

**Town of Washington Zoning Board of Appeals
Negative Declaration
Notice of Determination of No Significance**

Matter of Matthew Pfisterer and Lisa Lahey Special Permit and Area Variance

Whereas, the Town of Washington Zoning Board of Appeals has received an application from Matthew Pfisterer and Lisa Lahey for a special permit to site a mobile home on their property to house their elderly parents, and

Whereas, the proposed site is located at 2444 Salt Point Turnpike in the RL 5 District, and

Whereas, the existing parcel is a legal non-conforming lot under section 392 of the Town zoning Law, and

Whereas, the proposed use is allowed under section 334 of the Town Zoning Law upon issuance of a special permit from the Zoning Board of Appeals, and

Whereas, the Zoning Board of Appeals has reviewed the application, the Short Form Environmental Assessment Form (EAF), the site plan map submitted by the Applicants, visited the site and has compared the proposed action with the Criteria For Determining Significance in 6 NYCRR 617 and determined that no significant adverse impacts associated with the proposed site plan have been identified, specifically:

1. The proposed use is a low intensity, de-facto accessory residential use to the underlying residential use which shall be removed within three (3) months of the date when the conditions upon which the permit was issued cease to exist, or upon order of the Zoning Board of Appeals.
2. The placement of the mobile home on an existing concrete pad will result in a temporary residence for the applicant's parents. The proposed action will have no significant increase in the population of the district.
3. The proposed action will not cause a substantial increase in solid waste production, and will not cause a substantial adverse change in existing ground or surface water quality or quantity.
4. The proposed action will not result in the removal or destruction of large quantities of vegetation or fauna and is not expected to substantially interfere with the movement of any resident or migratory fish or wildlife species.

5. No disturbance to or substantial adverse effect on any identified significant habitat areas, threatened or endangered species of animal or plant, the habitat of such a species, or other natural resources has been identified.
6. The proposed activity is consistent with all current development plans and goals as officially approved and adopted, and will not result in a substantial change in the use, or intensity of use, of land devoted to agriculture, open space, or recreational use.
7. The proposed activity will occur in a rural, low density, residential/agricultural area and is not expected to impair the character or quality of important historical, archaeological, architectural, or aesthetic resources or the existing community or neighborhood character. No population increases having a significant adverse effect on local community services such as police and fire protection, or recreational and educational facilities, will occur.
8. The proposed action will not result in a major change in the use of either the quantity or type of energy, and will not create a hazard to human health.

Whereas, the Zoning Board of Appeals has considered all reasonably related long-term, short-term and cumulative environmental effects associated with the Matthew Pfisterer and Lisa Lahey Special Permit, including other simultaneous or subsequent actions.

Therefore Be It Resolved, that the Zoning Board of Appeals has determined that the proposed Matthew Pfisterer and Lisa Lahey Special Permit use will not have a significant impact on the environment, and

Be It Further Resolved, that the Zoning Board of Appeals issues a Negative Declaration pursuant to the requirements of the State Environmental Quality Review Act (6 NYCRR 617.6(g)).

Motion & Second: John Parisi, Jerry Baker

Bradley Roeller, Chairman aye

Peter Audia aye

Jerry Baker aye

Donald Marshall aye

John Parisi aye

Date: May 19, 2009