

SECTION IX

NEGATIVE DECLARATION - RESOLUTION

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4/21/98 # 4162.1

RESOLUTION

WHEREAS, heretofore and on May 6, 1986, the Village of Sag Harbor enacted its Local Waterfront Revitalization Program (LWRP), and

WHEREAS, that enactment has served as an essential governmental effort to enhance and preserve our harbor and adjacent upland areas, and

WHEREAS, the New York Legislature enacted the Environmental Protection Act creating the Environmental Protection Fund (EPF) in 1993 as a source of revenue to assist in programs of local coastal management, including updating local LWRP's, and

WHEREAS, the Village of Sag Harbor, by means of EPF funding thereafter retained Cashin Associates, P.C., to prepare a draft report of an amendment to the LWRP, and

WHEREAS, in July of 1995, the Board of Trustees designated itself as lead agency with respect said LWRP amendatory update, and

WHEREAS, this Board conducted an updated study of its harbor and shorefront incident to the temporary moratorium established under Local Law No. 2 of 1994, and

WHEREAS, this Board conducted an Environmental Impact Statement incident to the enactment of its LWRP on May 6, 1986, and

WHEREAS, the Board of Trustees has received no response to its most recent lead agency designation from any involved or interested agency excepting the Division of Coastal Resources and

Waterfront Revitalization of the Department of State of the State of New York (DOS), and

WHEREAS, the DOS has assisted the Board of Trustees in its work regarding the amendment of the LWRP, including (1) policies for use, protection and development of the waterfront area; (2) recommended land use and land use development controls; (3) alternatives for waterfront and harbor use; and (4) specific actions and projects proposed to implement the LWRP and achieve its objectives, and

WHEREAS, the Board of Trustees finds that the adoption of the amendment of the LWRP will not have a substantial adverse impact in any of the areas listed in 6 NYCRR 617.7(c)(1) of SEQRA, and

WHEREAS, the Board has been unable to identify any cumulative impact as described in Section 617.7(c)(2), and

WHEREAS, the Board has examined consequences of enactment of amendment of the LWRP consistent with the requirements of Section 617.7(c)(3), and

WHEREAS, the Board has prepared herein a Full Environmental Assessment Form and has concluded therein that the proposed action would not result in any adverse impact to land, water, area, plants, animals, agricultural resources, aesthetic resources, historic resources, archaeological resources, open space, recreation, energy, noise, odor, public health or character of the community, and

WHEREAS, the Board concludes that the enactment of the action, to wit, amendment of the LWRP, would protect and benefit

the environment rather than harm or allow harm to the environment.

NOW, THEREFORE, the Board of Trustees determines that a negative declaration under SEQRA is hereby adopted and the Board further authorizes the Mayor to execute a negative declaration and authorizes and directs the Village Clerk to file a copy of said negative declaration in the Village Clerk's Office and to transmit a copy of this resolution and negative declaration to the Division of Coastal Resources and Waterfront Revitalization, Department of State, 162 Washington Avenue, Albany, New York 12231, the New York State Department of Environmental Conservation at 50 Wolf Road, Albany, New York 12233 and at Building 40, SUNY at Stony Brook, Stony Brook, New York 11790, and to the NYS Clearing House, NYS Division of Budget, NYS Capitol, Albany, New York 12224.