comprehensive Plan. The zoning is designed to ensure that future land use in the Town will not be different from current land use patterns, that the environment in the Town is preserved or enhanced, and that there will not be a change in the density of development not supported by infrastructure and the environment. Adoption of the proposed, updated zoning law is an action that is called for and would be fully consistent with the Comprehensive Plan and that would implement the Town's desire to focus growth closer to the Village and to adaptively reuse existing buildings. Other than in Mabbettsville, where Inns are also currently allowed via zoning, the HOS would ensure that lodging facilities are not developed elsewhere in Town.

**CONSISTENCY WITH COMMUNITY CHARACTER.** A small impact could occur as a result of inn development in the HOS district due to increased need for community services such as fire and ambulance. However, the Inns that are allowed are small scale and will have full access, approved of by the Planning Board. All future reviews would have emergency service provider input to ensure access and capacity. As in the previous response, the proposed zoning law is fully consistent with community character as its purpose is to preserve and enhance the Town's community character as expressed in the Town's Comprehensive Plan.

In making a legally sufficient determination regarding significance, the Town Board has: (1) identified all relevant environmental impacts; (2) thoroughly analyzed these potential impacts; and (3) provided a written explanation of its reasoning in concluding that the proposed action will not cause significant adverse environmental impacts.

For all of the reasons noted and discussed throughout this environmental assessment form and findings statement, the Town Board has determined that adoption of the proposed zoning will not result in moderate to large adverse impacts. After careful examination and application of the criteria for determining significance set forth in the SEQRA regulations, the Town Board has not

identified any significant adverse environmental impacts to flow from the proposed action. The proposed Zoning Law significantly addresses protection of the environment as a key feature. All of these environmental resources have been identified as critical and important to Washington. The proposed action has been developed specifically to address these resources when new hospitality development occurs.

The Town Board's 'hard look' has resulted in the determination that the proposed zoning law is an implementation of policies, programs, and strategies established by the community in its long-term planning. The proposed zoning law update addresses all the principles outlined in the 2023 Comprehensive Plan. It addresses all the natural and human-caused environmental resources identified in Washington by establishing a comprehensive review process and implementation of development standards that will serve to eliminate or limit adverse impacts.

### **NEGATIVE DECLARATION**

After reviewing the Full EAF Parts 1, 2 and 3, the Town Board of the Town of Washington hereby concludes that an Environmental Impact Statement (EIS) will not be required for the proposed adoption of the NRI and HOS district zoning law update because this Action will not result in any significant adverse environmental impacts (see 6 NYCRR § 617.7(a)(2)).