



TOWN OF HURLEY PLANNING BOARD

PO BOX 569

Hurley, New York 12443

planning@townofhurley.org

(845)331-7474 Ext. 6

File 2023-#10-BeesmerSBL46.2-22.3&46.2-25SD

Lead Agency: Town of Hurley Planning Board

Document: Short Environmental Assessment Form (SEAF) Part 3

Determination of Significance – Negative Declaration

WHEREAS, the Town of Hurley Planning Board, acting as Lead Agency for the environmental review of this proposed action pursuant to the State Environmental Quality Review Act (SEQRA) determines as follows:

Proposed Action: A three 2-lot subdivision is planned involving a total of +/-9.3 acres and a Lot Line adjustment of 0.296 acres. The lots are in a rural area of the Town of Hurley, NY that does not have public water, sewer and stormwater facilities. The area is zoned for residential use, the actions of subdivision and a lot line adjustment are similar to other subdivisions and lot line adjustments in the area, and the proposed lots have adequate street access and road capacity as identified and approved by the Ulster County Highway department. The subdivision involves the creation of two (2) new residential lots to eventually have single-family residences and a lot line adjustment with the existing property N/F owned by Peter and Nadine Nekos in order to ensure a 10'x15' existing structure is wholly on the property owned by the Nekos. There is a Federal wetland on proposed Lot #2, but construction, septic and all other facilities necessary to construct the proposed single-family residence are outside the wetland. There will be no negative actions that impact the wetlands, streams, or other natural resources of concern.

- Using information from Part 1, the Planning Board has answered questions 1 through 18 on Part 2.
- Using the Part 2 tools, the Board determined that there would be no impact to environmental resources and that an Environmental Impact Statement would not be required in determining environmental significance.

After further review, the Planning Board found:

1. There are adequate water supplies, and groundwater quality or quantity would not be affected
2. Erosion control methods will be used during any future construction to minimize erosion.



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As a result of this analysis, the Planning Board has decided that the impacts will be avoided or mitigated and thus small in magnitude and unlikely to occur. Given the context of this project in an area of similar scaled and dense residential subdivisions, the Board did not find any impacts that they considered important. They made a determination that the project was not significant and would not need further analysis in an EIS.

Official Determination of Significance

For the reasons set forth below, the Town of Hurley Planning Board determines that the proposed action will not have any significant adverse environmental impact.

The proposed action will not create a material conflict with an adopted land use plan or zoning regulations. No elements of the proposed action conflict with either the Town Comprehensive Plan or the Town Zoning Law. This subdivision is permitted where the property is located. The proposed subdivision does not require any variances, or changes in the Zoning Law.

The proposed action will not result in a significant change in the use or intensity of use of land. There are similar land uses in the surrounding area. The proposed action will not introduce a new land use that does not currently exist. The prevailing character of the area is residential with some vacant land. There are no proposed changes to existing buildings. The existing road system be able to handle the increase in traffic, or the type of vehicles the proposed action will need to accommodate. There will not be a higher level of noise or light generated as a result of the proposed action. The proposed change in land use is consistent in size with the surrounding development patterns, does not introduce a new land use to the area, create a need for new transportation, water, or wastewater infrastructure, eliminate any important habitat types, and will not create stormwater runoff.

The proposed action will not impair the character or quality of the existing community. The prevailing character of the area is a mix of residential land use and vacant land. The proposed action will not significantly change the visual or architectural character of the broader landscape or streetscape, nor will it introduce a different sized structure than currently exists. Neither will the action create a change in the nature and intensity of land uses in the area. The proposed action will not make a significant change in the nature of housing in the area, such as changing a single-family neighborhood into a multi-family one, or



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change the affordability of housing. The proposed action will not create the need for more public services such as parks, recreation facilities, police, or fire protection. The proposed action will not change the visual character of the area, and is generally consistent in the design, placement, size, intensity and architecture of the neighborhood or community. Demand on public services can be handled by existing resources.

The proposed action will not have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area [CEA]. There is no CEA within the proposed project boundaries, and off-site impacts will not extend into or affect a nearby CEA. Thus, there will be no impact.

The proposed action will not result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walking. The proposed action is a lot line adjustment that will facilitate the creation of two new single-family residential homes. The proposed action will not create any significant increase in traffic volume. Ulster County Route 50 (a/k/a Spillway Road) has more than adequate capacity to accommodate the additional traffic to be generated by two new single-family residences. There will be no significant effect from the proposed action on existing facilities for public transportation or pedestrians.

The proposed action will not cause a significant increase in the use of energy. The proposed action is a lot line adjustment that will facilitate the creation of two new single-family residential homes. These two new homes will not result in a significant increase in the use of energy and will have no significant impact from the use of energy.

The proposed action will not impact existing public/private water supplies, or public/private wastewater treatment facilities. The proposed action proposes the creation of two residential single-family home sites. Land disturbance will be minimal. Water supply to both new residences will be private via on-site individual ground well. Wastewater disposal for both lots will be accomplished via private on-site septic system.

The proposed action will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources. The proposed action does not involve a site that is listed on the state



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or National Register of Historic Resources. Neither does the proposed action involve a site that has been determined by the Commissioner of New York State [NYS] OPRHP to be eligible for listing on the State Register of Historic Places. The lot sizes and configuration proposed are generally consistent with the existing aesthetic character of the area. Further, the proposed action does not block or change scenic or aesthetically important views, and does not have any impacts on the character or quality of the existing community.

The proposed action will not result in an adverse change to natural resources. Proposed Lot No. 2 contains Federal Wetland No. PF01E, and the location of that wetland has been depicted on the lot line adjustment plat map. The locations for the proposed residence, water supply well, and septic system (including reserve area) are located well away from the wetland area and should not impact that area. The proposed action will not impact any resource that is regulated (such as streams, wetlands, or lakes). The proposed action will not pollute groundwater sources, result in regulated air emissions, and as noted earlier, is not in or adjacent to a Critical Environmental Area. The New York State DEC Environmental Mapper does not indicate the presence of any habitat on Lots 1 or 2 for threatened or endangered species. The proposed action will not result in an increase in the potential for erosion, flooding or drainage problems. The proposed action is not located in a 100-year flood plain. The proposed action will not create stormwater discharge, either from point or non-point sources. Neither will the proposed action create stormwater discharges that will flow to adjacent properties.

The proposed action will not create a hazard to environmental resources or human health. The proposed action does not include the commercial, recreational, or industrial use or application or storage of pesticides, herbicides, or known contaminants beyond normal household use, in or around any water body, well or water sources. There will be no bulk storage of petroleum or chemical products. The proposed action will not generate hazardous air pollutants. The site of the proposed action is not an active or inactive solid or hazardous waste site.

For all the foregoing reasons, at a duly noticed meeting, following a duly noticed public hearing, a motion was made by member _____; and seconded by Member _____ and following a roll call of the members present, the Planning Board determined there would be no significant adverse environmental impacts and no environmental impact statement will be required.



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Roll Call

Peter McKnight, Chair ___ Aye; ___ Nay; ___ Absent; ___ Abstain

Kathryn Kiewel, Vice-Chair ___ Aye; ___ Nay; ___ Absent; ___ Abstain

Karl Brueckner ___ Aye; ___ Nay; ___ Absent; ___ Abstain

Griff Liewa ___ Aye; ___ Nay; ___ Absent; ___ Abstain

Debbie Kossar ___ Aye; ___ Nay; ___ Absent; ___ Abstain

Dennis O'Clair ___ Aye; ___ Nay; ___ Absent; ___ Abstain

Diana Cline ___ Aye; ___ Nay; ___ Absent; ___ Abstain

Mitch Cohen, Alternate 1 ___ Aye; ___ Nay; ___ Absent; ___ Abstain

The motion having been made and seconded passed by a roll call of ___ Ayes; ___ Nays; ___ Absent;
___ Abstentions