

Bill No. ____ of 2016

**INCORPORATED VILLAGE OF GREAT NECK
BOARD OF TRUSTEES**

Local Law No. ____ of 2016

A LOCAL LAW TO AMEND CHAPTERS
321, 485 AND 575 OF THE VILLAGE
CODE CONCERNING HOUSING,
BUILDING AND ZONING STANDARDS

BE IT ENACTED, by the Board of Trustees of the Incorporated Village of Great Neck, as follows:

Section 1. Chapter 321 of the Village Code, entitled "Housing Standards", is hereby amended as follows:

§ 321-9 Habitable space.

A. Size.

- (1) Habitable space shall have a minimum ceiling height of seven feet six inches over 50% of the floor area. The floor area where the ceiling height is less than five feet shall not be considered in computing floor area.
- (2) A dwelling unit shall contain at least one habitable room having a minimum of 150 square feet of floor area and a minimum horizontal dimension of 10 feet.
- (3) Kitchens shall have a minimum of 60 square feet of floor area and other habitable spaces shall contain not less than 80 square feet of floor area and shall have a minimum horizontal dimension of seven feet.
- (4) Every alcove less than 60 square feet in area, except a cooking space or foyer, shall be deemed to be part of a habitable room. The area of the opening in the dividing partition between the alcove and the room shall be at least 80% of the wall area of such partition, measured on the alcove side, but not less than 40 square feet. The depth of such alcove shall not exceed 1/2 its width. The floor area of the alcove shall be added to the floor area of the room in determining light and ventilation requirements for the room. An alcove with an area of 60 square feet or more, but less than the required area of a habitable room, shall be separately lighted and ventilated, as required for habitable space.

B. Basements. Basements shall not be deemed habitable space where required windows are located only on one wall and the depth of the basement space exceeds four times its clear height.

C. Light and ventilation.

- (1) Habitable space shall be provided with natural light through one or more windows, skylights or transparent or translucent panels, or any combinations thereof, that face directly on legal open spaces at least six inches above the adjoining finished grade or that are above a roof.
- (2) Habitable space shall be provided with artificial light.
- (3) Habitable space shall be provided with natural ventilation through openable parts of windows or other openings in exterior walls that face legal open spaces above the adjoining finished grade or above a roof, or through openable parts of skylights, providing total clear ventilation area equal to not less than 5% of the total floor area of each habitable space.
- (4) Habitable space may also be provided with mechanical ventilation, in addition to natural ventilation.

D. Miscellaneous requirements.

- (1) Dwelling units shall be separated from each other and from other spaces outside the dwelling unit.
- (2) Sleeping rooms within dwelling units shall be separated from each other and from other spaces outside the sleeping rooms to provide privacy.

E. Attics. An attic may be converted to habitable space if the conversion satisfies all relevant requirement of the NYS Residential Building Code, as in effect at the time of the application.

Section 2. Chapter 485 of the Village Code, entitled "Streets and Sidewalks", is hereby amended as follows:

§ 485-27 Curb cuts.

- A. No permit shall be issued for a curb cut until its size and location are first approved by the Village Superintendent of Public Works.
- B. Not more than one curb cut, ~~having a maximum width of 18 feet,~~ shall be permitted for any single-family dwelling in the Village on a property with street frontage of less than 60 75 feet, except with the approval of the Board of Trustees after it obtains the advice of the Superintendent of Public Works. The width of the curb cut shall not exceed 18 feet.
- C. The Committee of Architectural Review, after it obtains the advice of the Superintendent of Public Works, shall permit not more than two curb cuts, one curb cut having a maximum width of 18 feet and the other curb cut having a maximum width of 12 feet, for any single-family dwelling in the Village with on property with street frontage of ~~60~~ 75 feet or more.

- D. In passing on applications for curb cut permits, the Superintendent of Public Works shall take into consideration the prospective character of the development, the traffic it will generate, the effect of said traffic upon existing public streets or proposed streets, the design and frequency of access and the extent to which such development may impair the safety and traffic-carrying capacity of the public streets affected.
- E. In approving any application for two curb cuts pursuant to this section, the Committee of Architectural Review shall require a full landscaping plan for the front yard, to be subject to its approval.
- F. The Building Inspector shall have the authority to require a survey to assure that any driveway that has been constructed with two curb cuts is in accordance with the approved plans.

Section 3. Chapter 575 of the Village Code, entitled "Zoning", is hereby amended as follows:

§ 575-7 Height.

The maximum height of a building shall not exceed 30 feet or 22 feet at the eaves. ~~The foregoing shall not apply to chimneys, antennas, and decorative cupolas, which may not penetrate a sky plane height of 35 feet.~~ Notwithstanding the preceding sentence:

- (1) chimneys, antennas and decorative cupolas may extend to a height of 35 feet.
- (2) roof peaks and ridges may extend to a height of 35 feet if:
 - (a) the roof is pitched at a ratio of at least 6:8; and
 - (b) the ceiling height of the space within the roof is less than six feet; and
 - (c) no windows or skylights are proposed.

§ 575-11 Lot Coverage.

Lot Coverage on a residential lot in the Residence AA District shall not exceed the following thresholds:

- (1) Front Yard Coverage: 50%
- (2) Rear Yard Coverage: 40%
- (3) Side Yard Coverage: 10%

§ 575-22 Height.

The maximum height of a building shall not exceed 30 feet or 22 feet at the eaves. ~~The foregoing shall not apply to chimneys, antennas, and decorative cupolas, which may not penetrate a sky plane height of 35 feet.~~ Notwithstanding the preceding sentence:

- (1) chimneys, antennas and decorative cupolas may extend to a height of 35 feet.
- (2) roof peaks and ridges may extend to a height of 35 feet if:
 - (a) the roof is pitched at a ratio of at least 6:8; and
 - (b) the ceiling height of the space within the roof is less than six feet; and
 - (c) no windows or skylights are proposed.

§ 575-26 Lot Coverage.

Lot Coverage on a residential lot in the Residence A District shall not exceed the following thresholds:

- (1) Front Yard Coverage: 50%
- (2) Rear Yard Coverage: 40%
- (3) Side Yard Coverage: 10%

§ 575-36 Height.

The maximum height of a building shall not exceed 30 feet or 22 feet at the eaves. ~~The foregoing shall not apply to chimneys, antennas, and decorative cupolas, which may not penetrate a sky plane height of 35 feet.~~ Notwithstanding the preceding sentence:

- (1) chimneys, antennas and decorative cupolas may extend to a height of 35 feet.
- (2) roof peaks and ridges may extend to a height of 35 feet if:
 - (a) the roof is pitched at a ratio of at least 6:8; and
 - (b) the ceiling height of the space within the roof is less than six feet; and
 - (c) no windows or skylights are proposed.

§ 575-40 Lot Coverage.

Lot Coverage on a residential lot in the Residence A-1 District shall not exceed the following thresholds:

- (1) Front Yard Coverage: 50%
- (2) Rear Yard Coverage: 40%
- (3) Side Yard Coverage: 10%

§ 575-50 Height.

The maximum height of a building shall not exceed 30 feet or 22 feet at the eaves. ~~The foregoing shall not apply to chimneys, antennas, and decorative cupolas, which may not penetrate a sky plane height of 35 feet.~~ Notwithstanding the preceding sentence:

- (1) chimneys, antennas and decorative cupolas may extend to a height of 35 feet.
- (2) roof peaks and ridges may extend to a height of 35 feet if:
 - (a) the roof is pitched at a ratio of at least 6:8; and
 - (b) the ceiling height of the space within the roof is less than six feet; and
 - (c) no windows or skylights are proposed.

§ 575-54 Lot Coverage.

Lot Coverage on a residential lot in the Residence B District shall not exceed the following thresholds:

- (1) Front Yard Coverage: 50%
- (2) Rear Yard Coverage: 40%
- (3) Side Yard Coverage: 10%

§ 575-64 Height.

The maximum height of a building shall not exceed 30 feet or 22 feet at the eaves. ~~The foregoing shall not apply to chimneys, antennas, and decorative cupolas, which may not penetrate a sky plane height of 35 feet.~~ Notwithstanding the preceding sentence:

- (1) chimneys, antennas and decorative cupolas may extend to a height of 35 feet.

- (2) roof peaks and ridges may extend to a height of 35 feet if:
 - (a) the roof is pitched at a ratio of at least 6:8; and
 - (b) the ceiling height of the space within the roof is less than six feet; and
 - (c) no windows or skylights are proposed.

§ 575-68 Lot Coverage.

Lot Coverage on a residential lot in the Residence B-1 District shall not exceed the following thresholds:

- (1) Front Yard Coverage: 50%
- (2) Rear Yard Coverage: 40%
- (3) Side Yard Coverage: 10%

§ 575-78 Height.

The maximum height of a building shall not exceed 30 feet or 22 feet at the eaves. The foregoing shall not apply to chimneys, antennas, and decorative cupolas, which may not penetrate a sky plane height of 35 feet. Notwithstanding the preceding sentence:

- (1) chimneys, antennas and decorative cupolas may extend to a height of 35 feet.
- (2) roof peaks and ridges may extend to a height of 35 feet if:
 - (a) the roof is pitched at a ratio of at least 6:8; and
 - (b) the ceiling height of the space within the roof is less than six feet, as measured from the floor to ceiling, or floor to collar ties, as the case may be; and
 - (c) no windows or skylights are proposed.

§ 575-82 Lot Coverage.

Lot Coverage on a residential lot in the Residence C District shall not exceed the following thresholds:

- (1) Front Yard Coverage: 50%
- (2) Rear Yard Coverage: 40%
- (3) Side Yard Coverage: 10%

§ 575-92 Height.

The maximum height of a building shall not exceed 30 feet or 22 feet at the eaves. ~~The foregoing shall not apply to chimneys, antennas, and decorative cupolas, which may not penetrate a sky plane height of 35 feet.~~ Notwithstanding the preceding sentence:

- (1) chimneys, antennas and decorative cupolas may extend to a height of 35 feet.
- (2) roof peaks and ridges may extend to a height of 35 feet if:
 - (a) the roof is pitched at a ratio of at least 6:8; and
 - (b) the ceiling height of the space within the roof is less than six feet; and
 - (c) no windows or skylights are proposed.

§ 575-96 Lot Coverage.

Lot Coverage on a residential lot in the Residence D District shall not exceed the following thresholds:

- (1) Front Yard Coverage: 50%
- (2) Rear Yard Coverage: 40%
- (3) Side Yard Coverage: 10%

§ 575-115.6 Design standards for multifamily dwellings and townhouses.

- A. For any multifamily or townhome development, the site plan application shall consider any visual impacts of the proposed development on adjacent properties and the surrounding community, including, but not limited to ~~shadowing effects and~~ those guidelines specified in § 575-179.
- B. In addition, building frontage along a public street should be designed with principal access to the street. If driveways and indoor garages are provided in that area, there should be sufficient space for at least one vehicle to park in the driveway without blocking the sidewalk. Principal pedestrian access should be provided to the multifamily building or townhome from the street.

§ 575-168 Facades of single-family dwellings.

In a single-family dwelling:

- A. No horizontal plane of a front or side facade shall extend for more than ~~20~~ 30 feet without a change or break in said plane of at least two feet in width. The horizontal plane of a front

façade shall have at least one break of at least two feet in width, regardless of the overall width of the facade. A projecting chimney shall not be considered a change or break in a plane if it is (1) a minimum of two stories tall; (2) at least four feet wide up to the second story, at which point its width may be reduced to three feet; and (iii) at least two feet deep.

- B. No more than 75% of a two-story front or side facade shall be made in one vertical plane; the balance of said facade shall follow a vertical plane which is separated from the former plane by at least two feet. A projecting chimney shall not be considered a separation.
- C. At least 10% of each and every facade shall be comprised of fenestration (windows and/or doors).
- D. The eave of an open porch on the front of a dwelling shall not exceed 12 feet in height.

§ 575-212 Terms defined.

FRONT YARD COVERAGE

Front Yard Coverage is the total area of a Front Yard, measured in square feet, that is covered by an Accessory Building, Structure, porch, patio, paving or other surfacing, not including landscaping.

REAR YARD COVERAGE

Rear Yard Coverage is the total area of a Rear Yard, measured in square feet, that is covered by an Accessory Building, Structure, porch, patio, paving or other surfacing, not including landscaping.

SIDE YARD COVERAGE

Side Yard Coverage is the total area of a Side Yard, measured in square feet, that is covered by an Accessory Building, Structure, porch, patio, paving or other surfacing, not including landscaping.

§ 575-317 Design standards for townhouses.

- A. For all townhome developments, the site plan application shall consider all visual impacts of the proposed development on adjacent properties and the surrounding community, including but not limited to shadowing effects and those guidelines specified in § 575-179.
- B. In addition, building frontage along a public street should be designed with principal access to the street. If driveways and indoor garages are provided in that area, there should be sufficient space for at least one vehicle to park in the driveway without blocking the sidewalk. Principal pedestrian access should be provided to the townhome from the street.

Section 3. This local law shall take effect immediately upon filing with the Office of the Secretary of State.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: The Incorporated Village of Great Neck			
Project Location (describe, and attach a location map): Village of Great Neck, New York			
Brief Description of Proposed Action: The Proposed Action is a local law to amend certain sections of the Village Code to: 1) allow habitable space in attics, subject to compliance with the NYS Fire Code; 2) increase the minimum street frontage required for residential properties to be eligible for two curb cuts; 3) clarify the method of calculating residential building height; 4) include new restrictions on residential lot coverage; 5) strengthen the restrictions on uninterrupted horizontal planes on buildings in residential districts; and 6) eliminate the need for shadow studies on land use applications.			
Name of Applicant or Sponsor: The Incorporated Village of Great Neck		Telephone: (516) 482-0019	
		E-Mail: jgill@greatneckvillage.org	
Address: 51 Baker Hill Road			
City/PO: Great Neck		State: NY	Zip Code: 11023
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Incorporated Village of Great Neck</u> Date: _____</p> <p>Signature: _____</p>		

Project:

Date:

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project:

Date:

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Please see the attached Addendum.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

The Incorporated Village of Great Neck

Name of Lead Agency

Date

Joe Gill

Village Administrator/Clerk

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM

INCORPORATED VILLAGE OF GREAT NECK, NEW YORK

**ADDENDUM TO SEAF PART 3 ON
A LOCAL LAW TO AMEND CHAPTERS 321, 485 AND 575 OF THE VILLAGE CODE
CONCERNING HOUSING, BUILDING AND ZONING STANDARDS**

The “Proposed Action” consists of the adoption of legislation amending certain provisions of the Village’s Code to: 1) allow habitable space in attics; 2) increase the minimum street frontage required for residential properties eligible for two curb cuts; 3) clarify the method for calculating permissible building height in residential districts; 4) inclusion of new restrictions on lot coverage in residential districts; 5) strengthening the restrictions on uninterrupted horizontal planes on buildings in residential districts; and 6) remove the requirement for shadow studies as part of land use applications. The Board of Trustees, upon consideration of the proposed legislation, makes the following findings:

(a) the Proposed Action requires other legislative and/or administrative review and action with respect to any particular project before approval for development of such project can be granted, with such review to include compliance with SEQRA requirements as to each such proposed action;

(b) the Proposed Action does not, in and of itself, authorize any particular project, nor otherwise alter or amend the Village zoning and planning regulations, for any particular property, development or project, and each such project will require independent review pursuant to SEQRA prior to approval;

(c) in the course of its review of the EAF, the Board of Trustees has considered the following factors, among others, and hereby makes the following findings with respect to each of the following factors:

(i) the Proposed Action will not result in any substantial adverse

change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, nor any substantial increase in solid waste production, nor create a substantial increase in the potential for erosion, flooding, leaching or drainage problems; on the contrary, the new restrictions on lot coverage on properties in residential districts (whereas there are currently no such restrictions), clarification of allowable residential building height, and greater restriction on properties eligible for two curb cuts will all reduce the amount of permissible development on residential properties which will in turn preserve open space and reduce potential storm water runoff; thus, the Proposed Action will produce positive environmental impacts;

(ii) the Proposed Action 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;

(iii) the Proposed Action will not impair the environmental characteristics of any Critical Environmental Area;

(iv) the Proposed Action will not conflict with the community's current plans or goals as officially approved or adopted, and is consistent with such plans and goals;

(v) the Proposed Action will not impair the character or quality of important historical, archeological, architectural or aesthetic resources or of existing community or neighborhood character;

(vi) the Proposed Action will not result in a major change in the use of either the quantity or type of energy;

(vii) the Proposed Action will not create a hazard to human health;

(viii) the Proposed Action will not create 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;

(ix) the Proposed Action will not encourage or attract large numbers of persons to any place for more than a few days, compared to the number who would come to such place without such action;

(x) the Proposed Action will not create changes in two or more elements of the environment, no one of which would have a significant impact on the environment, but when taken considered together would result in a substantial adverse impact on the environment;

(xi) the Proposed Action will not create substantial adverse impacts when considered cumulatively with any other actions, proposed or in process; and

(xii) the Proposed Action will not result in substantial adverse impact with respect to any relevant environmental consideration, including noise, aesthetics, traffic, air quality, water quality or adequacy of water supply, drainage, soil conditions, or quality of life in the community in general and the immediate neighborhood in particular.

Accordingly, adoption of a Negative Declaration of Environmental Significance is appropriate.