

**RESOLUTION WITH REFERENCE TO THE PROPOSED
TOWN OF DRYDEN, NY
MUNICIPAL INTERNET ACCESS NETWORK
STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)
DETERMINATION OF SIGNIFICANCE**

WHEREAS, the Town of Dryden (hereinafter the “Town”) proposes to undertake a Municipal Internet Access Network; and

WHEREAS, the proposed project (hereinafter the “Project”) is for development of Town of Dryden Municipal Internet Access Network, and consists of Town owned essential elements to provide internet service as an access level provider including bandwidth wholesale purchase, facilities to store equipment, network equipment, fiber optic cabling, optical splitters, and appurtenances thereof. The action includes installation of broadband telecommunication cables within existing or proposed utility rights of way including: approximately 69,000 linear feet of buried cable within the Village of Dryden installed by directional drill, trenchless burial, or trenched burial; approximately 55,000 linear feet of buried cable outside of the Village of Dryden installed by directional drill, trenchless burial, or trenched burial; and approximately 700,000 linear feet of aerial cables installed on existing poles or new poles; and network equipment nodes placed within existing buildings or on existing poles or new poles. The total area of disturbance is less than 5 acres; and

WHEREAS, the Town is obligated under SEQRA and corresponding regulations to review the Project, and if necessary, undertake a review of the potential environmental impacts associated with the Project before undertaking the same; and

WHEREAS, the Town is the appropriate agency to be the lead agency to undertake the project review under SEQRA; and

WHEREAS, based upon an examination of 6 NYCRR § 617.4 and § 617.5, the Town classified the Project as a Type I Action and that such activities include nonagricultural use occurring wholly or partially within an agricultural district of § 617.4(b)(8). A Full Environmental Assessment Form was prepared for the Project, and pursuant to 6 NYCRR § 617.6(b)(3), coordinated review was undertaken by the Town and no objections were received regarding the Town serving as lead agency.

NOW, THEREFORE, LET IT BE RESOLVED, that:

The Project consists of Town owned essential elements to provide internet service as an access level provider including bandwidth wholesale purchase, facilities to store equipment, network equipment, fiber optic cabling, optical splitters, and appurtenances thereof. The action includes installation of broadband telecommunication cables within existing or proposed utility rights of way including: approximately 69,000 linear feet of buried cable within the Village of Dryden installed by directional drill, trenchless burial, or trenched burial; approximately 55,000 linear feet of buried cable outside of the Village of Dryden installed by directional drill, trenchless burial, or

trenched burial; and approximately 700,000 linear feet of aerial cables installed on existing poles or new poles; and network equipment nodes placed within existing buildings or on existing poles or new poles. The total area of disturbance is less than 5 acres.

IT IS FURTHER RESOLVED, that:

The Town Board hereby designates itself lead agency pursuant to 6 NYCRR § 617.6(b)(2) and § 617.6(b)(3) with respect to the Project.

IT IS FURTHER RESOLVED, that:

Based upon an examination of the components of the Project, the Full Environmental Assessment Form, and the criteria contained in 6 NYCRR § 617.7(c), and based upon its knowledge of the areas including and surrounding the Project site, and discussions with professionals retained by the Town, the Town Board, as lead agency, hereby makes the following determinations with respect to the Project pursuant to SEQRA:

1. The Project constitutes a “Type I Action.”
2. Based upon review by the Town Board of the Full Environmental Assessment Form, any input provided by other involved agencies, and other necessary criteria set forth in SEQRA, the Town Board hereby finds and determines that the Project will result in no significant impacts and, therefore, (a) the action is not one which “may include the potential for at least one significant adverse environmental impact,” (b) “there will be no significant adverse environmental impacts,” and (c) no “environmental impact statement” need be prepared, as such quoted terms are defined in SEQRA. This determination constitutes a negative declaration for purposes of SEQRA and it has been prepared in accordance with Article 8 of the Environmental Conservation Law.
3. A copy of this resolution, together with notice of negative declaration, shall be placed on file in the office of the Town Clerk where the same shall be available for public inspection during business hours and such notice of negative declaration shall be filed in such offices, posted in such places and published in such manner as shall be necessary to conform to the requirements of SEQRA.
4. This resolution shall take effect immediately.

Dated:

Introduced by: _____

Seconded by: _____

Voting Aye: _____

Voting Nay: _____

CERTIFICATE OF RECORDING OFFICER

The attached Resolution is a true and correct copy of a resolution authorizing the establishment of Lead Agency and conduct of a coordinated review under SEQR for the capital improvements proposed to serve the Town of Dryden as regularly adopted at a legally convened meeting of the Town Board of the Town of Dryden duly held on the _____ day of _____, 20____; and further that such Resolution has been fully recorded in the record of Town board minutes in my office. In witness whereof, I have hereunto set my hand at this _____ day of _____, 20____.

Name, TITLE