

**1. A RESOLUTION OF THE TOWN BOARD AS LEAD AGENCY PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT ("SEQRA") IN THE REVIEW OF THE PROPOSED ACTION BY THE TOWN BOARD TO ADOPT A FORM BASED ZONING DISTRICT FOR THE CHAPPAQUA HAMLET (I) ISSUING A POSITIVE DECLARATION PURSUANT TO SEQRA, AND (II) SCHEDULING A PUBLIC SCOPING SESSION FOR JANUARY 28, 2020**

Council Member Katz moved, seconded by Council Member Lichtenthal, to adopt the following Resolution.

**WHEREAS**, the Town Board is in receipt of and has reviewed a draft Local Law amending the Zoning Chapter of the Town Code to create a Form Based Zoning District for the Chappaqua Hamlet (the "Proposed Action") and a Long Environmental Assessment Form ("EAF") Part 1 setting forth technical details pertaining to the potential environmental impacts of adoption and application of the Local Law; and

**WHEREAS**, the Proposed Action is an amendment to the Town of New Castle Zoning Law that changes the zoning of the Chappaqua Hamlet business and industrial districts to a new "Form-Based District" in order to make the zoning consistent with the goals of the Town's 2017 Comprehensive Plan. The area to be rezoned spans approximately 72 acres along Greeley Ave and King Street including the areas currently zoned in this hamlet B-R (Retail Business), B-RP (Retail Business and Parking), B-D (Designed Business), and I-P (Planned Industrial Zoning). The new zoning district is intended to provide flexibility for development with the intent to revitalize the hamlet and create a sustainable and successful mix of commercial and residential uses taking account of current and future real estate markets and trends; and

**WHEREAS**, on January 14, 2020, the Town Board reviewed Part 1 of the EAF, and classified the Project as a Type I Action pursuant to SEQRA; and

**WHEREAS**, the Town Board is the Lead Agency for review of the Project under SEQRA pursuant to 6 N.Y.C.R.R. 617.6(b)(3), as the Proposed Action involves the adoption of Local Legislation and therefore there are no other Involved Agencies; and

**WHEREAS**, the Town Board has identified Interested Agencies a list of which is attached hereto and made part hereof; and

**WHEREAS**, the Town Board has reviewed Part I of the EAF, the Local Law, as well as the criteria for determining significance under SEQRA as set forth in 6 N.Y.C.R.R. 617.7(c), and for the reasons set forth in the Positive Declaration Form attached hereto and made part hereof, the Town Board has determined that adoption of the Local Law may include the potential for at least one significant adverse environmental impact if approved and built; and

**WHEREAS**, the Town Board has reviewed the attached Parts 2 & 3 of the EAF prepared by Town Staff and its professional Planning Consultants; and

**WHEREAS**, Town Staff and the Town's Consultants have prepared a draft scope in accordance with 6 N.Y.C.R.R. Section 617.8 ("Draft Scope").

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Town Board adopts the contents of the attached EAF Parts 2 & 3, as well as the attached Positive Declaration Form;

2. The Town Board determines that the Proposed Action may have potential significant adverse environmental impacts and, therefore, issues a SEQR Positive Declaration pursuant to the SEQR Regulations, and determines that a Draft Generic Environmental Impact Statement (DGEIS) shall be prepared.

3. The Town Board authorizes the Town Supervisor to sign the Determination of Significance on Part 3 of the EAF, declaring that the Project may result in one or more significant adverse impacts on the environment, and that a Draft Generic Environmental Impact Statement shall be prepared;

4. Town staff is directed to circulate the Positive Declaration Form and Draft Scope to all Interested Agencies, as well as make available copies of the Draft Scope to the public pursuant to 6 N.Y.C.R.R. 617.8(b), including posting the notices and the Draft Scope on the Town's website; and

5. The Town Board shall hold a duly noticed and advertised public Scoping Session to review and discuss the Scope of the DGEIS at Town Hall, in accordance with 6 N.Y.C.R.R. Section 617.8 on January 28, 2020 at 7pm or as soon thereafter as reached on the agenda, to consider the Draft Scope, and shall accept written comments on the Draft Scope until 4:00 pm on February 7, 2020, unless further extended by the Town Board.

List of Interested Agencies

Town of New Castle Planning Board  
Town of New Castle Zoning Board of Appeals  
Town of New Castle DPW  
Town of New Castle Conservation Board  
Town of New Castle Environmental Review Board  
Town of New Castle Architectural Review Board  
Town of New Castle Historical Society  
Town of New Castle Recreation Department  
Chappaqua Central School District  
Chappaqua Volunteer Ambulance Corps.  
Chappaqua Fire Department  
Westchester County Planning Board  
Westchester County DPW  
New York State Department of Environmental Conservation  
Metro North Railroad  
New York State Department of Transportation

VOTE	AYES	NAYS
Supervisor Pool	X	
Deputy Supervisor Saland	X	
Council Member Katz	X	
Council Member Levin	X	
Council Member Lichtenthal	X	

APPROVED BY  
TOWN BOARD  
January 14, 2020  
Cheryl Pappas  
Town Clerk