

At a meeting of the Town Board of the Town of Dryden, Tompkins County, New York held on April 22, 2021 the following resolution was offered by _____, who moved its adoption, seconded by _____.

FINAL SEQRA RESOLUTION

ESTABLISHING THE TOWN BOARD AS LEAD AGENCY FOR THE COORDINATED REVIEW OF THE CONSOLIDATED SEWER DISTRICT IMPROVEMENT PROJECT PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT, DECLARING THE PROJECT TO BE AN UNLISTED ACTION, AND DETERMINING THAT THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS

April 22, 2021

WHEREAS, the Town of Dryden (the “Town”) is considering undertaking the acquisition, construction and installation of improvements to the Town of Dryden Consolidated Sewer District (the “District”) sanitary sewer system including, but not limited to, the replacement or rehabilitation of sewer mains, manholes, pump stations and other facilities, and the acquisition of machinery, equipment or apparatus required in connection therewith (the “Project”); and

WHEREAS, the Project is an action subject to review under the State Environmental Quality Review Act (“SEQRA”), as set forth at Article 8 of the New York State Environmental Conservation Law, and the implementing regulations set forth at 6 NYCRR Part 617, as amended (the “Regulations”); and

WHEREAS, the Town desires to comply with SEQRA and the Regulations with respect to the Project; and

WHEREAS, as sponsor for the Project, the Town prepared Part 1 of a Full Environmental Assessment Form (“FEAF”) for the Project; and

WHEREAS, the New York State Department of Transportation, the New York State Department of Health, the New York State Department of Environmental Conservation, the New York State Office of Parks, Recreation and Historic Preservation, New York State Environmental Facilities Corporation, and the New York State Office of Community Renewal are considered involved agencies for the Project; and

WHEREAS, by resolution dated March 18, 2021, the Town Board for the Town of Dryden (the “Town Board”) declared its desire to serve as lead agency for purposes of conducting a coordinated review of the Project under SEQRA and preliminarily classified the Project as an “Unlisted Action,” as defined in the Regulations but, notwithstanding this preliminary classification as an Unlisted Action, the Town Board desires to treat the Project as a “Type I Action”, as defined in the Regulations, to comply with the requirements of New York State Environmental Facilities Corporation, which may provide funding for the Project; and

WHEREAS, the Town Board caused correspondence to be sent to the involved agencies on March _____, 2021 providing information about the Project along with the FEA Part 1, requesting their consent to the Town Board acting as lead agency for the Project, and requesting their comments about the Project's potential environmental impacts; and

WHEREAS, the Town Board has received no objections from the other involved agencies to the Town Board acting as lead agency for this Project's SEQRA review, and received no comments from the other involved agencies regarding the Project's potential environmental impacts; and

WHEREAS, pursuant to SEQRA and the Regulations, the Town Board has considered the significance of the potential environmental impacts of the Project by: (1) using the criteria specified in Section 617.7(c) of the Regulations, (2) examining the FEA for the Project, including the information in Part 1 of the FEA and completing the analyses for Parts 2 and 3 of the FEA, together with examining other available supporting information relevant to the Project, to identify the relevant areas of environmental concern, and (3) thoroughly analyzing the identified areas of relevant environmental concern.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE TOWN BOARD OF THE TOWN OF DRYDEN, NEW YORK AS FOLLOWS:

1. Based upon an examination of the FEA and other available supporting information, the knowledge of the Town Board members about the area surrounding the Project, and such further investigation of the Project and its potential environmental impacts as the Town has deemed appropriate, the Town Board makes the following determinations with respect to the Project:
 - a. The Town Board declares itself lead agency for purposes of a coordinated SEQRA review of the Project;
 - b. The Project is classified as an “Unlisted Action,” as defined in the Regulations but, notwithstanding this preliminary classification as an “Unlisted Action”, the Town Board determined to treat the Project as a “Type I Action”, as defined in the Regulations, to comply with the requirements of New York State Environmental Facilities Corporation, which may provide funding for the Project;
 - c. The Town Board has completed, or caused to be completed, Parts 2 and 3 of the FEA and has compared the impacts that may reasonably be expected to result from the Project to the criteria for determining significance identified in Section 617.7(c)(1) of the Regulations and evaluated the issues of causation and significance in light of the standards under the same Section of the Regulations;
 - d. The Town Board has not identified any significant adverse environmental impacts associated with the Project and none are known to the Town Board;

- e. Based upon its review, and for the reasons set forth in the attached FEA¹, the Town Board determines that the Project will not have any significant adverse impacts on the environment and reaches the following further conclusions:
- 1) The Project will not result in (i) substantial adverse change in existing air quality; ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; or a substantial increase in potential for erosion, flooding, leaching or drainage problems; (ii) the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of a resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on threatened or endangered species of animal or plant, or the habitat of such species; or (iii) other significant adverse impacts to natural resources;
 - 2) The Project will not affect a critical environmental area as designated pursuant to 6 NYCRR § 617.14(g);
 - 3) The Project will not conflict with the community's current plans or goals as officially approved or adopted;
 - 4) The Project will not result in the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character;
 - 5) The Project will not result in a major change in the use of either the quantity or type of energy;
 - 6) The Project will not result in the creation of a hazard to human health;
 - 7) The Project will not result in a substantial change in the use, or intensity of use, of land including architectural, open space or recreational resources, or in its capacity to support existing uses;
 - 8) The Project will not result in encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;
 - 9) The Project will not result in the creation of a material demand for other actions that would result in one or more of the above consequences;
 - 10) The Project will not result in changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; and
 - 11) The Project will not result in two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on

¹ Are engineers preparing written findings/elaboration?

the environment, but when considered cumulatively would meet one or more of the criteria in 6 NYCRR § 617.7(c);

- f. The Town Board hereby approves and adopts the attached FEAf for the Project (Parts 1, 2, and 3, with the supporting written elaboration), issues a Negative Declaration, and will not require the preparation of an environmental impact statement for the Project.
2. The Town Board authorizes and directs the FEAf to be signed and the Negative Declaration to be filed and/or published as required by law.
3. The Town Clerk and Town staff are authorized to take such additional steps as may be necessary to carry out this Resolution.
4. This Resolution shall take effect immediately.

	<u>Ayes</u>	<u>Noes</u>	<u>Absent</u>
Supervisor James Leifer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilperson Daniel Lamb	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilperson Kathy Servoss	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilperson Loren Sparling	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilperson James Skaley	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Carried and Adopted

STATE OF NEW YORK)
) SS.:
COUNTY OF TOMPKINS)

I, BAMBI L. AVERY, Town Clerk of the Town of Dryden, Tompkins County, New York
(the "Town"), DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Town Board, held on the 22nd day of April, 2021, including the Resolution contained therein, with the original thereof on file in my office, and the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that the full Town Board consists of five (5) members; that _____ () members of the Town Board were present at such meeting; and that _____ () of such members voted in favor of the attached Resolution.

I FURTHER CERTIFY that (i) all members of the Town Board had due notice of the meeting, (ii) pursuant to Article 7 of the Public Officers Law (Open Meetings Law), such meeting was open to the general public, and due notice of the time and place of such meeting was duly given in accordance with Article 7 of the Public Officers Law, and (iii) the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town this day of April, 2021.

Bambi L. Avery, Town Clerk
Town of Dryden
Tompkins County, New York

(SEAL)