

§ 117-1 **Title, authority, purpose and intent.**

A. This chapter shall be known as the "Environmental Review Ordinance."

B. This chapter is enacted pursuant to Article 8 of the New York Environmental Conservation Law and 6 NYCRR Part 617, State Environmental Quality Review (SEQR) regulations.

C. The basic purpose of this chapter is to incorporate consideration of environmental factors into the existing decision-making processes of Town government at the earliest possible time. It is the intent of this chapter that all agencies of Town government conduct their affairs with an awareness that they are stewards of the air, water, land and living resources and that they have an obligation to protect the environment for the use and enjoyment of this and all future generations. No decision to carry out, approve or fund any action subject to review pursuant to this chapter shall be made by any unit of Town government until there has been full compliance with all applicable requirements of this chapter.

D. It is the intent of this chapter to supplement and not to replace or supersede 6 NYCRR Part 617.

§ 117-2 **Definitions.**

A. As used in this chapter, the following terms shall have the meanings indicated:

**AGENCY**

A state or local governmental unit, including but not limited to towns, departments, and officers.

**ENVIRONMENTAL ASSESSMENT**

A preliminary analysis of the expected environmental impacts of a proposed action, resulting in a determination of whether or not the proposed action may significantly affect the environment. A determination that the proposed action may significantly affect the environment will require preparation of an environmental impact statement.

**MINISTERIAL ACT**

An action performed upon a given state of facts in a prescribed manner imposed by law or regulation without the exercise of any judgment or discretion as to the propriety of the action, although such law or regulation may require, to a limited degree, an interpretation of its language or intent. Such actions shall include, but not be limited to, the issuance of a building permit, certificate of zoning compliance or certificate of occupancy pursuant to the Town Code; or the issuance of a permit for fishing or hunting in the upland water supply watershed to holders of valid New York State fishing or hunting licenses.

**NEIGHBORHOOD CHARACTER**

The physical elements and attributes of the area within an action's potential area of environmental impact, including land use, streetscape characteristics, design and scale of existing structures, natural features, existing pattern of population concentrations and intensity of land development.

B. Any words appearing and not defined in this chapter shall have the meaning found in 6 NYCRR 617.2.

§ 117-3 **General rules.**

The general rules shall be those found in 6 NYCRR 617.3.

§ 117-4 **Unlisted actions.**

Unlisted actions are all actions or class of actions not identified as a Type I or Type II action under 6 NYCRR 617.4 or 617.5 or not identified as a Type II action listed in § 117-5 of this chapter.

**§ 117-5 Type II actions.**

The following are Type II actions:

A. All actions identified as actions not requiring environmental review in 6 NYCRR 617.5.

B. In addition, the following are deemed actions not requiring review, provided that no thresholds listed in 6 NYCRR 617.4 are exceeded:

(1) Zoning Board of Appeals:

(a) Administrative area variances for six inches or less.

(b) Special use permits:

[1] Customary home occupation.

[2] Recreational vehicle outside storage.

[3] Temporary activity permit.

[4] Honeybees and poultry on nonfarm residential premises.

(2) Planning Board:

(a) Administrative site plan applications.

(b) Administrative subdivision applications.

(c) Sign permit applications.

(3) Historic Architecture Commission:

(a) Certificate of appropriateness applications.

**(4) Town Board**

**(a) Conservation easements.**