

Project :

Date :

**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.

**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

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 617.7(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:

Name of Lead Agency:

Name of Responsible Officer in Lead Agency:

Title of Responsible Officer:

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

**For Further Information:**

Contact Person:

Address:

Telephone Number:

E-mail:

**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>

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**NEGATIVE DECLARATION**

Determination of Non-Significance

Homeland Towers

Site Plan and Special Use Permit for Telecommunication Tower

6534 Route 22, Town of Ancram, Columbia County, NY

Tax Parcel No. 215.-1-41.110

**Lead Agency:**           **Town of Ancram Planning Board**

**Date:**                   **Thursday, April 2, 2026**

This Declaration is issued pursuant to Title 6, Chapter VI of the New York Code of Rules and Regulations [NYCRR] Part 617, the implementing regulations pertaining to Article 8 of the New York State Environmental Conservation Law, commonly known as the "State Environmental Quality Review Act" [SEQRA or SEQR].

The Town of Ancram Planning Board [the "Planning Board"], as Lead Agency, has reviewed the proposed action and determined that it will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement (DEIS) will not be prepared.

This document is intended to be an attachment to, and to be incorporated fully, into the Full Environmental Assessment Form [FEAF] Part 3 issued by the Lead Agency.

**Part 1**

**Name of Action:**

The name of the Action is NY343 Copake Wireless Telecommunications Facility. The Application was submitted by Homeland Towers, LLC, and Verizon Wireless (collectively referred to herein as the Applicants).

**Part 2**

**Location of Project Site**

The site of the Proposed Action is located at 6534 Route 22, Town of Ancram, Columbia County, New York, and bears the Tax Map Parcel Number 215.-1-41.110.

**Part 3**

**SEQRA Classification**

The Action is classified as a Type 1 Action.

**Part 4**

**Description of Action**

The Applicant proposes to erect and operate a 100-foot monopole tower for personal wireless services, with space located for three (3) future collocation facilities and related antennae and

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equipment to provide new and improved wireless communication service primarily along Route 22. The associated equipment will be located within a 40-foot by 60-foot fenced compound. Access to the project area will be by a 12-foot-wide gravel access road from Route 22. The Property is located in the Town of Ancram's Agriculture [Ag] Zoning District, as well as the Scenic Corridor Overlay Zone [SCOZ]. The Applicant states that its primary objective for the proposed action is to provide coverage along Route 22.

The Applicant initially proposed a 150-foot monopole, but the application was later amended to reduce the height to a 100-foot monopole. The tower, antenna arrays and associated mounting hardware are proposed to be colored brown to help blend the structure with the darker earth-tones of the wooded ridgelines, which operate as the backdrop for several affected vantage points, particularly from the Harlem Valley Rail Trail.

**Part 5  
Standards Applied to this Determination**

As part of its obligations pursuant to SEQRA, the lead agency is responsible for determining whether or not any aspect of the overall action may have a significant adverse impact upon the environment. If the lead agency finds one or more significant adverse environmental impacts, it must prepare a positive declaration identifying the significant adverse impact(s), which then requires the preparation of an Environmental Impact Statement [EIS]. If the lead agency finds that the action will have no significant adverse impacts on the environment, no EIS is necessary, and the lead agency must prepare a negative declaration.

A determination of significance is the most critical step in the environmental review process under SEQRA. This is the step in which the lead agency must decide whether or not a proposed Type I or Unlisted action is likely to have a significant adverse impact on the environment.

The New York State Department of Environmental Conservation's [NYSDEC] "*SEQR Handbook*" instructs lead agencies on what needs to be part of their analysis and Determination of Significance in order to comply with SEQRA. It says:

In making a legally sufficient determination regarding significance, the lead agency must:

1. identify all relevant environmental impacts;
2. thoroughly analyze these potential impacts; and
3. provide a written explanation of its reasoning in concluding that the proposed action may cause, or will not cause, significant adverse environmental impacts.<sup>1</sup>

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<sup>1</sup> 6 New York Code of Rules & Regulations [NYCRR] Part 617.7.

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To accomplish this, the lead agency must be satisfied it has enough information to take a "hard look" at the significant potential environmental impacts. The "hard look" depends on the facts of the particular case but ultimately requires a rational basis for the agency's determination. There is no magic formula for demonstrating compliance with the "hard look" requirement, other than common sense and application of "reasoned consideration to all pertinent issues revealed in the process."<sup>2</sup>

In its "*SEQR Handbook*," the NYSDEC states that the SEQRA regulations "recognize the subjectivity of the term "significance."<sup>3</sup> The "*SEQR Handbook*" states further:

The SEQR regulations provide an orderly, comprehensive process for identifying those actions that may be significant. However, SEQR allows implementing agencies the flexibility to accommodate differing community settings and perceptions in assigning importance.

SEQR thus recognizes that different lead agencies in different locations in the state, using the same techniques and information, may arrive at different determinations about the environmental significance of a proposed action.<sup>4</sup>

It is a long-standing rule of law in New York State that the threshold for requiring the preparation of an EIS is low. If an action will generate a single, significant potential adverse environmental impact, then a Positive Declaration is warranted. The NYSDEC "*SEQR Handbook*" states that:

A lead agency must prepare a positive declaration if it finds, based on comparing the information in the EAF [Environmental Assessment Form] to the criteria in the SEQR regulations [see 617.7(c)], that one or more adverse environmental impacts may be significant.<sup>5</sup>

At the same time, however, the *SEQR Handbook* also says:

The principle of reasonableness, as put into practice in SEQR decision-making, has been upheld by the courts. In addressing the review of impacts, the courts have limited the consideration of impacts to reasonably related potential impacts. The court decisions have also stated that not every conceivable impact needs to be considered; speculative impacts may be ignored. ...<sup>6</sup>

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<sup>2</sup> See, Michael B. Gerrard, Esq., Daniel A. Ruzow, Esq., and Philip Weinberg, Esq., *Environmental Impact Review in New York*, (2015), pages 3-108 - 3-112 [citing *Jackson v. New York State Urban Dev. Corp.*, 67 N.Y.2d 400 (1986)].

<sup>3</sup> NYSDEC, *SEQR Handbook*, 4<sup>th</sup> Ed. 2020, Ch. 4, Subsection B "Determining Significance," P. 76

<sup>4</sup> *Id.*

<sup>5</sup> NYSDEC, *SEQR Handbook*, 4<sup>th</sup> Ed. 2020, Ch. 4, Subsection C "Positive Declarations", P. 86.

<sup>6</sup> NYSDEC, *SEQR Handbook*, 4<sup>th</sup> Ed. 2020, Introduction, Subsection F "What is the concept of reasonableness as it applies to SEQR, P. 5.

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Where a potential impact is too speculative, it should not be addressed. The agency's responsibility is to deal with impacts that are reasonably foreseeable.

After taking a “hard look” at the proposed action, if the lead agency finds that the action will have no significant adverse impacts on the environment, the lead agency must prepare a negative declaration. The NYSDEC “*SEQR Handbook*” states that:

For a lead agency to issue a negative declaration, it must be able to demonstrate that the action will not have a significant adverse environmental impact. In making decisions on significance, the lead agency must take a hard look at all relevant impacts of the whole action, not just those within its immediate jurisdiction, and document its reasoning in writing.<sup>7</sup>

As the lead agency for the environmental review of the Homeland Towers project, we have borne in mind the foregoing requirements and have conducted this environmental review in a faithful pursuit of SEQRA’s goals.

**Part 6**  
**The Environmental Review Process Undertaken by the Planning Board**  
**and the Reasons Supporting the Determination of Non-Significance**

6.1. Overview.

The Planning Board conducted an environmental analysis of potential adverse environmental impacts, which included consideration of the long-term, short-term, direct, and indirect impacts, that was initiated with a comprehensive review of all submitted materials.

The Planning Board engaged consultants for assistance in reviewing technical information about potential impacts, and to help us judge the credibility of the information upon which the Planning Board is basing this determination. The Planning Board conducted its review with the assistance of the following professional consultants:

- Nan Stolzenburg, FAICP, of Community Planning & Environmental Associates, professional planning consultant to the Planning Board.
- George Schmitt, of the firm of CPL, professional consulting engineers to the Planning Board;
- B. Benjamin Evans, Senior Project Engineer, and Elizabeth Herington-Smith, VP Planning and General Manager, of CityScape Consultants, Inc., consulting radio frequency [RF] engineers to the Planning Board;
- George M. Janes, AICP, of George M. Janes & Associates, a specialty planning firm with expertise using visual simulation technologies; and

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<sup>7</sup> NYSDEC, *SEQR Handbook*, 4th Ed. 2010, Ch. 4, Subsection D "Negative Declarations", P. 88.

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- John Lyons, Esq. and Kimberly Garrison, Esq., environmental land use attorneys, of the firm of Grant & Lyons, LLP.

The Board also listened extensively to the comments offered by the members of the public and the consultants who testified during the review process on their behalf. As Town residents, Planning Board members also drew on our own knowledge of the neighborhood in which this Project is proposed.

The Planning Board reviewed the FEAFF Part 1 completed and submitted by the Applicant.

Utilizing the input received, and discussions conducted in public meetings, including multiple public hearings,<sup>8</sup> the Planning Board drafted and completed the FEAFF Part 2 per Part 617 of the SEQRA regulations.

During its initial review of the FEAFF Part 2, the Planning Board identified several areas where there were knowledge gaps or the Planning Board needed additional data to make judgments about the potential impacts for some environmental elements. These were mainly related to potential visual impacts.

The Planning Board discussed alternative design options with their visual impact consultant, George Janes, and their RF engineers and consultants, CityScape. In his report to the Planning Board, dated December 3, 2025, Mr. Janes noted that, given the rural nature of the area surrounding the project site and the proposal to site the tower below the ridgeline from eastern viewpoints, there may be possible opportunities to lessen potential visual impacts of the proposed action with alternative design options. Additionally, CityScape also provided examples of alternative designs that have been considered in the past in other municipalities. Some of the alternative designs discussed included a faux silo, a flagless flagpole, and a lattice tower.

In considering these possible options and considerations, the Planning Board requested from the Applicant and its consultants additional information, renderings, and further investigation about these possible alternative designs.

In response, the Applicant provided to the Planning Board revised renderings of a lattice design. The Applicant asserts that a flagless flagpole, or other closed mounted designs, are not viable options, as they would require increasing the height of the proposed tower, which would require an area variance and other technical limitations. The Applicant stated that the flagpole design limited the number of carriers for collocation and did not support whip antennas that are typically used by emergency services. The Applicant also stated that flagless flagpole designs were limited in internal space, and due to the layout of the antennas, would ultimately reduce coverage.

The Planning Board discussed and considered different designs. Regarding the faux silo alternative design, it was noted that a silo design may be appropriate for an agricultural district

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<sup>8</sup> The public hearing was opened on July 9, 2025. It continues to remain open.

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but also noted that the faux silo would still be at least 100 feet tall, a scale much larger than real silos and which may look disproportionate and out of place in comparison to real silos and other agricultural structures in the area. The Planning Board also considered the alternate lattice tower design. The Board concluded that the lattice design did help to reduce visual impacts from further distances, such as from the Harlem Valley Rail Trail, where it opened up more spacing against the visual backdrop of the wooded ridgeline. But, where the tower was visible at Route 22, the wider width and footprint of the lattice tower design seemed more visually intrusive from the Route 22 vantage point.

The Planning Board continued its draft of the FEAF Part 2, moving forward with the monopole design. The Board reviewed, discussed and made determinations with regard to all 18 items in the FEAF Part 2. Notes regarding each item from the Planning Board's consultants, revised and edited based on discussions during public meetings, are provided below to detail these discussions. In the case of each FEAF item, the Planning Board compared the identified impacts that may be reasonably expected to result from the proposed changes and activities against the indicators of significant adverse impacts on the environment. Particularly, the Planning Board further evaluated those impacts classified as "moderate to large" to determine their significance. In considering the significance of those potential impacts identified, the Planning Board assessed the magnitude, duration, and likelihood of occurrence.

In going through this process, the Planning Board drew heavily upon the guidance for completion of the FEAF Part 2 items that has been provided to lead agencies by the New York State Department of Environmental Conservation [NYSDEC] in its published "*Environmental Assessment Form [EAF] Workbooks*," and was aided in doing so by the Board's planning consultants.

The Planning Board reviewed the detailed Application documents, related Addenda and other submittals of record together with all other documentation in the record. This included reports from their consultants and comments from the public, received during the pendency of its review. As noted above, the Planning Board also sought guidance from the NYSDEC "*Environmental Assessment Form [EAF] Workbooks*" in considering the questions presented in FEAF Part 2 items.

An FEAF Part 2 item-by-item further evaluation of the specific potential adverse environmental impacts of the proposed action are set forth below. These details flesh out the basis for the conclusions that the Planning Board reached with regard to each FEAF Part 2 item.

### 6.2. The Full Environmental Assessment Form and Review

#### **FEAF Part 2, Item 1, Impact on Land:**

"Proposed Action may involve construction on, or physical alteration of, the land surface of the proposed site."

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**FEAF Part 2, Item 1, [Planning Board as Lead Agency] Analysis:**

The proposed action will result in construction on, or physical alteration of, the land surface of the proposed site.

The Property, as a whole, is 153 acres in area. The area of land to be physically disturbed by this project is 0.23 acre. While there are wetlands located to the east of the Property, which often indicate a shallow water table, there are no wetlands in or near the area of the proposed project or any construction activity. The Applicant has stated in their FEAF Part 1 that the average depth to the water table on the project site is greater than six [6] feet.

It is noted by the Planning Board that any digging and construction of the land may increase erosion. However, the Applicant has implemented erosion control methods, such as the installation of silt fencing during construction.

The proposed action will not involve grading or construction on slopes of fifteen percent [15%] or greater, and it will not involve construction on land where bedrock is exposed or within five [5] feet of the existing ground surface.

Construction is expected to last three [3] months, and is not expected to last more than a year, or in any phased development.

Based on the relevant FEAF Part 1 question(s), submitted application materials and related documentation review of other materials, conversations held during a public meeting, and review and discussion of the form-defined questions set forth under this caption on the FEAF Part 2, the Planning Board found no or small impact may occur.

**FEAF Part 2, Item 2, Impact on Geological Features:**

“Proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site.”

**FEAF Part 2, Item 2, [Planning Board as Lead Agency] Analysis:**

This question asks the reviewing agency to evaluate potential impacts to unique or unusual land forms and National Natural Landmarks. There are no such unique or unusual geological land features on the site that fit the criteria for this question (e.g., cliffs, dunes, caves, etc.).

Therefore, there is no impact on geological features.

**FEAF Part 2, Item 3, Impact on Surface Water:**

“The proposed action may affect one or more wetlands or other surface water bodies (e.g. streams, rivers, ponds or lakes)”

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**FEAF Part 2, Item 3, [Planning Board as Lead Agency] Analysis:**

There are wetlands and surface water present on the Property. The Property, as a whole, is 153 acres in area. The area of land to be physically disturbed by this proposed action is 0.23 acre - a very small portion of the Property. While there are wetlands located to the east of the Property, there are no wetlands or associated buffer areas in or near the area of the proposed project or any construction activity.

The proposed action will not create a new water body. It will not modify or increase the surface area of any existing water bodies. The proposed action will not involve dredging. The proposed action does include construction of any outfall for discharge of wastewater to surface water. There are no pesticides or herbicides involved in this proposed action.

As stated previously, any digging and construction of the land may increase erosion. However, the Applicant has implemented erosion control methods.

Based on the relevant FEAF Part 1 question(s), submitted application materials and related documentation review of other materials, conversations held during a public meeting, and review and discussion of the form-defined questions set forth under this caption on the FEAF Part 2, the Planning Board found no or small impact may occur.

**FEAF Part 2, Item 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.”

**FEAF Part 2, Item 4, [Planning Board as Lead Agency] Analysis:**

The proposed action will not result in any new or additional use of ground water. However, there will be a diesel generator. For this reason, the Planning Board considered this as something that may have the potential to introduce contaminants to ground water.

According to the Applicant, the diesel generator will be approximately 136 gallons. It also has a spill containment container that has a capacity of 125% of oil and antifreeze containment.

The generator is small in size and scale, and has appropriate mitigation methods in place.

Based on the relevant FEAF Part 1 question(s), submitted application materials and related documentation review of other materials, conversations held during a public meeting, and review and discussion of the form-defined questions set forth under this caption on the FEAF Part 2, the Planning Board found no or small impact may occur.

**FEAF Part 2, Item 5, Impact on Flooding:**

“The proposed action may result in development on lands subject to flooding.”

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**FEAF Part 2, Item 5, [Planning Board as Lead Agency] Analysis:**

The lands are not subject to flooding. Therefore, there are no impacts to flooding.

**FEAF Part 2, Item 6, Impacts on Air:**

“The proposed action may include a state regulated air emission source.”

**FEAF Part 2, Item 6, [Planning Board as Lead Agency] Analysis**

The proposed action does not include any state regulated air emission sources. Therefore, there are no impacts on air.

**FEAF Part 2, Item 7, Impact on Plants and Animals:**

“The proposed action may result in a loss of flora or fauna.”

**FEAF Part 2, Item 7, [Planning Board as Lead Agency] Analysis:**

The FEAF Part 1 has identified the possible presence of Northern Long-eared Bats and Bog Turtles on the Property. As stated previously, the Property, as a whole, is 153 acres in area. The area of land to be physically disturbed by this proposed action is a very small portion of the Property, approximately 0.23 acre.

Potential impacts to Northern Long-eared Bats are most likely to occur during certain times of the year (outside winter), and are directly related to tree removal. The NYSDEC has specific "protective guidance" that needs to be followed. See "*Protection of Northern Long-eared Bats.*"<sup>9</sup> "To protect northern long-eared bats [NLEB] from unintentional harm, the Department encourages the voluntary implementation of all forest management activities during the hibernation period, November 1 through March 31, throughout the state, except for Nassau and Suffolk Counties when bats are not expected to be present."<sup>10</sup>

The Applicant will follow guidance and protocols by the NYSDEC, and will not clear trees during the restricted period, per NYSDEC guidelines.

The presence of Bog Turtles was also discussed by the Planning Board. As stated previously, it is noted that while there are wetlands located to the east of the Property, there are no wetlands or associated buffer areas in or near the area of the proposed project or any construction activity. Therefore, it is unlikely that bog turtles would be found outside the wetlands or associated buffer areas, or near the proposed action.

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<sup>9</sup> <https://dec.ny.gov/nature/animals-fish-plants/biodiversity-species-conservation/endangered-species/northern-long-eared-bats-protection>.

<sup>10</sup> New York State Department of Environmental Conservation, *General Recommendations for the Protection of Northern Long-eared Bats in New York (Not Including Nassau and Suffolk Counties)*, <https://dec.ny.gov/nature/animals-fish-plants/biodiversity-species-conservation/endangered-species/northern-long-eared-bats-protection>

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There is also a Rich Graminoid Fen natural community within the vicinity of the Property. Trileaf Corporation visited the proposed site in July 2024 and conducted an Informal Biological Assessment [IBA]. No listed species or communities mentioned above were observed within the project area at the time of the site visit.<sup>11</sup> Trileaf further concluded that:

Due to the lack of plant species and diversity indicative to rich graminoid fens and the lack of surface water it is unlikely that the project area is within rich graminoid fen natural community habitat. Therefore, based on the documents reviewed and the client's adherence to erosion and sediment controls, a rich graminoid fen natural community habitat will not be impacted by the proposed project.<sup>12</sup>

It is also acknowledged that clearing of the proposed action may result in some displacement of residential native wildlife species, such as birds or small mammals. However, the Planning Board evaluated whether the proposed action would "substantially interfere" with such species. The proposed action is located on a small portion of the Property. Fences installed will also have small openings at the bottom to allow for the passage of small mammals after construction. Furthermore, once the proposed action is complete and installed, there will not be much disturbance associated with the proposed action on plants and animals.

Based on the relevant FEAF Part 1 question(s), submitted application materials and related documentation review of other materials, conversations held during a public meeting, and review and discussion of the form-defined questions set forth under this caption on the FEAF Part 2, the Planning Board found no or small impact may occur.

**FEAF Part 2, Item 8, Impact on Agricultural Resources:**

"The proposed action may impact agricultural resources."

**FEAF Part 2, Item 8, [Planning Board as Lead Agency] Analysis:**

The proposed action does not occur in a currently farmed area of the Property. It will not impede any existing farm operation on the Property, nor will it interrupt any access to other areas of the Property that may be farmed. Therefore, there are no impacts on agricultural resources.

**FEAF Part 2, Item 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."

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<sup>11</sup> Letter from Trileaf Corporation to the Town of Ancram Planning Board, dated December 18, 2025.

<sup>12</sup> Letter from Trileaf Corporation to the Town of Ancram Planning Board, dated December 18, 2025.

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**FEAF Part 2, Item 9, [Planning Board as Lead Agency] Analysis:**

The NYSDEC FEAF Workbook states the following as a resource for consideration of this item:

This question asks for information on those scenic and aesthetic resources that are officially designated and publicly accessible. Officially designated scenic areas include scenic byways, scenic roads, scenic areas of statewide significance, scenic trails, and scenic rivers. Other areas may also be designated at the state level for scenic and aesthetic reasons. Some local municipalities have conducted their own scenic inventory and have designated those areas in county or local plans. Others have designated critical environmental areas for aesthetic reasons. Publicly accessible aesthetic or scenic resources are those that can be viewed from public lands or on public roads.

The proposed action is located in the Town of Ancram Scenic Corridor Overlay District [SCOZ], which is an officially designated scenic area of Ancram. As stated in the Town of Ancram Zoning Law:

The Scenic Corridor Overlay Zone [SCOZ] is established as an overlay district to protect important scenic areas along Route 22 and the Harlem Valley known to contribute to the beauty, rural character, and quality of life of Ancram residents. It is the intent of this District to protect views from public roads and to regulate land uses so that they will complement rather than detract from a scenic experience. It is further the purpose of this district to improve the town of Ancram's economic vitality by preserving one of the significant scenic resources within the Town, enhancing the Town's attractiveness to its visitors as well as its citizens.<sup>13</sup>

The SCOZ runs along the portion of Route 22 within Ancram, which is approximately five [5] miles long.<sup>14</sup>

In describing the SCOZ, the Town of Ancram Zoning Law states:

The Town of Ancram, New York, recognizes that the New York State Route 22 corridor and that portion of the Harlem Valley lying within that corridor, including the Taconic State Park and its mountain ranges and Fox Hill, are some of the Town's and surrounding community's premium scenic assets.

Within this corridor there exists a confluence of valuable assets for the Town and its residents including, but not limited to, environmental,

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<sup>13</sup> Town of Ancram Zoning Law, Article II, B(9)

<sup>14</sup> Town of Ancram Zoning Law, Article V, (B)3(2)

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recreational and scenic resources, and these scenic resources contribute significantly to the overall rural character of the town and possess attributes which the community seeks to preserve and enhance, while accommodating growth and change.

In furtherance of this objective, the Scenic Corridor Overlay Zone is hereby established to:

- a. Further the Town's overall goal of providing a predominantly open and rural character to the Town, and to encourage agriculture and preserve the natural environment and achieve the other goals and objectives as stated in the Town's Development Plan.
- b. Protect one of the Town of Ancram's significant scenic resources as identified in the Scenic Resource Protection Plan adopted by the Town Board.
- c. Preserve the scenic beauty along New York State Route 22 and the Harlem Valley for the enjoyment of residents, commuters, recreational users and tourists.
- d. Improve the Town of Ancram's economic vitality by preserving one of the significant scenic resources within the Town, enhancing the Town's attractiveness to its citizens as well as visitors and tourists.<sup>15</sup>

The proposed action will be visible from Route 22 and within the SCOZ.

Additionally, the proposed action will be visible from the Harlem Valley Rail Trail [HVRT]. The HVRT spans across Columbia County and Dutchess County for a total of 26+ paved miles.<sup>16</sup> According to the Visual Resource Assessment (VRA) conducted by the Applicant, approximately 3.9 miles of the HVRT are situated within a 2-mile radius of the proposed action. The initial VRA showed views from the HVRT in leaf-on conditions. In response to the Planning Board's comments, the Applicant took additional photographs in December 2025 showing leaf-off conditions from the HVRT and produced five [5] additional photo simulations from the HVRT. At the same time, the Applicant corrected technical issues with the prior simulations and submitted a new VRA in January 2026.

The Planning Board, aware of the significance and importance of the SCOZ, and using the information provided in the VRA the Planning board discussed the visual impacts of

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<sup>15</sup> Town of Ancram Zoning Law, Article V, (B)3(1)

<sup>16</sup> Harlem Valley Rail Trail, <https://columbiacountytourism.org/business/harlem-valley-rail-trail/>

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the proposed action at several meetings.<sup>17</sup> Important discussion centered around the visibility of the telecommunication tower from Route 22, with the acknowledgment that any potential impact would be long in duration and permanent. Additionally, it was also acknowledged that the telecommunication tower's location directly off Route 22 would mean that it would be visible to many residents and visitors in the area.

However, in discussing the significance of the impact, the Planning Board also acknowledged that, in drafting the Zoning Law, the Ancram Town Board had specifically allowed telecommunication towers to be located in the SCOZ. Additionally, the Planning Board also recognizes that mere visibility may not be a significant impact, in and of itself. Rather, significance is also determined by how the visibility diminishes the use and enjoyment of the area.

Upon careful review and evaluation, the Planning Board found moderate-to-large impacts with respect to the following sub-questions for this item:

- Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource;
- Proposed action may be visible from publicly accessible vantage points - seasonally and/or year-round;
- The situation or activity in which viewers are engaged while viewing the proposed action, both by routine travel by residents, including travel to and from work, and recreational or tourism-based activities; and
- Proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.

Telecommunication towers are permitted in the SCOZ, and permitted up to a maximum of 100 feet. That said, here the proposed telecommunication tower will clearly be visible within the SCOZ, particularly along Route 22. The telecommunication tower will also be visible from the Harlem Valley Rail Trail.

This is a moderate to large impact, due to its visibility.

However, mere visibility is not enough to determine that an impact is significant. In discussing the visibility of the proposed action, and evaluating the potential significant impact, the Planning Board looked to NYSDEC's guidance document, entitled *Assessing and Mitigating Visual and Aesthetic Impacts*,<sup>18</sup> as a way of assisting their analysis. This policy is used by NYSDEC staff with a standardized method for evaluating the significance of a visual impact within the context of SEQRA. The Planning Board, as

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<sup>17</sup> Town of Ancram Planning Board special meeting, February 11, 2026, and Town of Ancram Planning Board special meeting, February 26, 2026.

<sup>18</sup> New York State Department of Environmental Conservation, *Assessing and Mitigating Visual and Aesthetic Impacts*, DEP-00-2, last revised December 13, 2019. [https://extapps.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/visualpolicydep002.pdf](https://extapps.dec.ny.gov/docs/permits_ej_operations_pdf/visualpolicydep002.pdf)

**DRAFT - FOR DISCUSSION PURPOSES ONLY**

lead agency, found this guidance helpful as a consideration for evaluating the visual impacts of this proposed action.

The NYSDEC's staff policy defines "aesthetic impact" as follows:

An aesthetic impact occurs when there is a detrimental effect on the perceived beauty of a place or structure. Mere visibility of a project should not be a threshold for decision making. Instead a project, by virtue of its visibility, must clearly interfere with or reduce the public's enjoyment or appreciation of the appearance of a significant place or structure.<sup>19</sup>

Regarding "significance," the guidance publication states further that:

Significant aesthetic impacts are those that cause a diminishment of the public enjoyment and appreciation of an inventoried resource, or one that impairs the character or quality of such a place. . . .

[S]taff must consider "magnitude" and "importance" in determining the significance of a visual impact under SEQR. Magnitude assesses factors such as severity, size or extent of an action. Importance relates to how many people are going to be impacted or affected by the project; the geographic scope of the project; and any additional social or environmental consequences if the project proceeds (or doesn't proceed). Each impact of an action must be judged by these two characteristics. Generally, projects with a bigger impact (larger "magnitude" and or "importance") are more likely to need more detailed analysis.

Likewise, staff must consider the setting of a proposed building or structure and its impact on a designated resource - not just size alone. Context is a key element of significance especially when evaluating visual impacts. The fact that a project is large, by itself, should not be a trigger for a positive declaration under SEQR. Context matters, which is the function of staff's analysis under Part 3 of the EAF. On the other hand, a project by its having been sighted in visual proximity to an inventoried resource may lead staff to conclude that there may be a significant visual impact.

Therefore, staff must verify the potential significance of the impact using magnitude and importance, the qualities of the resource, and the juxtaposition (use viewshed or line-of-sight profiles, or both) of the project to the inventoried resource as the guide for the determination. If the potential exists for a significant adverse aesthetic impact (the potential for impairment of the character or quality of any identified visual resource), then a positive declaration should be issued under SEQR. However, for

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<sup>19</sup> New York State Department of Environmental Conservation, DEP-00-2, *Assessing and Mitigating Visual and Aesthetic Impacts*, at page 15.

**DRAFT - FOR DISCUSSION PURPOSES ONLY**

projects with no significant adverse impact, Department staff would issue a negative declaration of significance provided there are no other impacts of environmental significance associated with the project.<sup>20</sup>

In determining significance of an impact, we must evaluate the magnitude, duration, likelihood and overall impact.

The proposed action will be visible in the SCOZ, as it is located directly along Route 22 and the HVRT. However, from the HVRT the proposed action will be in the background of views from the HVRT. Further, the tower is located so that it does not rise above the ridgeline from views to the east. This siting together with its matte brown paint camouflaging will help the tower blend with the vegetative backdrop, thereby mitigating its visual impacts on the HVRT. Upon due consideration, the Board does not believe that the Tower will diminish the public's use and enjoyment of the Harlem Valley Rail Trail.

Along Route 22, the telecommunication tower will be much more visible. The Applicant has reduced the height of the telecommunication tower from 150 feet to 100 feet. Additionally, the Applicant will be painting the telecommunication tower matte brown to lessen the towers contrast with existing vegetation. This form of camouflage is apt to be most effective from vantage points where the telecommunications tower's backdrop is the wooded hillside.

Those driving along Route 22 will see the telecommunication tower, even with these mitigation measures. However, those driving along Route 22 are also traveling at approximately 55 miles per hour, and thus, their view of the tower will be fleeting. As the Applicant has stated, the proposed telecommunication tower is visible along Route 22 for approximately 0.37 miles for southbound motorists and 0.55 miles for northbound motorists. Practically, the telecommunication tower may be visible to passing motorists for about 30 seconds when driving along Route 22.

The residents living near the telecommunication tower, or pedestrians who will be walking along Route 22 or the nearby vicinity, will be impacted by this proposed action, as it will be more visible to them. However, when considering the entire SCOZ area, which stretches along the entire length of Route 22 in Ancram (approximately 5 miles), and the entire HVRT, the impact of the aesthetic resources, as a whole, is small. It will not be detrimental to the scenic beauty of the SCOZ, as a whole, or to the enjoyment of the HVRT.

We are aware of the importance of the SCOZ and the value of the SCOZ to the Town of Ancram. The telecommunications tower regulations in the Town Zoning Law and the Zoning Law regulations pertaining to the SCOZ require the telecommunication tower to be constructed at the minimum height necessary and designed in the least intrusive means. Some of these methods were previously discussed. The Planning Board will be continuing to review this proposed action subject to its site plan and special use permit

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<sup>20</sup> New York State Department of Environmental Conservation, DEP-00-2, *Assessing and Mitigating Visual and Aesthetic Impacts*, at page 9.

**DRAFT - FOR DISCUSSION PURPOSES ONLY**

criteria. We reserve the right to continue discussions of further mitigation measures to determine the least intrusive means and height necessary in compliance with our local laws.

In conclusion, upon the Planning Board's review of the FEAF Part 1, submitted site plan and related documentation, the form-defined questions set forth under this caption on the FEAF Part 2, we find these potential impacts on aesthetic resources to not be significant.

**FEAF Part 2, Item 10, Impact on Historic and Archeological Resources:**

“The proposed action may occur in or adjacent to a historic or archaeological resource.”

**FEAF Part 2, Item 10, [Planning Board as Lead Agency] Analysis:**

The proposed action is not in or adjacent to a historic or archaeological resource. Therefore, there are no impacts to historic or archeological resources.

**FEAF Part 2, Item 11, Impact on Open Space and Recreation:**

“The proposed action may result in the loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.”

**FEAF Part 2, Item 11, Analysis:**

There is no loss of recreational opportunities or reduction of an open space resource. There is no municipal open space plan. Therefore, there are no impacts to open space and recreation.

**FEAF Part 2, Item 12, Impact on Critical Environmental Areas:**

“The proposed action may be located within or adjacent to a critical environmental area [CEA].”

**FEAF Part 2, Item 12, [Planning Board as Lead Agency] Analysis:**

There are no Critical Environmental Areas in the Town of Ancram. Therefore, there are no impacts on Critical Environmental Areas.

**FEAF Part 2, Item 13, Impact on Transportation:**

“The proposed action may result in a change to existing transportation systems.”

**DRAFT - FOR DISCUSSION PURPOSES ONLY**

**FEAF Part 2, Item 13, [Planning Board as Lead Agency] Analysis:**

There will be no change to existing transportation systems. Therefore, there are no impacts on transportation.

**FEAF Part 2, Item 14, Impact on Energy:**

"The proposed action may cause an increase in the use of any form of energy."

**FEAF Part 2, Item 14, [Planning Board as Lead Agency] Analysis:**

The proposed action will require a small amount of energy. But, in evaluating the sub-questions of this item, none of the thresholds were reached or relevant to the proposed action.

Based on the relevant FEAF Part 1 question(s), submitted application materials and related documentation review of other materials, conversations held during a public meeting, and review and discussion of the form-defined questions set forth under this caption on the FEAF Part 2, the Planning Board found no or small impact may occur.

**FEAF Part 2, Item 15, Impact on Noise, Odor, and Light:**

"The proposed action may result in an increase in noise, odors, or outdoor lighting."

**FEAF Part 2, Item 15, [Planning Board as Lead Agency] Analysis:**

The proposed action will have a generator. The generator may be used once a week, for a small amount of time (e.g. half an hour). Any noise generated from the generator will be minor and not significant. The generator will also have a Level 2 Sound Attenuated Enclosure, to further reduce any noise from it.

In the event of a power outage, the proposed action will operate on the generator. The purpose of the generator is to keep the telecommunication tower operational, especially since many people often rely on wireless service during such outages. The generator would remain running until such time that the power is restored.

The proposed action does not require a light for Federal Aviation Administration [FAA] purposes. There will be outdoor lighting, solely for maintenance purposes. Such outdoor lighting is manually controlled and only used when it is required. At all other times, no outdoor lighting will be used. There is no motion sensor lighting that would be triggered or turn on throughout the night.

Based on the relevant FEAF Part 1 question(s), submitted application materials and related documentation review of other materials, conversations held during a public

**DRAFT - FOR DISCUSSION PURPOSES ONLY**

meeting, and review and discussion of the form-defined questions set forth under this caption on the FEAF Part 2, the Planning Board found no or small impact may occur.

**FEAF Part 2, Item 16, Impact on Human Health:**

“The proposed action may have an impact on human health from exposure to new or existing sources of contaminants.”

**FEAF Part 2, Item 16, [Planning Board as Lead Agency] Analysis:**

The proposed action will not have any new or existing sources of contaminants. Therefore, there are no impacts to human health.

**FEAF Part 2, Item 17, Consistency with Community Plans:**

“The proposed action is not consistent with adopted land use plans.”

**FEAF Part 2, Item 17, [Planning Board as Lead Agency] Analysis:**

The Planning Board considered the Town of Ancram Comprehensive Plan, the Town’s Zoning Law, and its Natural Resource Inventory. Notably, the Town of Ancram has a Telecommunication Law, Local Law 1 of 2011 [now integrated into the Zoning Law].

The Telecommunication Law begins by stating:

The Town Board of the Town of Ancram has determined that it is in the best interests of the Ancram community to encourage the availability of cellular telephone service in Ancram, Ancramdale and Boston Corner.

Telecommunication towers are permitted in all zoning districts in the Town of Ancram, including the SCOZ. The proposed action here is for a 100-foot telecommunication tower, which is also permitted in the SCOZ.<sup>21</sup>

Generally speaking, the proposed action is consistent with adopted land use plans. The Applicant has provided a current design of a monopole telecommunication tower, to be painted matte brown. The Applicant has provided alternative designs, such as a lattice tower. The Planning Board has discussed these designs with the Applicant and reserves the right to continue discussion regarding alternative designs, camouflage methods, and necessary height. It is specifically noted that, even though telecommunication towers are a permitted use in the Town of Ancram, the object of the Telecommunication Law is to “minimize the negative aesthetic impact of such facilities.” One of the specific standards that the Planning Board must review and consider is to minimize visual

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<sup>21</sup> Town of Ancram Local Law 1 of 2011 (Town of Ancram Telecommunications Tower), Section 1.

**DRAFT - FOR DISCUSSION PURPOSES ONLY**

intrusiveness and have the telecommunication towers be no higher than the minimum height necessary. As we continue with our site plan and special use permit review, we will be considering and evaluating the proposed action to meet these criteria and requirements.

**FEAF Part 2, Item 18, Consistency with Community Character:**

“The proposed project is inconsistent with the existing community character”

**FEAF Part 2, Item 18, [Planning Board as Lead Agency] Analysis:**

According to the NYSDEC’s FEAF Workbook:

Many people define their community's character in very general terms: suburban, rural, urban, quiet, safe, scenic, or friendly are terms often used. Others describe community character only in terms of visual features. Community character is broader than this however.

Community character is defined by all the man-made and natural features of the area. It includes the visual character of a town, village, or city, and its visual landscape; but also includes the buildings and structures and their uses, the natural environment, activities, town services, and local policies that are in place. These combine to create a sense of place or character that defines the area.<sup>22</sup>

For Ancram, the Comprehensive Plan begins as follows:

In 20 years, Ancram residents want the Town to look and feel much as it does today, only better. The community continues to value its open spaces and farms, natural resources, how each contributes to the quality of life, and Ancram’s historic and cultural heritage. We want to maintain Ancram's rural character; protect the environment, ground water, working farms and open spaces; provide adequate services to our residents; promote local government transparency; and encourage small town, community-oriented activities.<sup>23</sup>

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<sup>22</sup> NYSDEC, Full Environmental Assessment Form (FEAF) Workbook, Question 18 - Consistency with Community Character, <https://dec.ny.gov/regulatory/permits-licenses/seqr/eaf-workbooks/part-2-identification-of-potential-project-impacts/q18-consistency-with-community-character>

<sup>23</sup> Town of Ancram Comprehensive Plan, dated April 18, 2019, at page 4

**DRAFT - FOR DISCUSSION PURPOSES ONLY**

Ancram is known to be a predominantly rural and farming community. When entering Ancram along Route 22, a sign welcomes visitor to “Scenic Ancram; Historic Farming Community.”

While telecommunication towers are permitted in the Town of Ancram, it is also noted that there are no existing telecommunication towers in the Town. The proposed action will introduce a new, 100-foot monopole telecommunication tower, right along Route 22, and within the SCOZ. There are no similar structures in or near the area to the proposed action. Accordingly, it will be inconsistent with the existing community character, which consists of agricultural lands, open space, scenic views, and residential homes.

Upon careful review, consideration, and evaluation, the Planning Board found moderate-to-large impacts with respect to the following sub-questions for this item:

- The proposed action is inconsistent with the predominant architectural scale and character; and
- Proposed action is inconsistent with the character of the existing natural landscape.

There are no 100-foot tall telecommunication towers in the area within Ancram. The proposed action will be in sharp contrast to the surrounding area. Ancram is a farming community. The area surrounding the proposed area are farmlands, rural open fields, and residential homes.

The proposed action is also located in the SCOZ. In describing the SCOZ, the Town of Ancram Zoning Law states:

The Town of Ancram, New York, recognizes that the New York State Route 22 corridor and that portion of the Harlem Valley lying within that corridor, including the Taconic State Park and its mountain ranges and Fox Hill, are some of the Town's and surrounding community's premium scenic assets.

Within this corridor there exists a confluence of valuable assets for the Town and its residents including, but not limited to, environmental, recreational and scenic resources, and these scenic resources contribute significantly to the overall rural character of the town and possess attributes which the community seeks to preserve and enhance, while accommodating growth and change.

In furtherance of this objective, the Scenic Corridor Overlay Zone is hereby established to:

**DRAFT - FOR DISCUSSION PURPOSES ONLY**

- a. Further the Town's overall goal of providing a predominantly open and rural character to the Town, and to encourage agriculture and preserve the natural environment and achieve the other goals and objectives as stated in the Town's Development Plan.
- b. Protect one of the Town of Ancram's significant scenic resources as identified is the Scenic Resource Protection Plan adopted by the Town Board.
- c. Preserve the scenic beauty along New York State Route 22 and the Harlem Valley for the enjoyment of residents, commuters, recreational users and tourists.
- d. Improve the Town of Ancram's economic vitality by preserving one of the significant scenic resources within the Town, enhancing the Town's attractiveness to its citizens as well as visitors and tourists.

The Planning Board recognizes the value and sensitivity of the SCOZ. It is difficult to evaluate this proposed action because, as a telecommunication tower, it is tall, visible, and different. At the same time, it is also an allowed use. The Town Board has determined that telecommunication towers are allowed in the Town of Ancram, and, further, that they are allowed in the SCOZ. To evaluate this proposed action, we have to recognize that the Town Board expected and anticipated telecommunication towers to one day be within this area.

The proposed action will be inconsistent with the Town's existing architectural scale and character. There are tall structures in Ancram (tall agricultural buildings, wind turbines), but not as tall as the proposed action will be.

Similarly, the proposed action does not fit within the existing natural landscape, which consists of predominantly agricultural lands and open fields.

The first of any new use can bring a change to the existing landscape or architectural scale, and can bring changes to community character.

However, just as with our evaluation of aesthetic resources, we must examine not just visibility, but also detriment and severity of the impact.

Along Route 22, the proposed action will be visible. As stated previously, the Applicant has reduced the height of the telecommunication tower from 150 feet to 100 feet to be more conforming with the SCOZ. Additionally, the Applicant will be painting the telecommunication tower brown to further help camouflage the telecommunication tower

**DRAFT - FOR DISCUSSION PURPOSES ONLY**

against the trees and backdrop of the surrounding area. Those driving along Route 22 will see the tower, but driving at 55 miles per hour, the proposed action will be visible for about 30 seconds.

While the proposed action brings a new use into the Town and creates a contrast with the existing landscape and community character, it will not change the essential community character of Ancram as a farming community, or as a rural community. Further, it will not change the SCOZ, which seeks to preserve scenic resources. Ancram will remain a farming community and the SCOZ will continue to protect Ancram's scenic resources. The proposed action is tall, but also has a small footprint, in terms of width and berth.

Therefore, the Planning Board has determined that although the proposed action would cause long-term and irreversible impacts that are likely to occur, such impacts are not significant impacts because it impacts a small area along Route 22 and within the SCOZ.

**Part 7**

**Conclusion and Determination of Non-significance | Negative Declaration**

There have been many comments received about the potential impact to the immediate area around the proposed action, to the Town, and to community character, particularly due to its location within the SCOZ. The Planning Board has been attentive to those comments and concerns during the course of this review process. Several meetings have been devoted to the discussion of aesthetic impacts, community character, Ancram's farming and rural community, and the SCOZ. Additionally, many discussions regarding the Telecommunication Law, the permitted use of telecommunication towers within the SCOZ, and the need for telecommunication services in the Town of Ancram have taken place.

During these discussions, the Applicant has lowered the height of the tower from 150 feet to 100 feet, as the maximum permissible height in the SCOZ. The Applicant and the Planning Board has also discussed alternative designs, such as a silo, flagless flagpole, and lattice tower. The Applicant has proposed a brown monopole, as a way of camouflaging the monopole from certain scenic areas, such as the Harlem Valley Rail Trail.

Regarding SEQRA's purpose, the NYSDEC *SEQR Handbook* says:

SEQR establishes a process to systematically consider environmental factors early in the planning stages of actions that are directly undertaken, funded, or approved by local, regional, and state agencies. By incorporating environmental

**DRAFT - FOR DISCUSSION PURPOSES ONLY**

review early in the planning stages, projects can be modified as needed to avoid adverse impacts on the environment.<sup>24</sup>

It is the Planning Board's view that the purpose of SEQRA has been fulfilled by Board's environmental review of this Project. The potential adverse environmental impacts were carefully and diligently identified and analyzed. And importantly, changes have been made to lower height and camouflage the tower from certain vantage points.

The Planning Board of the Town of Ancram hereby concludes and determines, that its SEQRA Determination of Significance is a Negative Declaration, and hence, that an Environmental Impact Statement [EIS] will not be required for the proposed action because this action will not result in any significant adverse environmental impacts [see 6 NYCRR § 617.7(a)(2)]. This conclusion and determination is based on: (1) the information currently available to the Planning Board in the record; (2) the analysis detailed above in this document; (3) the evaluation of all relevant and probable environmental impacts related to the activities and actions herein proposed; (4) our review of the FEAF Parts 1 and 2 together with all of the information, documents, and comments received from the Applicant, the public, experts testifying on behalf of the public, and the Planning Board's own consultants.

The Planning Board, however, will be continuing to review this proposed action subject to its site plan and special use permit criteria.

End of FEAF Part 3, Determination of Non-Significance | Negative Declaration

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<sup>24</sup> NYSDEC, SEQR Handbook, 4<sup>th</sup> Ed., Introduction, Section B "What is the purpose of the Act," P. 3.