

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 3

21 South Putt Corners Road, New Paltz, NY 12561-1620

P: (845) 256-3054 | F: (845) 255-4659

www.dec.ny.gov



**Department of  
Environmental  
Conservation**

March 14, 2024

J Group Design  
Attn: Curt Johnson

**RE: Pawling Commons  
SEQR Lead Agency – Follow-up  
Village of Pawling, Dutchess County  
DEC ID#: 3-1340-00163/00003**

Dear Curt Johnson:

The NYS Department of Environmental Conservation (DEC or Department) has received the Notice of Intent to Serve as SEQR Lead Agency from the Village of Pawling Planning Board for the redevelopment at 63 Main Street. The project includes the demolition of an existing building, construction of a new mixed-use building, construction of a new multi-family residential building, expansion of the parking area, and improvements to stormwater management. The project is proposing to connect to existing water and sewer utilities. A SEQR response letter was sent dated December 22, 2023.

Based upon our review of the notice dated November 20, 2023, and subsequent information received January 17, 2024, we offer the following comments:

## **STATE-LISTED SPECIES**

DEC has reviewed the State's Natural Heritage records. We have determined that the site is located within or near known occurrences of the following state-listed species: Bog turtle, NYS-listed endangered.

Based on the information received in the response to the SEQR letter dated December 22, 2023: if steps are taken to avoid impacts to water quality and wetland habitat offsite by using appropriate sediment and erosion control measures, as well as stormwater management actions, then the project is not likely to impact Bog turtle.

The absence of data does not necessarily mean that rare or other state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.



**Department of  
Environmental  
Conservation**

-OVER PLEASE -

Please note the following is the same information as provide in the letter dated December 22, 2023:

### **PROTECTION OF WATERS**

There are no waterbodies that appear on our regulatory maps at the project site identified. Therefore, if there is a stream or pond outlet present at the site with year-round flow, it assumes the classification of the watercourse into which it feeds, East Branch Croton River, Class C(T), and a Protection of Waters permit is required. If there is a stream or pond outlet present at the site that runs intermittently (seasonally), it is not protected, and a Protection of Waters permit is not required.

If a permit is not required, please note, however, you are still responsible for ensuring that work shall not pollute any stream or waterbody. Care shall be taken to stabilize any disturbed areas promptly after construction, and all necessary precautions shall be taken to prevent contamination of the stream or waterbody by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.

### **FRESHWATER WETLANDS**

The project site is not within a New York State protected Freshwater Wetland. However, please contact your town officials and the United States Army Corps of Engineers in New York City, telephone (917) 790-8511 (Westchester/Rockland Counties), or (917) 790-8411 (other counties), for any permitting they might require.

### **WATER QUALITY CERTIFICATION**

If the US Army Corps of Engineers (USACE) requires a permit pursuant to Section 404 of the Clean Water Act for discharge of fill in waters of the US, then a Section 401 Water Quality Certification (WQC) will be required. If the project qualifies for a Nationwide Permit, it may be eligible for coverage under a DEC Blanket WQC, and coverage under a Blanket requires compliance with all conditions for the corresponding Nationwide Permit. For additional information, please see the following link: [https://dec.ny.gov/regulatory/permits-licenses/waterways-coastlines-wetlands/protection-of-waters-program#Water Quality Certification](https://dec.ny.gov/regulatory/permits-licenses/waterways-coastlines-wetlands/protection-of-waters-program#Water%20Quality%20Certification).

### **CULTURAL RESOURCES**

We have reviewed the statewide inventory of archaeological resources maintained by the New York State Museum and the New York State Office of Parks, Recreation, and Historic Preservation. These records indicate that the project is not located within an area considered to be sensitive with regard to archaeological resources. For more information, please visit the New York State Office of Historic Preservation website at <http://www.nysparks.com/shpo/>.

### **SPDES STORMWATER (CONSTRUCTION)**

Since project activities will disturb over 1 acre of land, the project sponsor must obtain coverage under the current SPDES General Permit (GP-0-20-001) for Stormwater Discharge from Construction Activities, and a Stormwater Pollution Prevention Plan (SWPPP) must be developed which conforms to the requirements of the General Permit. As the Village of Pawling is an MS4 community (Municipal Separate Storm Sewer System), the Town is responsible for review and acceptance of the SWPPP. Please be aware that the MS4 Acceptance Form must be submitted to the Department.

Date: March 14, 2024

Authorization for coverage under the SPDES General Permit is not granted until the Department issues any other necessary DEC permits.

**OTHER**

Please note that this letter only addresses the requirements for the following permits from the Department: Protection of Waters, State-listed Species, and Freshwater Wetlands. Other permits from this Department or other agencies may be required for projects conducted on this property now or in the future. Also, regulations applicable to the location subject to this determination occasionally are revised and you should, therefore, verify the need for permits if your project is delayed or postponed. This determination regarding the need for permits will remain effective for a maximum of one year unless you are otherwise notified. Applications may be downloaded from our website at [www.dec.ny.gov](http://www.dec.ny.gov) under "Programs" then "Division of Environmental Permits."

In addition to transmitting the above comments, this letter also serves to confirm that we have no objection to the Village of Pawling Planning Board assuming lead agency status for this project.

By copy of this letter we are advising KJ Realty LLC of the above referenced resources, concerns and potential DEC permits. It is possible that the DEC permit requirements may change based upon additional information received or as project modifications occur.

Please contact this office if you have questions regarding the above information. Thank you.

Sincerely,

*Katherine Coffin*

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Katherine Coffin  
Division of Environmental Permits  
Region 3, Telephone No. (845) 256-3158

Cc: KJ Rant Realty LLC  
Vivian Nikolatos, Village of Pawling Planning Board  
Wildlife, R3 DEC

**NOTE: Regarding erosion/sedimentation control requirements:**

Stormwater discharges require a State Pollutant Discharge Elimination System (SPDES) Stormwater permit from this Department if they either:

- occur at industrial facilities and contain either toxic contaminants or priority pollutants OR
- result from construction projects involving the disturbance of 5000 square feet or more of land within the NYC Department of Environmental Protection East of Hudson Watershed or for proposed disturbance of 1 acre or more of land outside the NYC DEP Watershed

Your project may be covered by one of two Statewide General Permits or may require an individual permit. For information on stormwater and the general permits, see the DEC website at <http://www.dec.ny.gov/chemical/8468.html>.

For construction permits, if this site is within an MS4 area (Municipal Separate Storm Sewer System), the stormwater plan must be reviewed and accepted by the municipality and the MS-4 Acceptance Form must be submitted to the Department. If the site is not within an MS4 area and other DEC permits are required, please contact the regional Division of Environmental Permits.

**State Environmental Quality Review  
NEGATIVE DECLARATION  
Notice of Determination of Non-Significance**

Date: March 19, 2024

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Village of Pawling Planning Board as Lead Agency has determined that the proposed action described below will not have a significant adverse environmental impact and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Pawling Commons – 63 – 71 East Main Street

**SEQR Status:** Unlisted

**Conditioned Negative Declaration:** No

**Location of Action:** 63 - 71 East Main Street, Village of Pawling, Tax Parcel Number 7056-05-101917

**Description of Action:**

The Applicant seeks expansion of parking area within the northern area of the property and an outdoor dining area<sup>1</sup> as accessory to a proposed restaurant at the former bank. Parking is proposed to more adequately accommodate residential and commercial uses based on actual and anticipated tenancy. The approved plan included 112 parking spaces<sup>2</sup>. With the proposed amendment, the total parking will be 155 (+43 parking spaces).<sup>3</sup> The development parcel is 4.2 acres. The Applicant also sought a renewal of the special permit for residential units on the ground floor of 71 East Main Street, which was granted by the Planning Board on January 24, 2024 for two years. No changes are proposed to the approved total residential dwelling units, or the total commercial square footage with the exception of the outdoor dining area. The Building 67 footprint is proposed to be decreased in size from 16,000 SF to 14,340 SF to allow for outdoor recreation space for tenants. Building 71 footprint is proposed to increase by 400 SF, with no change to the approved architectural façade.

- 63 Building: Total 13,400 SF commercial, 1-story
- 67 Building: Total 56,133 SF, including 8,000 SF commercial, 36 dwelling units, 4 stories
- 71 Building: Total 16,950 SF, including 15 dwelling units, 3 stories

A total of 0.5 acres of new impervious surfaces are proposed. New impervious surfaces are being created for the proposed parking lot expansion. A total of 1.1 acres of existing impervious surface are being redeveloped. The redeveloped areas consist of reconstructing portions of the existing asphalt parking lot and converting an area of existing pavement to the proposed residential building. A 0.3 acre area of existing impervious surface is proposed to be removed and restored as lawn. A net increase of 0.2 acres of impervious is proposed. The project includes new stormwater quality treatment and reduction measures. Retaining walls, 4' in height or less, are proposed to be boulder and/or redirock material. The grade at the

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<sup>1</sup> Outdoor cafe and table services is a permitted use in the B1 District.

<sup>2</sup> Waiver granted 09/2018 for 14 spaces per section 93-22(I) waiving up to 15% of required parking.

<sup>3</sup> Pursuant to Local Law 6 2014, the Planning Board determines parking requirements for developments within the B-1 District.

southwest corner is proposed to be raised for the revised stormwater conveyance and treatment. The area of disturbance with the proposed site plan amendment is approximately 1.9 ac.

### **Project Background:**

A site plan and special permit were approved for this site on 2/8/2022 for construction of a mixed use development, including 68,000 SF of new construction. Area variances were granted for the site on 12/15/2021 for urban regulations, including building height, placement (build to line, frontage buildout and building depth), and for more than one building on the lot as required by Section 98-11.

### **Existing Conditions:**

The developed site currently consists of a single-story commercial building (approximately 13,400 sf with 9 commercial tenant spaces: drive-up bank (recently vacated), optician, dry cleaner, liquor store, and offices/retail space) and another one-story commercial building (approximately 16,000 sf former grocery market, now vacant).

- 63 Building: The bank tenant moved out as of September 2023. The owner is considering new tenants, possibly a restaurant use that would also convert the roofed drive-thru area and adjacent drive-thru access lanes into outdoor dining area.
- 67 Building: it is the intent to demo the existing building in the near future. Construction of the new mixed-use building will commence when amended site plan approval is secured.
- 71 Building: Building is under construction. A late -spring 2024 occupancy is anticipated.
- Site: portions of the site around the 63 East Main Street building are functioning as 'normal'. Area around 71 East Main Street building is fenced off to separate construction area from remainder of the in-use parking area, etc.

### **Approvals and Permits:**

- Amended Site Plan Approval
- NYSDEC GP 0-20-001
- Village Board – MS4 and water connection
- NYCDEP – Sewer extension
- DCDOH – Sanitary improvements
- Pawling Joint Sewer Commission – Sanitary connection

**List of Involved Agencies:** Village of Pawling Planning Board, Village of Pawling Zoning Board of Appeals, Village of Pawling Village Board, NYC Department of Environmental Protection, Dutchess County Department of Health, Pawling Joint Sewer Commission

### **Reasons Supporting This Determination:**

A Part 1 Full Environmental Assessment Form was prepared for the project on October 31, 2023. Assessments of the potential impacts resulting from the proposed action which supported the Environmental Assessment Form findings included the following documents:

- Cover letter by J Group Designs, dated 10/31/2022
- Planning Board application
- Full Environmental Assessment Form (FEAF), J Group Designs, dated 10/31/2023
- Stormwater Pollution Prevention Plan, Insite Engineering, dated 1/30/2024
- Site Plan Sheets: Existing Conditions/Removals Plan Ex-1, Site Plan SP-1, Erosion and Sediment Control SP-2, Vehicle Maneuvering Plan VM-1, Details D-1, D-2, Insite Engineering, dated 10/31/2023, revised 2/27/2024
- Site Plan Sheets: Site Plan SY-1, Schematic Planting Plan SY-2, J Group Designs, dated 10/30/2023, revised 2/27/2024
- Response to Comments, J Group Designs, dated 12/29/2023
- Response to Comments, Insite Engineering, dated 12/29/2023
- Stormwater Pollution Prevention Plan, Insite Engineering, dated 12/29/2023
- Cover letter by J Group Designs, dated 1/25/2024
- PJSC Letter, dated 1/23/2024
- Insite Engineering Response Letter, dated 1/30/2024
- NYCDEP letter, dated 1/8/2024
- NYSDEC letter, dated 3/14/2024

The Lead Agency conducted its own independent review and analysis of the information provided and the potential environmental effects.

## **1.0 IMPACT ON LAND**

The proposed project requires an area of disturbance of approximately 1.9 acres. The project site is located within the NYCDEP Watershed and ground disturbance between 5,000 SF and 1 acre requires a Basic Stormwater Pollution Prevention Plan (SWPPP) in the New York City Department of Environmental Protection (NYCDEP) East of Hudson watershed, which requires coverage under the New York State Department of Conservation (NYSDEC) State Pollutant Discharge Elimination System (SPDES) General Permit (GP-0-20-001). Erosion and sediment control measures designed to minimize soil loss, and sediment control measures intended to retain eroded soil and prevent it from reaching water bodies or adjoining properties, have been developed in accordance with the New York State Standards and Specifications for Erosion and Sediment Control, New York State Department of Environmental Conservation (NYSDEC) (November 2016) and will be implemented during construction.

The depth to bedrock on the site may be located less than five feet from the ground surface. Rock encountered during construction is anticipated to be removed by mechanical methods (ripping). Hard rock excavation methods, which includes jack hammering (with a ram hoe) and/or blasting, are not anticipated during construction. If required, pre-drilling and splitting could be used to control and expedite both methods of removal. If blasting is needed, then all blasting operations will adhere to New York State and local ordinances governing the use of explosives. The State regulations are contained in 12 NYCRR 39 and include such requirements as licensing of operators, magazine (explosive storage) certification, and rules for conducting operations in a safe manner. Proper program guidelines will be established between the State, the Village of Pawling, and the blasting contractor prior to undertaking this activity. Blasting contractors in New York State are required to possess a valid New York State Department of Labor (NYSDEL) issued Blaster Certificate of Competence.

The proposed project requires the excavation and removal of more than 1,000 tons of natural material from the site. This material is piled (likely from earlier excavations that occurred on site) into a slope at the southwest corner that will be graded to make way for a level parking area and will be disposed of according to applicable regulations. The removal will occur all at once. Erosion and sediment control practices will be implemented.

The project is phased, with the construction of 71 mostly complete, the demolition of 67 and construction of the mixed use building are anticipated to occur next tandem with site improvements. The overall period is not anticipated to last longer than three years, with the overall level of activity not substantially different from a single phase project

Based on this information, the proposed Pawling Commons project is not expected to result in any significant adverse impacts on land.

## **2.0 IMPACT ON SURFACE WATER**

There are no wetlands located on the project site and the existing site is fully developed. There are state and federally regulated wetlands located approximately 500 FT west of the project site. There is a NYSDEC regulated stream located north of the project site by approximately 215 FT. With the implementation of the SWPPP and erosion and sediment controls; no significant adverse impacts to wetlands or water quality will occur.

## **3.0 IMPACT ON GROUNDWATER**

The project is anticipated to require 12,000 – 28,000 gallons per day at full build out, which would be provided by the Village of Pawling Water District #1 The Village has capacity to serve the new project. Fire pressure will be augmented by the installation of a fire storage tank to provide suitable pressure and service.

The proposed action is located over a principal aquifer, which the NYSDEC describes as aquifers known to be highly productive or whose geology suggests abundant potential water supply, but which are not intensively used as sources of water supply by major municipal systems at the present time. The proposed development is located within the Village of Pawling Water District #1 and existing lines serve the project; therefore, no private wells will be constructed. Accordingly, the proposed project will not result in any significant adverse impacts to the aquifer or the Village of Pawling water supply.

## **4.0 IMPACT ON PLANTS AND ANIMALS**

The United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation identified Indiana Bat (endangered) and Bog Turtle (threatened) as species potentially affected by activities on the project site. No “critical habitat” for any of the above-mentioned species or any other species has been designated by the USFWS within the project site. According to the NYSDEC, there are known occurrences of Bog Turtle on or in the vicinity of the project site. Impacts to the species and potential suitable habitat were assessed using the NYSDEC Bog Turtle Conservation Zones guidance document. The guidance document explains,

“Projects in and adjacent to Bog turtle habitat can cause habitat destruction, degradation and fragmentation. Of critical importance is evaluating the potential direct and indirect effects of activities that occur in or are proposed for upland areas adjacent to Bog turtle habitat. Even if the wetland impacts from an activity are avoided (i.e., the activity does not result in encroachment into the wetland), activities in adjacent upland areas can seriously compromise wetland habitat quality, fragment travel corridors, and alter wetland hydrology, thereby adversely affecting Bog Turtles.



Bog Turtle Conservation Zones have been designated with the intent of protecting and recovering known populations within the northern range of this species. The conservation suggestions for each zone are meant to guide the evaluation of activities that may affect high-potential bog turtle habitat, potential travel corridors, and adjacent upland habitat that may serve to buffer Bog Turtles from indirect effects. *Nevertheless, it is important to recognize that consultations and project reviews will continue to be conducted on a case-by-case basis, taking into account site- and project specific characteristics.*"

There are state and federally regulated wetlands located approximately 500 FT west of the project site and a NYSDEC regulated stream approximately 215 FT north of the site. The project site does not contain any wetlands or streams; therefore, the project site is not located in Zone 1. It is unknown whether the nearby wetlands or stream are occupied by Bog Turtles, but conservatively assuming this is the case, then the project would be located in Zone 2.

According to the guidance document, activities in Zone 2 "could indirectly destroy or degrade wetland habitat over the short or long-term, thereby adversely affecting Bog Turtles. In addition, activities in this zone have the potential to cut off travel corridors between wetlands occupied or likely to be occupied by Bog Turtles, thereby isolating or dividing populations and increasing the risk of Turtles being killed while attempting to disperse. Some of the indirect effects to wetlands resulting from activities in the adjacent uplands include: changes in hydrology (e.g., from roads, detention basins, irrigation, increases in impervious surfaces, sand and gravel mining); degradation of water quality (e.g., due to herbicides, pesticides, oil and salt from various sources including roads, agricultural fields, parking lots and residential developments); acceleration of succession (e.g., from fertilizer runoff); and introduction of exotic plants (e.g., due to soil disturbance and roads). This zone acts as a filter and buffer, preventing or minimizing the effects of land-use activities on Bog Turtles and their habitat. This zone is also likely to include at least a portion of the groundwater recharge/supply area for the wetland."

The existing site is fully developed and does not include aquatic resources or otherwise suitable habitat for the Bog Turtle. The wetlands to the west are located approximately 500 FT west of the project site and the nearest wetland to the east is located approximately 1,200 FT away. Therefore, it is unlikely that the site would be used as a travel corridor. The proposed action would not isolate or divide populations or increase the risk of Turtles being killed. There would be no change in hydrology or degradation of water quality with the implementation of the SWPPP and NYSDEC required erosion and sediment controls during construction. Therefore, no significant adverse impacts to wetland hydrology, water quality, and habitat continuity will occur as a result of the project. In a 3/14/2024 letter, the NYSDEC stated, "Based on the information received in the response to the SEQR letter dated December 22, 2023: if steps are taken to avoid impacts to water quality and wetland habitat offsite by using appropriate sediment and erosion control measures, as well as stormwater management actions, then the project is not likely to impact Bog Turtle."

Tree clearing will be restricted to occur while bats are in hibernation between November 1 and March 31<sup>st</sup>. Therefore, no significant adverse impacts to the Indiana Bat will occur.

For the reasons noted above no significant adverse impacts to endangered, threatened, or rare species will occur as a result of the proposed Pawling Commons project.

## **5.0 IMPACT ON TRANSPORTATION**

The combination of a new 8,400 SF commercial use(s) plus 53 apartment units will generate less trips in the AM and PM peak hour periods than the former 16,000 SF supermarket. There will be 18 additional trips due to the conversion of the former bank to restaurant use. The total number of PM peak hour trips remain lower than those experienced when the site was occupied by the grocery store by approximately 30%. Furthermore, the incremental trips being added as part of the proposed action

result in less than 100 trips during the peak period, which is below the SEQR threshold that recommends further analysis. The proposed project will provide adequate parking.

Based on this information, no significant adverse impacts to movement patterns will occur as a result of the proposed Pawling Commons project.

## **6.0 IMPACT ON NOISE, ODOR, OR LIGHT**

Rock encountered during construction is anticipated to be removed by mechanical methods (ripping). If hammering or blasting is required, it will be undertaken according to applicable regulations as stipulated above. Temporary impacts to ambient sound conditions may occur during construction. Sound levels during operation of the commercial and residential uses are anticipated to be typical for these uses and will be regulated pursuant to Local Law #5 of 1985.

The current site plan includes lighting and landscaping information. All outdoor lighting shall be on timers to dim between close and open of the commercial businesses. Lighting will be 3000 K or less and in accordance with materials submitted to the Planning Board.

There will be landscape screening at the southeast corner of the site as well as some evergreen plantings at the southwesterly side of the parking area. The Applicant will provide for additional evergreen screening along the access drive south of the proposed mixed-use (former market site) building. The traffic directional flow within the site will be one-way to alleviate potential off-site traffic headlight glare on adjoining residences.

Therefore, the proposed Pawling Commons project is not expected to result in any significant adverse noise, odor, or light related impacts.

## **7.0 IMPACT ON HUMAN HEALTH**

The project site is located within 1,500 feet of the Mizzentop Day School. The proposed use of the site includes residential and commercial uses which is consistent with local land uses. Therefore, no significant adverse impacts this facility will occur.

## **8.0 CONSISTENCY WITH COMMUNITY PLANS**

A site plan and special permit were approved for this site on 2/8/2022 for construction of a mixed use development, including 68,000 SF of new construction. The project is permitted by zoning and area variances were granted for the site on 12/15/2021 for urban regulations, including building height, placement (build to line, frontage buildout and building depth), and for more than on building on the lot as required by Section 98-11. The proposed amendment to the approved plan does not include any additional building construction.

Therefore, the proposed project is consistent with the intent of community plans.

## **9.0 CONSISTENCY WITH COMMUNITY CHARACTER**

A site plan and special permit were approved for this site on 2/8/2022 for construction of a mixed use development, including 68,000 SF of new construction. The project is permitted by zoning and area variances were granted for the site on 12/15/2021 for urban regulations, including building height, placement (build to line, frontage buildout and building depth), and for more than on building on the lot as required by Section 98-11. The proposed amendment to the approved plan does not include any additional building construction.

Therefore, the proposed project will not result in a significant adverse impact to community character.

## CONCLUSION

With reference to the criteria for significance found in 617.7 (c)(1)(i) – (xii) and as demonstrated above:

1. The project will not result in: a substantial change in existing air quality, other than short term; temporary construction impacts; ground or surface water quality or quantity; traffic and noise, other than short term; temporary construction impacts; a substantial increase in solid waste production or a substantial increase in potential for erosion, flooding, leaching or drainage problems.
2. The project will not result in: the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant or the habitat of such a species or other significant adverse impacts to natural resources.
3. The project will not result in the impairment of the environmental characteristics of a critical environmental area.
4. The project will not result in the creation of a material conflict with a community's current plans or goals as officially adopted.
5. 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.
6. The project will not result in a major change in the use of either the quantity or type of energy.
7. The project will not result in the creation of a hazard to human health.
8. The project will not result in a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses.
9. The project will not result in the encouragement or attraction of large numbers of people to a place or places for more than a few days, compared to the number of people who would come to such a place absent the action.
10. The project will not result in the creation of a material demand for other actions that would result in one of the above consequences.
11. The project will not result in changes in two or more areas 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.
12. The project is not a part of two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in Part 617.7 9(c)(1).

**Full Environmental Assessment Form**  
**Part 2 - Identification of Potential Project Impacts**

Agency Use Only [If applicable]	
Project :	Pawling Commons
Date :	3/19/24

**Part 2 is to be completed by the lead agency.** Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

**Tips for completing Part 2:**

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “Yes” to a numbered question, please complete all the questions that follow in that section.
- If you answer “No” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i> <div style="float: right; text-align: right;"> <input type="checkbox"/> NO      <input checked="" type="checkbox"/> YES </div>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: <u>None.</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>2. Impact on Geological Features</b> The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>3. Impacts on Surface Water</b> The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may create a new water body.	D2b, D1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: <u>None</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
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<b>4. Impact on groundwater</b> 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. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: <u>None</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>5. Impact on Flooding</b> The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>



g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>6. Impacts on Air</b> The proposed action may include a state regulated air emission source. <span style="float: right;"><input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</span> (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>7. Impact on Plants and Animals</b> The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <span style="float: right;"><input type="checkbox"/> NO <input checked="" type="checkbox"/> YES</span> <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: <u>None</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>8. Impact on Agricultural Resources</b> The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>



<b>9. Impact on Aesthetic Resources</b> 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. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>10. Impact on Historic and Archeological Resources</b> The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

<b>11. Impact on Open Space and Recreation</b> The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>12. Impact on Critical Environmental Areas</b> The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**13. Impact on Transportation**

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

☐ NO☒ YES

(See Part 1. D.2.j)

*If "Yes", answer questions a - f. If "No", go to Section 14.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: <u>None</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

**14. Impact on Energy**

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

☒ NO☐ YES

(See Part 1. D.2.k)

*If "Yes", answer questions a - e. If "No", go to Section 15.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____			

**15. Impact on Noise, Odor, and Light**

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

☐ NO☒ YES

(See Part 1. D.2.m., n., and o.)

*If "Yes", answer questions a - f. If "No", go to Section 16.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: <u>None</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

☐ NO

☐ YES

*If "Yes", answer questions a - m. If "No", go to Section 17.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input checked="" type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: <u>None</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>17. Consistency with Community Plans</b> The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>		<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other: <u>None.</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>18. Consistency with Community Character</b> The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>		<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: <u>None</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

**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.

See enclosed Negative Declaration.

**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

See enclosed Negative Declaration

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the  
Village of Pawling Planning Board 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: Pawling Commons

Name of Lead Agency: Village of Pawling Planning Board

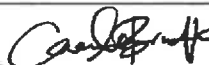
Name of Responsible Officer in Lead Agency: Robert Pfister, Jr.

Title of Responsible Officer: Chairperson

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)



Date:

03/19/2024

**For Further Information:**

Contact Person: Vivian Nikolatos, Planning Board Secretary, Village of Pawling

Address: 9 Memorial Avenue

Telephone Number: 845-855-1128

E-mail: pbsecy@villageofpawling.org

**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>