



AGENDA
WEDNESDAY JULY 11, 2018
BOARD OF TRUSTEES
VILLAGE OF BRIARCLIFF MANOR, NEW YORK
REGULAR MEETING – 8:00 PM

Pledge of Allegiance

1. Public Hearing to Amend Chapter 172 "Signs"

P2

Board of Trustees Announcements

Village Managers Report

Public Comments

2. Police Sergeant Promotion
3. Authorize the Village Manager to Execute an Amendment to an Agreement with New York State Department of Transportation 2017-2018 Municipal Snow and Ice Agreement
4. Tax Abatement – 65 Holly Place
5. Appointment of Library Board Member
6. Resolution Adopting Positive Declaration, Intent to Prepare Generic Environmental Impact Statement, and Scoping Session
7. Minutes

NEXT REGULAR BOARD OF TRUSTEES MEETING – WEDNESDAY, JULY 25, 2018

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
JULY 11, 2018

- 1. PUBLIC HEARING: LOCAL LAW TO AMEND CHAPTER 172
ENTITLED "SIGNS" IN THE CODE OF THE VILLAGE OF BRIARCLIFF
MANOR**

BE IT RESOLVED that the proposed the Local Law to amend Chapter 172
entitled "Signs" of the Code of the Village of Briarcliff Manor to is hereby adopted.

Draft 06/14/18
Village of Briarcliff Manor/General – Draft Local Law on Signs

A LOCAL LAW TO AMENDING
CHAPTER 172 ENTITLED “SIGNS” IN
THE CODE OF THE VILLAGE OF
BRIARCLIFF MANOR

Draft 06/14/18

Be it enacted by the Board of Trustees of the Village of Briarcliff Manor as follows:

Section 1. Chapter 146 of the Code of the Village of Briarcliff Manor, is hereby amending § 172-5 thereof by adding an additional subsection “H” to read as follows:

“H. One accessory sign per business establishment in the Retail Business (B1) and General Business (B2) Zoning Districts, identifying such business establishment as then currently open for, and transacting business. Such sign shall consist only of the word “OPEN” and shall not exceed 16 inches in height and 30 inches in width, and shall be located inside the business establishment. Such sign may be illuminated by use of neon or neon-like lighting, however, such sign shall not contain flashing, intermittent, rotating or moving lights. Such sign shall only be illuminated when such business establishment is open for business.”

Section 2. **Severability.**

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any part of this local law which can be given effect without such valid part or parts.

Section 3. **Effective Date.**

This local law shall take effect immediately upon filing in the Office of the Secretary of State of New York in accordance with the provisions of the Municipal Home Rule Law.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
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2. POLICE SERGEANT PROMOTION

BE IT RESOLVED, that Thomas Nacke of Buchanan, New York is hereby promoted to the position of Police Sergeant at an annual salary of \$126,437.16 effective at 12:01 a.m. on July 12, 2018.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
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3. **AUTHORIZE VILLAGE MANAGER TO EXECUTE AN AMENDMENT TO AN AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO ADJUST THE SNOW AND ICE AGREEMENT FOR 2017-2018**

BE IT RESOLVED that the Village Manager is hereby authorized and directed to execute an agreement with the New York State Department of Transportation to amend the Indexed Lump Sum Municipal Snow and Ice Agreement for the period from July 1, 2017 through June 30, 2018.

AMENDMENT B

Contract #	Municipality		Region #
D014708	VILLAGE OF BRIARCLIFF MANOR/Westchester County		8
Beginning Date of Extension Period	7/1/2015	Ending Date of Extension Period	6/30/2018

AMENDMENT TO CHANGE THE ESTIMATED EXPENDITURE FOR SNOW & ICE AGREEMENT

Due to the severity of the winter during 2017/18 the MUNICIPALITY requests that the Municipal Snow and Ice Agreement estimated expenditure be revised to reflect the additional lane miles of state roads that were plowed/treated during the winter season. All the terms and conditions of the original contract extension remain in effect except as follows:

ADDITIONAL S&I OPERATIONS						
J-Mile Base	17/18 JMiles	S&I LM Base	17/18 LM	Pay ¹ Factor	Original Estimated Expenditure	Index Adjustment ²
50,634	112,314	590	659	1.986	\$4,270.93	\$4,210.73
Pay Factor ¹ = (17/18 J-Miles/(17/18 LM))/(J-Mile Base/S&I LM Base)						
Index Adjustment ² = (Original Estimated Expenditure * Pay Factor ¹) – Original Estimated Expenditure						
TOTAL REVISED ESTIMATED EXPENDITURE						
Original Estimated Expenditure			Index Adjustment ²		Rev. Est. Expenditure ³	
\$4,270.93			\$4,210.73		\$8,481.66	
Revised Estimated Expenditure ³ = Original Estimated Expenditure + Index Adjustment ²						

IN WITNESS WHEREOF, this agreement has been executed by the State, acting by and through the duly authorized representative of the COMMISSIONER OF TRANSPORTATION and the MUNICIPALITY, which has caused this Agreement to be executed by its duly authorized officer on the date and year first written in the original contract extension.

VILLAGE OF BRIARCLIFF MANOR
 BOARD OF TRUSTEES AGENDA
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4. TAX ABATEMENT – 65 HOLLY PLACE

WHEREAS, a Small Claims Assessment Review was filed on behalf of the property owner for 65 Holly Place (Parcel ID 104.08-1-56); and

WHEREAS, a Stipulation of Settlement and Order in the Small Claim Assessment Review has been issued for the property at 65 Holly Place for the 2017 Town assessment year, Fiscal Year 2018-2019 Village assessment roll; and

WHEREAS, the Stipulation of Settlement and Order was received after the finalization of the Fiscal Year 2018-2019 assessment roll and the approval of the budget for Fiscal Year 2018-2019;

WHEREAS, the Stipulation of Settlement and Order reduced the tax assessment for the subject property for the Fiscal Year 2018-2019 assessment roll by \$98,500 from \$948,600 to \$850,000; and

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees does hereby authorize the refund of the tax bill for Fiscal Year 2018-2019 in the amount of \$541.81 and the abatement of the tax bill based upon the reduced assessment values in the Stipulation of Settlement and Order.

Year	Address	Assessed Value	New Assessed Value	Assessment Reduction	Original Tax Amount	Reduced Tax Amount	Refund	Abatement
2017	65 Holly Place 98.05-2-55	\$948,600	\$850,000	\$98,600	\$5,212.56	\$4,670.75	\$541.81	\$0
				\$123,600			\$541.81	\$0
				TOTAL AV REDUCTION			TOTAL REVENUE REDUCTION	TOTAL ABATEMENT

Assessment Year	Owner on Bill	Bill #	Parcel Address	Parcel	Assessed Value	Current Tax Bill	Reduction Tax Bill	New Assessed	Reduction	New Tax Amount	Change In Tax	Refund Prior Yrs	Refund Current Yr	Abate 2nd Half
2017	Milton Seewald		2018176765 Holly Place		\$ 948,600.00	\$ 5,212.56	\$ -	\$ 850,000.00	\$ 98,600.00	\$ 4,670.75	\$ 541.81		\$ 541.81	

A1964.423 Budget Prior Refunds \$ 100,000.00
 Balance \$ 100,000.00

A1964.423 Refund of Real Prop \$ -
 A0102.1001 Real Prop Tax Rev \$ 541.81
 Total Reduction \$ 541.81

SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF WESTCHESTER

SCAR FILING # 2017 - 92625

In the matter of: Milton Seewald

v.

STIPULATION OF SETTLEMENT

TOWN OF OSSINING

Bill # 20181767

Tax Assessing: TOWN OF OSSINING
Municipality: Ossining
Property Location: 65 Holly Pl, Briarcliff Manor NY
Property ID #: 104.08-1-56

IT IS HEREBY STIPULATED AND AGREED by and between the above-named petitioner(s) and the Tax Assessing Municipality that the 2017 assessment on the referenced tax parcel be reduced from \$948,600 to \$850,000, a reduction of \$98,600.

IT IS FURTHER STIPULATED AND AGREED that the municipal officials having custody of the 2017 assessment roll shall correct the entry in the assessment roll to conform to this Stipulation. If any taxes were paid based on the "reduced from" assessment indicated above, a refund of the taxes paid on the amount of the reduction of the above mentioned assessment will be made and paid to the petitioner representative: Tax Reduction Professionals, Inc. (at: 333 Mamaroneck Ave., #287 White Plains, NY 10605) on behalf of the petitioner(s).

IT IS FURTHER AGREED that this Stipulation represents full settlement of this Small Claims Assessment Review proceeding and that no costs or allowances shall be awarded or paid to, by, or against any of the parties.

DATED: October 24, 2017

Petitioner Representative: Tax Reduction Professionals, Inc.

Assessor, or Authorized Town Representative

SO ORDERED:

HON. JUDICIAL HEARING OFFICER

DATED:

Ed Ritter

From: Timmons, Cheryl <CTimmons@townofossining.com>
Sent: Thursday, May 31, 2018 11:47 AM
To: Ed Ritter
Cc: Darlene Casarella
Subject: 2017 Small Claim
Attachments: MX-2615N_20180531_095759.pdf

Hello,

Enclosed is a 2017 Small Claim decision. The 2018 Tax Bill reflects the incorrect assessment.

Parcel (104.08-1-56) 65 Holly Place.
Old Assessment was 948,600
New Assessment is 850,000

If you have any questions please feel free to call.

Thanks

Cheryl

MX-2615N_20180531_095759.pdf;

VILLAGE OF BRIARCLIFF MANOR
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5. LIBRARY BOARD APPOINTMENT

BE IT RESOLVED, that the Board of Trustees of the Village of Briarcliff Manor hereby make the following appointment:

Andrea Ziltzer as a member of the Library Board to fill the unexpired term of Jennifer Milani that will expire on December 31, 2020.

VILLAGE OF BRIARCLIFF MANOR
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6. RESOLUTION ADOPTING POSITIVE DECLARATION, INTENT TO PREPARE GENERIC ENVIRONMENTAL IMPACT STATEMENT, AND SCOPING SESSION

WHEREAS, the Village of Briarcliff Manor Board of Trustees ("Board of Trustees") has received a Full Environmental Assessment Form ("EAF") Part 1 for the proposed Planned Office Building and Laboratory (B) District and Business Transitional (BT) District Zoning Text Amendments ("Proposed Action") prepared by BFJ Planning, dated June 11, 2018; and

WHEREAS, the Proposed Action discussed in the Full EAF is the potential adoption of zoning text amendments to permit single-family residential and multi-family residential as special permit uses in the B and BT Districts in accordance with recent amendments to the Village's Comprehensive Plan; and

WHEREAS, the Board of Trustees has determined that the Proposed Action is subject to the New York State Environmental Quality Review Act ("SEQR"), that it does not involve any federal agency, and that it will involve other agencies; and

WHEREAS, the Board of Trustees reviewed the Full EAF Part 1 for preliminary assessment of environmental impacts of the Proposed Action under SEQR; and

WHEREAS, the Proposed Action has primarily local impacts and the Board of Trustees is the only local agency involved in the Proposed Action which has the governmental powers for the investigation into impacts of the Proposed Action and the greatest capability for providing the most thorough environmental assessment of the Proposed Action;

WHEREAS, on June 20, 2018 the Board of Trustees declared its intent, by resolution, to serve as Lead Agency for the purpose of reviewing the environmental impacts of the Proposed Action under SEQR pursuant to 6 NYCRR Part 617.6(b) and notice of such, accompanied by the Full EAF Part 1, was transmitted to Westchester County Planning Department, the only Involved Agency pursuant to 6 NYCRR Part 617.6(b)(3) for a 30-day coordinated review period ending on July 20, 2018; and

WHEREAS, the County responded in writing by letter dated June xx, 2018 agreeing to the Board of Trustees intent to act as Lead Agency; and

WHEREAS, the Board of Trustees reviewed an EAF Parts 2, 3 and Part 3 Addendum on the Proposed Action, prepared at the direction of the Board of Trustees by BFJ Planning dated July 5, 2018; and

WHEREAS, the Board of Trustees has thoroughly reviewed the Full EAF Parts 1, 2, 3, and Part 3 addendum and considered each and every impact in accordance with SEQR;

NOW, THEREFORE, BE IT

RESOLVED, that having received no objections, the Board of Trustees hereby confirms its designation as Lead Agency for the environmental review of the Proposed Action pursuant to 6 NYCRR Part 617.6; and

RESOLVED, that based on the information contained in the Full EAF Parts 1, 2 and 3 the Board of Education classifies the Proposed Action as a Type I Action under SEQR; and

RESOLVED, pursuant to SEQR, the Board of Trustees hereby adopts a Positive Declaration for the Proposed Action and determines that, based on the EAF Parts 1, 2, and 3 (Positive Declaration), that the Proposed Action has the potential to have a significant adverse impact upon the environment; and

RESOLVED, that the Board of Trustees directs its planning consultants, BFJ Planning to prepare a Generic Environmental Impact Statement prepared pursuant to SEQR (Part 617.10) to assess potential impacts, alternatives and measures to mitigate any potential impacts; and

RESOLVED, that the Board of Trustees intends to conduct public scoping pursuant to SEQR (Part 617.8) to identify the potentially significant adverse impacts to be addressed in the Draft GEIS; and

RESOLVED, that the Board of Trustees will hold two public scoping sessions on August XX, 2018 and September XX, 2018 both to be held at 7:30 at the William J. Vescio Community Center , 3 Library Road, Briarcliff Manor, NY 10510; and

RESOLVED, that the Village is preparing a draft Scoping Outline of Issues to be Addressed in a Draft Generic Environmental Impact Statement and will make the draft scoping outline available online ([www. briarcliffmanor.org](http://www.briarcliffmanor.org)) 14 days in advance of the public Scoping Session and written comments on the Draft Scoping Document will be accepted by the Village until August XX, 2018, or 10 days following the second Scoping Session.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the foregoing Resolution is hereby adopted.

Moved by:
Seconded by:

Vote: Aye:
Nay:

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “Yes” to a numbered question, please complete all the questions that follow in that section.
- If you answer “No” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features
 The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) NO YES
If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water
 The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) NO YES
If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>

l. Other impacts: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater
 The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)
If "Yes", answer questions a - h. If "No", move on to Section 5.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding
 The proposed action may result in development on lands subject to flooding. (See Part 1. E.2)
If "Yes", answer questions a - g. If "No", move on to Section 6.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air The proposed action may include a state regulated air emission source. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.f., D.2,h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO ₂)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
ii. More than 3.5 tons/year of nitrous oxide (N ₂ O)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iv. More than .045 tons/year of sulfur hexafluoride (SF ₆)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	<input type="checkbox"/>	<input type="checkbox"/>
vi. 43 tons/year or more of methane	D2h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Yes", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b, E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c, E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation
 The proposed action may result in a change to existing transportation systems. NO YES
 (See Part 1. D.2.j)
If "Yes", answer questions a - g. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy
 The proposed action may cause an increase in the use of any form of energy. NO YES
 (See Part 1. D.2.k)
If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

15. Impact on Noise, Odor, and Light
 The proposed action may result in an increase in noise, odors, or outdoor lighting. NO YES
 (See Part 1. D.2.m., n., and o.)
If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

NO

YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input checked="" type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.
(See Part 1. C.1, C.2. and C.3.)

NO

YES

If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.
(See Part 1. C.2, C.3, D.2, E.3)

NO

YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

See attached Part 3 Addendum

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
2017 Comprehensive Plan Addendum

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Briarcliff Manor B/BT District Zoning Text Amendments

Name of Lead Agency: Village of Briarcliff Manor Board of Trustees

Name of Responsible Officer in Lead Agency: Lori A. Sullivan

Title of Responsible Officer: Mayor

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Sarah K. Yacobi

Date:

July 5, 2018

For Further Information:

Contact Person: Philip Zegarelli

Address: 1111 Pleasantville Rd, Briarcliff Manor, NY 10510

Telephone Number: 914-941-4800

E-mail: pzegarelli@briarcliffmanor.org

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

VILLAGE OF BRIARCLIFF MANOR ZONING TEXT AMENDMENTS

Full Environmental Assessment Form (FEAF) Part 3 – Reasons for Supporting Determination

Description of Proposed Action

The Village of Briarcliff Manor is proposing the potential adoption of amendments to the Code of the Village of Briarcliff Manor with respect to special use permits in the Planned Office Building and Laboratory (B) District and the Business Transitional (BT) District ("Proposed Action"). In 2017 the Village Board of Trustees prepared and adopted an addendum to the Village's 2007 Comprehensive Plan related to the B/BT Districts pertaining to the reuse of the Village's underutilized and/or vacant B/BT District properties. The 2017 addendum recommended that the Village consider rezoning the B/BT District properties so as to encourage local growth while ensuring that new developments in the B/BT Districts are in keeping with the character of the surrounding neighborhood, will not place an undue burden on municipal resources and infrastructure, and will protect natural resources such as steep slopes, wetlands, significant trees and views.

The proposed Zoning Text Amendments would create a mixed-use district that allows for greater flexibility of use, bulk and density. The amended zoning would provide flexibility in how redevelopment of each of five B/BT District properties are approached in order to limit and/or mitigate potential impacts to land use and community character, open spaces, natural resources, recreation, traffic, public transportation, infrastructure, and emergency services. The Zoning Text Amendments would permit single-family residential and multi-family residential as special permit uses within the B/BT Districts. Further, the proposed Zoning Text Amendments include potential density bonuses that may be applied at the sole discretion of the Board of Trustees. These bonuses include a Cluster/Open Space Bonus, an Age Restricted Unit Bonus, a Below Market Rate Housing Bonus, and a Sustainable Design Bonus; should the requirements of any or all of these bonuses be met by a potential development in the B/BT Districts, respective allowable density increases may be applied.

The Proposed Action has the potential to incentivize new development in the B/BT Districts over the next ten years, resulting in the potential for approximately 319-648 units of single- and multi-family residential use (81-141 single-family; and 238-507 multi-family).

Reasons for Supporting Determination

The proposed Zoning Text Amendments have the potential to result in a substantial resident population increase in the Village of Briarcliff Manor. This increase in development potential along with the corresponding increase in population has the potential to result in significant impacts to land use, certain Village infrastructure, demand for certain Village services, including impacts on the Ossining School District and Briarcliff Manor Police and Fire Departments, visual resources, transportation networks and capacity, and community character.

Specifically, Part 2 of the FEAF identified potential moderate to large impacts that may result from the adoption and implementation of the Proposed Action in the following categories:

- Impact on Land (moderate to large)
- Impact on Aesthetic Resources (moderate to large)
- Impact on Historical and Archaeological Resources (moderate to large)
- Impact on Transportation (moderate to large)
- Consistency with Community Plans (moderate to large)
- Consistency with Community Character (moderate to large)

Given the scale and density of potential future development that would be allowed under the proposed Zoning Text Amendments in the B/BT Zoning Districts of the Village of Briarcliff Manor and the potential environmental impacts that could potentially occur upon implementation, the Village of Briarcliff Manor Board of Trustees finds that the moderate to large impacts identified above have the potential to result in one or more significant adverse impacts on the environment, and that a Generic Environmental Impact Statement¹ (GEIS) analyzing the Proposed Zoning Text Amendments and the potential development that could occur in the B/BT Districts over the next 10 years must be prepared to further assess the potential impacts of the Proposed Action. The GEIS must also include possible mitigation measures for the identified impacts, identify specific conditions or criteria under which future actions will be undertaken or approved (including requirements for any subsequent SEQR compliance), and explore alternatives to avoid or reduce identified significant impacts.

¹According to 6 NYCRR Part 617.10 (SEQR), 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. They may identify the important elements of the natural resource base as well as the existing and projected cultural features, patterns and character. They may discuss in general terms the constraints and consequences of any narrowing of future options. They may present and analyze in general terms a few hypothetical scenarios that could and are likely to occur. A generic EIS may be used to assess the environmental impacts of an entire program or plan having wide application or restricting the range of future alternative policies or projects, including new or significant changes to existing land use plans, development plans, zoning regulations or agency comprehensive resource management plans.

**STATE ENVIRONMENTAL QUALITY REVIEW
POSITIVE DECLARATION**

**Notice of Intent to Prepare a Draft Generic EIS
Determination of Significance
Notice of Scoping Session**

Project Name: B/BT District Zoning Text Amendments

Date: July 12, 2018

This notice is issued pursuant to 6 NYCRR Part 617.7 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Village of Briarcliff Manor Village Board of Trustees, as lead agency, has determined that the proposed action described below may have a significant effect on the environment and that a Draft Generic Environmental Impact Statement (DGEIS) will be prepared.

Name of Action: B/BT District Zoning Text Amendments

SEQR Status: Type 1

Description of Action:

A Draft Generic Environmental Impact Statement (DGEIS) will be prepared to evaluate the impacts of Zoning Text Amendments to the Village of Briarcliff Manor's existing Planned Office Building and Laboratory (B) District and the Business Transitional (BT) District.

The Zoning Text Amendments would permit single-family residential and multi-family residential as special permit uses in the B/BT Districts. Further, the proposed zoning text amendments include potential density bonuses that could be applied at the discretion of the Village Board of Trustees. These bonuses include a Cluster/Open Space Bonus, an Age Restricted Unit Bonus, a Below Market Rate Housing Bonus, and a Sustainable Design Bonus; should the requirements of any or all of these bonuses be met by a potential development in the B/BT Districts, respective allowable density increases could be applied.

The Proposed Action has the potential to incentivize new development in the B/BT Districts over the next ten years, resulting in the potential for approximately 319-648 units of single- and multi-family residential use (81-141 single-family; and 238-507 multi-family).

In 2017 the Village Board of Trustees prepared and adopted an addendum to the Village's 2007 Comprehensive Plan related to the B/BT Districts pertaining to the reuse of the Village's underutilized and/or vacant B/BT Zone properties. The 2017 addendum recommended that the Village consider rezoning the B/BT properties so as to encourage local growth while ensuring that new developments in

the B/BT Districts are in keeping with the character of the surrounding neighborhood, will not place an undue burden on municipal resources and infrastructure, and will protect natural resources such as steep slopes, wetlands, significant trees and views. The Proposed Action will further the goals of the Village as set forth in the Comprehensive Plan Addendum.

Location:

There are four areas in the Village zoned B Planned Office Building and Laboratories. Parcels in the B District are comprised of the ±94-acre former Philips Laboratories at 345 Scarborough Road, the ±9.4-acre former Sony Corp. at 600 Albany Post Road (Route 9), the ±16.8-acre former Briarcliff Executive Park (also known as Mearl) at 320 Old Briarcliff Road, and the ±10.7-acre Briarcliff Corporate Campus at 555 Pleasantville Road. The former Philips site and former Mearl site are located in residential neighborhoods off of residential streets, while the former Sony Corp. site is located along State Route 9, and the Briarcliff Corporate Campus is located along Pleasantville Road, a County road. There is one parcel located within the BT Business Transitional District, which is located at 333 Albany Post Road. This parcel currently contains the SHA Data Center, a data storage center, and is the only fully occupied parcel in either of the B/BT Districts.

Reasons Supporting This Determination:

The Village of Briarcliff Manor Board of Trustees has determined that the Proposed Action may have a significant affect on the following areas, and thus a DGEIS is required to assess the potential impacts and their mitigation:

- Potential Village-wide impacts due to an increase in residential density.
- Potential Village-wide impacts due to an increase in car traffic, schoolchildren, use of Village facilities and infrastructure (such as parks, recreation, emergency services, and water and sewer services).
- Potential impacts to natural reosurces (such as ecological resourcest, steep slopes, wetlands, groud and surface waters).
- Identification of conditions under which future site-specific SEQR would be required.

The Village Board of Trustes notes that the action is zoning text amendments, and not the development of any property, which would itself be subject to SEQR and a review of site-specific impacts. Thus, the DGEIS will focus on the impacts potentially created by the zoning text amendments.

Scoping Information:

Scoping of the issues to be contained in the DGEIS will be conducted. The Village is preparing a draft Scoping Outline of Issues to be Addressed in a Draft Generic Environmental Impact Statement and will make the draft scoping outline available online ([www. briarcliffmanor.org](http://www.briarcliffmanor.org)) 14 days in advance of the Scoping Session and written comments on the Draft Scoping Document will be accepted by the Village until August XX, 2018, or 10 days following the second Scoping Session

In addition, the Lead Agency will hold two public scoping sessions, as follows:

- August XX, 2018 at 7:30 pm
- September XX, 2018 at 7:30 pm

at the following location:

William J. Vescio Community Center
1 Library Road
Briarcliff Manor, NY 10510

Lead Agency: Village of Briarcliff Manor Board of Trustees
Village of Briarcliff Manor
1111 Pleasantville Road
Briarcliff Manor, NY 10510

Lead Agency

Contact: Village of Briarcliff Manor Board of Trustees
Village of Briarcliff Manor
1111 Pleasantville Road
Briarcliff Manor, NY 10510
Contact: Philip Zegarelli, Village Manager
(914) 941-4800
PZegarelli@briarcliffmanor.org

A Copy of This Notice has Been Sent to the Following Involved and Interested Agencies:

Village of Briarcliff Manor Board of Trustees, Village Hall, 1111 Pleasantville Road, Briarcliff Manor, NY 10510

Westchester County Planning Board, 148 Martine Avenue, Room 432, White Plains, New York 10601

Village of Briarcliff Manor Planning Board, Village Hall, 1111 Pleasantville Road, Briarcliff Manor, NY 10510

David Turiano, Village Engineer/Building Inspector, Village of Briarcliff Building Department, Village Hall, 1111 Pleasantville Road, Briarcliff Manor, NY 10510

Henry Jamin, Superintendent, Village of Briarcliff Manor Recreation Department, 3 Library Road Briarcliff Manor, NY 10510

Village of Briarcliff Manor Fire Department, Village Hall, 1111 Pleasantville Road, Briarcliff Manor, NY 10510

Village of Briarcliff Manor Police Department, Village Hall, 1111 Pleasantville Road, Briarcliff Manor, NY 10510

Edward Torhan, Superintendent, Village of Briarcliff Manor Public Works Department, 10 Buckhout Road Briarcliff Manor, NY 10510

James Kaishian, Superintendent, Briarcliff Manor Union Free School District, 45 Ingham Road Briarcliff Manor, NY 10510

Raymond Sanchez, Superintendent, Ossining Union Free School District, 400 Executive Boulevard, Ossining, NY 10562

Town of Mount Pleasant, One Town Hall Plaza, Valhalla, NY 10595

Town of Ossining, 16 Croton Avenue, Ossining, NY 10562

Commissioner, New York State Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233

Region 3, New York State Department of Environmental Conservation, 21 South Putt Corners Road, New Paltz, New York 12561

New York State Department of Transportation, SEQR Unit, Traffic Engineering & Safety Division
4 Burnett Blvd., Poughkeepsie, New York 12603

The Environmental Notice Bulletin (ENB), enb@gw.dec.state.ny.us

Village Board of Trustees
Regular Meeting
June 20, 2018
8:00 p.m.

The Regular Meeting of the Board of Trustees of the Village of Briarcliff Manor, New York was held in the Village of Briarcliff Manor at the William J. Vescio Community Center, at 1 Library Road, Briarcliff Manor, New York on the 20th of June, 2018 commencing at 8:00 p.m.

Present

Lori A. Sullivan, Mayor
Cesare DeRose, Jr. Deputy Mayor
Kevin Hunt, Trustee
Mark L. Wilson, Trustee
Bryan Zirman, Trustee

Also Present

Philip Zegarelli, Village Manager
Christine Dennett, Village Clerk
Daniel Pozin, Village Attorney
David Turiano, Village Engineer

Pledge of Allegiance

Public Hearing to Amend Chapter 157 Peddling and Soliciting

Upon motion by Trustee Hunt, seconded by Trustee Wilson, the Board voted unanimously to open the Public Hearing.

Village Attorney Pozin explained the current law was unconstitutional and the proposed changes would extend the time to 9:00pm and exclude Sundays and Federal Holidays.

There were no public comments.

Upon motion by Trustee Wilson, seconded by Deputy Mayor DeRose, the Board voted unanimously to close the Public Hearing.

Upon motion by Deputy Mayor DeRose, seconded by Trustee Zirman, the Board voted unanimously to approve the following resolution:

BE IT RESOLVED that the proposed the Local Law to amend Chapter 157 entitled "Peddling and Soliciting" of the Code of the Village of Briarcliff Manor to is hereby adopted.

Board of Trustees Announcements by Trustee Zirman

- The Library has many upcoming events. Visit the website for more information.
- The School's Out for Summer will be on June 22nd.
- The 2018 pool season is underway. Get your passes!
- The Swim and Dive Team began their season on June 5th.
- Day Camp is full and a waitlist is available.
- The fields are open for use.
- The Spring/Summer Brochure is online.
- Sign up for Recreation News and Village News on the Village website.

Mayor Sullivan congratulated all the recent graduates from all levels of schools. She thanked Sergeant Mike Bassett for his 40 years of service to the Village and wished him luck in his retirement.

Village Managers Report by Village Manager Zegarelli

- The Safe Routes to School project is nearly completed.
- The new playground was installed but remains closed until the fence is up.
- The Law Park Parking Lot Project will be revisited in the Spring.
- The 9A/North State Road is virtually complete. A ribbon cutting will be scheduled for July.
- Pleasantville Road paving is underway.
- The Pocantico River Bridge work is delayed.
- 2018/2018 Tax Bills were mailed and the first installment is due by July 2nd.

Public Comments

Mr. Douglas Rohde of 369 Long Hill Road stated there was a proposal to subdivide 363 Long Hill Road and asked if there was a private meeting with the developer at a recent meeting.

Mayor Sullivan stated there was no application before the Board of Trustees and they attended a Work Session as was their right as property owners. She stated their application was before the Planning Board.

Award of Bid - Law Memorial Park Pond Dredging

Upon motion by Trustee Zirman, seconded by Trustee Hunt, the Board voted unanimously to approve the following resolution:

WHEREAS the Village received 2 bids for the Law Memorial Park Pond Dredging Project (VM-1617-3); and

NOW, THEREFORE, BE IT RESOLVED that the bid for the Law Memorial Park Pond Dredging Project (VM-1617-3) is hereby awarded to Con-Tech

Construction Technology, Inc. with their bid proposal of \$219,180 which will be charged to budget code H.1440.201.17242.

BE IT FURTHER RESOLVED that the Village Manager is hereby authorized and directed to execute a contract with Con-Tech Construction Technology, Inc. for said project.

Authorize Village Manager to Execute Professional Service Agreements

Buckhurst, Fish & Jacquemart – B/BT District Zoning Text Amendments

Mayor Sullivan stated the GEIS would help the Board to determine what the right path is to take regarding any changes to Zoning in the B/BT Zone.

Village Attorney Pozin stated some of the monies would be recouped from developers.

Upon motion by Trustee Hunt, seconded by Trustee Wilson, the Board voted unanimously to approve the following resolution:

BE IT RESOLVED that the Village Manager is hereby authorized and directed to execute on behalf of the Village a Professional Services Agreement with Buckhurst, Fish and Jacquemart for Planning Consulting Services to prepare B/BT Zoning District Amendments and related Generic EIS as per their proposal totaling \$99,710.

Professional Consulting, LLC – Pine Road Pump Station and Tributary Sanitary Sewer Evaluation Study

Upon motion by Trustee Wilson, seconded by Deputy Mayor DeRose, the Board voted unanimously to approve the following resolution:

BE IT RESOLVED that the Board of Trustees does hereby authorize the Village Manager to execute a Professional Services Agreement with Professional Consulting, LLC (PCI) to provide engineering design services for the Pine Road Pump Station Tributary Area Sanitary Sewer Evaluation Study as per their proposal of \$67,600.

Budget Amendments

Upon motion by Deputy Mayor DeRose, seconded by Trustee Zirman, the Board voted unanimously to approve the following resolution:

BE IT RESOLVED that the budget for fiscal year 2018-2019 is hereby amended as follows:

GENERAL FUND

B/BT ZONING TEXT AMENDMENTS/GEIS

FROM:	A0909	FUND BALANCE	\$99,710
TO:	A1010.490.18209	B ZONE	\$99,710

WATER FUND

SANITARY SEWER STUDY

FROM:	F0909	FUND BALANCE	\$67,600
TO:	F8120.460	SANITARY SEWER CONTRACTUAL	\$67,600

Authorize the Village Manager to Execute Agreements

Westchester County to Transfer Responsibility of Pleasantville Road

Village Manager Zegarelli stated the actual transfer would not occur until the projects were done to the Board's satisfaction.

Upon motion by Trustee Zirman, seconded by Trustee Hunt, the Board voted unanimously to approve the following resolution:

BE IT RESOLVED that the Board of Trustees does hereby authorize the Village Manager to execute an Inter-Municipal Agreement with Westchester County to transfer responsibility of Pleasantville Road to the Village of Briarcliff Manor pursuant to Section 115-b of the Highway Law and subject to non-substantive changes deemed necessary by the Village Manager or Village Counsel.

New York State Department of Transportation 2018-2019 Municipal Snow and Ice Agreement Extensions

Upon motion by Trustee Hunt, seconded by Trustee Wilson, the Board voted unanimously to approve the following resolution:

BE IT RESOLVED that the Village Manager is hereby authorized and directed to execute an agreement with the New York State Department of Transportation to extend the Indexed Lump Sum Municipal Snow and Ice Agreement for the period from July 1, 2018 through June 30, 2019 in the amount of \$4,337.50.

Schedule a Public Hearing to Amend Chapter 172 "Signs"

Upon motion by Trustee Wilson, seconded by Deputy Mayor DeRose, the Board voted unanimously to approve the following resolution:

BE IT RESOLVED that a Public Hearing is hereby scheduled for the July 11, 2018 at 8:00pm Board of Trustees meeting to hear and discuss a proposed local law to amend Chapter 172 entitled "Signs" in the Code of the Village of Briarcliff Manor.

Fire Department Memberships

The Board thanked the new members for volunteering.

Upon motion by Deputy Mayor DeRose, seconded by Trustee Zirman, the Board voted unanimously to approve the following resolution:

BE IT RESOLVED, that the Board of Trustees of the Village of Briarcliff Manor hereby approve the membership of **Christopher N. Marano** to the Briarcliff Manor Hook and Ladder Company.

BE IT RESOLVED, that the Board of Trustees of the Village of Briarcliff Manor hereby approve the membership of **Paul Bianco** to the Briarcliff Manor Hook and Ladder Company.

Declare Intent to Become Lead Agency Under SEQRA – B/BT District Zoning Text Amendments

Upon motion by Trustee Zirman, seconded by Trustee Hunt, the Board voted unanimously to approve the following resolution:

WHEREAS, the Village of Briarcliff Manor Board of Trustees ("Board of Trustees") has received a Full Environmental Assessment Form ("EAF") Part 1 for the proposed Planned Office Building and Laboratory (B) District and Business Transitional (BT) District Zoning Text Amendments ("Proposed Action") prepared by BFJ Planning, dated June 19, 2018; and

WHEREAS, the proposed action discussed in the Full EAF is the potential adoption of zoning text amendments to permit single-family residential and multi-family residential as special permit uses in the B and BT Districts in accordance with recent amendments to the Village's Comprehensive Plan; and

WHEREAS, the Board of Trustees has determined that the Proposed Action is subject to the New York State Environmental Quality Review Act ("SEQR"), that it does not involve any federal agency, and that it will involve other agencies; and

WHEREAS, the Board of Trustees reviewed the Full EAF Part 1 for preliminary assessment of environmental impacts of the Proposed Action under SEQRA; and

WHEREAS, the Proposed Action has primarily local impacts and the Board of Trustees is the only local agency involved in the Proposed Action which has the governmental powers for the investigation into impacts of the Proposed Action and the greatest capability for providing the most thorough environmental assessment of the Proposed Action;

NOW, THEREFORE, BE IT

RESOLVED, that based on the information contained in the Full EAF Part 1, the Board of Trustees preliminarily classifies the Proposed Action as a Type I Action under SEQR pursuant to 6 NYCRR Part 617.4(b)(2), and

RESOLVED, that the Mayor of the Village of Briarcliff Manor or her designee is authorized to sign the Full EAF Part 1; and

RESOLVED, that the Board of Trustees declares its intent to act as Lead Agency for the purpose of reviewing the environmental impacts of the Proposed Action under SEQR; and

RESOLVED, that a notice of the Board of Trustees' intent to serve as Lead Agency for the purpose of reviewing the environmental impacts of the Proposed Action under SEQR pursuant to 6 NYCRR §617.6(a) shall be transmitted to Involved Agencies.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the foregoing Resolution is hereby adopted.

Vote: Ayes: Trustee Hunt
 Trustee Wilson
 Deputy Mayor DeRose
 Trustee Zirman
 Mayor Sullivan

Nays: None

Change of meeting dates

Upon motion by Trustee Hunt, seconded by Trustee Wilson, the Board voted unanimously to make the following changes to the upcoming meeting schedule:

Work Session on June 27, 2018 at 6:00pm

Cancel the July 5, 2018 Work Session and Regular Meeting

Schedule a Work Session at 6:00pm on July 11, 2018 with a Regular Meeting at 8:00pm.

Schedule a Work Session at 6:30pm on July 25, 2018 with a Regular Meeting at 8:00pm.

Minutes

Upon motion by Trustee Wilson, seconded by Deputy Mayor DeRose, the Board voted unanimously to approve the minutes of June 6, 2018.

Adjournment

Upon motion by Deputy Mayor DeRose, seconded by Trustee Zirman, the Board voted unanimously to adjourn the meeting at 8:58pm.

Respectfully Submitted By,

Christine Dennett
Village Clerk