

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.

The action is the adoption of a local law to provide for updated procedural and substantive review requirements for telecommunications facilities. The town currently has a Code chapter that governs the review and approval of telecommunications facilities, and in conjunction with the current zoning law, such facilities are allowable by special use permit in any zoning district. This proposed local law would replace the Town's current regulations for telecommunications facilities with more updated and tailored regulatory requirements.

The local law takes into account the requirements imposed by federal law for the review of telecommunications facilities, while also ensuring that such facilities are properly reviewed for potential impacts. The intent of the proposed local law is to balance the requirements of federal law with the Town's goal of minimizing unnecessary adverse impacts that may arise from the siting, placement, physical size, and/or unnecessary proliferation of telecommunications facilities. The proposed local law provides varying levels of review, depending upon the nature of any given application, ranging from co-locations and modifications of small wireless facilities being permissible by issuance of a building permit, to requiring special use permit and site plan review for larger facilities, including co-locations and modifications that exceed certain thresholds; and for new towers and all other wireless facilities not governed by other categories, restricting such uses to outside the Town's Central Commercial zoning district. The proposed local law includes design standards in furtherance of avoiding or mitigating adverse impacts, including relating to painted/unpainted finish, limiting illumination where and to the extent possible, camouflaging antennas and associated equipment enclosures, limiting height to the extent possible, and the like. In addition, the proposed local law requires that the Planning Board make determinations in its review of a special use permit and site plan applications concerning whether a significant adverse aesthetic impact, a significant adverse impact upon real property values, a significant adverse impact upon the community character, or a significant adverse impact upon ridgelines may result from the proposal.

The proposed local law requires that the Planning Board comply with the State Environmental Quality Review Act and/or the National Environmental Policy Act, as applicable, and that the Planning Board consider potential adverse impacts upon any historic site, district or structure. The proposed local law further requires the posting of a bond in an amount sufficient to decommission and remove the facility and shall assure the faithful performance of any terms and conditions of the proposed local law and any special use permit conditions.

Given these considerations, the Town Board finds and determines that the proposed action--the adoption of Introductory Local Law No. 5 of 2025--will not result in any significant adverse environmental impacts.

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
Town Board of the Town of New Lebanon _____ 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: Introductory Local Law No. 5 of 2025

Name of Lead Agency: Town Board of the Town of New Lebanon

Name of Responsible Officer in Lead Agency: Tistrya Houghtling

Title of Responsible Officer: Town Supervisor

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date: 09/052025

For Further Information:

Contact Person: Tistrya Houghtling

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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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