

TOWN OF BEEKMAN TOWN BOARD
Minutes for Wednesday June 7, 2023

The Town of Beekman Board met for their regularly scheduled meeting on Wednesday June 7th, 2023. The meeting was called to order by Supervisor Covucci at 7:03PM. The following members were present: Supervisor Mary Covucci, Councilman Stiegler, Councilman Battaglini, Councilman Lemak and Councilwoman Sharon Wohrman.

Also present were the Town Clerk – Lauren Abbatantuono and Town Attorney Craig Wallace

Supervisor Covucci led the Pledge of Allegiance. Supervisor Covucci pointed out the emergency exits and called for a moment of silence for all those who have served our Country.

Supervisor Covucci made a motion to open the Public Hearing at 7:00PM for the LOCAL LAW AMENDING CHAPTER 126.1 "SHORT-TERM RENTALS" AND CHAPTER 155 "ZONING" OF THE CODE OF THE TOWN OF BEEKMAN. SECONDED BY COUNCILMAN STIEGLER, ALL IF FAVOR, AYE. There were no written comments or public comments regarding the Public Hearing. Supervisor Covucci made a motion to close the Public Hearing at 7:07PM, SECONDED BY COUNCILMAN LEMAK, ALL IN FAVOR, AYE.

Supervisor Covucci went over the Agenda items and the Resolutions were read by the Town Board members

Public Comments on Agenda Items: NONE

Public Comments: Julien Rancourt, 1263 Beekman Road thanked Town Clerk Lauren Abbatantuono and Amy, the Beekman Fire Dept especially the Fire Police for a great job helping with the parade.

Daniel Quartuccio, 8 Grants Path, had comments regarding the Town of Beekman's Ban on Outdoor Wood Boilers and is looking for direction on how they can possibly change the policy regarding this Ban. Supervisor Covucci apologized and explained that she had a very busy week but she would take a look into this policy speak to the Town Board and get back to him. Daniel thanked Supervisor Covucci for her time.

Supervisor Covucci made a motion to open the Public Hearing at 7:15PM ADOPTING LOCAL LAW No.5 OF THE YEAR 2023 "CHAPTER 80 PUBLIC AND PRIVATE FIREWORKS DISPLAY AND STORAGE". SECONDED BY COUNCILWOMAN WOHRMAN, ALL IF FAVOR, AYE. There were no written comments or public comments regarding the Public Hearing. Supervisor Covucci made a motion to close the Public Hearing at 7:17PM, SECONDED BY COUNCILMAN BATTAGLINI, ALL IN FAVOR, AYE.

Public Comments: Julien Rancourt, 1263 Beekman Road thanked Town Clerk Lauren Abbatantuono and Amy, the Beekman Fire Dept especially the Fire Police for a great job helping with the parade.

Other Town Board Business: COUNCILWOMAN WOHRMAN provided details on the upcoming concerts that will be held this year at Town Center Park, (see attached). **COUNCILMAN BATTAGLINI**, thanked Town Clerk Lauren Abbatantuono for the hard work that she put into the Memorial Day Parade/Ceremony. **TOWN CLERK, LAUREEN ABBATANTUONO** thanked Julien

Rancourt, Ruth Hogan for their help with the Flags along the parade route, also thanked Lisa Ritter and the Goss Family, Sunflower farm, Guest speakers and Grand Marshal and Frank Lemak for all of their positive efforts. **SUPERVISOR COVUCCI**, made mention of the link on the front page of the Town of Beekman website where you can sign up for email blasts.

Supervisor Covucci Next Town Board Meeting: Tuesday, June 20th @ 7:00PM in the Town Hall Meeting Room.

Supervisor Covucci made a motion at 7:27PM to adjourn the meeting, seconded by Councilman Battaglini.

Respectfully Submitted by Town Clerk

Laureen Abbatantuono

13th June, 2023

A handwritten signature in black ink, appearing to read 'Laureen Abbatantuono', with a long horizontal flourish extending to the right.

Laureen Abbatantuono

**BEEKMAN TOWN BOARD
TOWN BOARD MEETING AGENDA
JUNE 7, 2023
7:00 PM**

- Meeting called to order
- Pledge of Allegiance
- Administrative Announcement--Fire Exits

PUBLIC HEARING CONTINUATION

- **7:00 PM** Local Law No.4 of the year 2023 "Amended Short Term Rental"
- **7:15 PM** Local Law No. 5 of the year 2023 "Public and Private Firework Displays"

TOWN BOARD MEETING

- Supervisor Comments
- Public comment on Agenda Items and Resolutions

RESOLUTIONS

1. Approval of May 23, 2023 Minutes
2. Adopt Negative Declaration for Local Law No. 4 of the Year 2023
3. Approve Budget Adjustment May 2023 #2023-05
4. Adopt Local Law No.5 of 2023 "Chapter 80 Public and Private Fireworks Display and Storage"
5. Final Pay App (#4) for Rec Field #1
6. Revise the Highway Garage Improvements Capital Fund
7. Adopt Local Law No. 4 of 2023 "Amended Short Term Rental"
8. Band for Evening in the Park at TCP Pavilion
9. Approval of Payment of Claims

Other Town Board Business

- General Board Comments
- **Next Regular Town Board Meeting: Tuesday, June 20, 2023 at 7:00 PM**

***AGENDA SUBJECT TO CHANGE**

RESOLUTION NO.06:07:23-1

RE: APPROVAL OF PAST TOWN BOARD MINUTES

WHEREAS, Town Clerk Laureen Abbataantuono has provided copies of the minutes of the May 23, 2023 Town Board Meeting to all members of the Beekman Town Board; and

WHEREAS, Town Board members have had the opportunity to review said minutes;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts the minutes of the May 23, 2023 Town Board Meeting.

Introduced: COUNCILMAN STIEGLER

Seconded: COUNCILMAN BATAGLINI

ROLL CALL VOTE:

Councilman Stiegler ABSTAIN

Councilman Battaglioni AYE

Councilman Lemak AYE

Councilwoman Woehrman AYE

Supervisor Covucci AYE

Dated: June 7, 2023

RESOLUTION NO. 06:07:23 -2

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BEEKMAN

ADOPTING NEGATIVE DECLARATION FOR "LOCAL LAW NO. 4 OF THE YEAR 2023, AMENDING CHAPTER 126.1 'SHORT-TERM RENTALS' AND CHAPTER 155 'ZONING' OF THE CODE OF THE TOWN OF BEEKMAN"

WHEREAS, the Town of Beekman Town Board is considering the adoption of a Local Law entitled "Local Law No. 4 of the Year 2023, Amending Chapter 126.1 'Short-Term Rentals' and Chapter 155 'Zoning' of the Code of the Town of Beekman"; and

WHEREAS, the Town Board has determined that the Proposed Action is a Type I action pursuant to Article 8 of the Environmental Conservation Law, Part 617 NYCRR (commonly known as "SEQRA"); and

WHEREAS, the Town Board has determined that the proposed Local Law is an action for which there are no other Involved Agencies and that the Town Board is therefore, by default, the Lead Agency for this action; and

WHEREAS, the Attorney to the Town has prepared a Full Environmental Assessment Form (FEAF) regarding the proposed Local Law, which FEAF analyzes the potential environmental impacts regarding said Local Law; and

WHEREAS, the Town Board has reviewed the Local Law and the Full Environmental Assessment Form.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Beekman hereby adopts the attached Negative Declaration, for the reasons stated therein, thereby finding that the proposed Local Law entitled "Local Law No. 4 of the Year 2023, Amending Chapter 126.1 'Short-Term Rentals' and Chapter 155 'Zoning' of the Code of the Town of Beekman" will have no significant adverse impact upon the environment, and thereby ending the SEQRA process with respect to said Local Law; and

BE IT FURTHER RESOLVED, that the Town Clerk shall cause the Negative Declaration to be circulated to the involved agencies and to have it published in the Environmental Notice Bulletin as required by SEQRA regulations.

Introduced: COUNCILMAN BATTAGLINI

Seconded: COUNCILMAN LEMAK

ROLL CALL VOTE:

Councilman Stiegler	AYE
Councilman Battaglini	AYE
Councilman Lemak	AYE
Councilwoman Wohrman	AYE
Supervisor Covucci	AYE

Dated: June 7, 2023

RESOLUTION NO. 06:07:23-3**RE: APPROVE TOWN OF BEEKMAN BUDGET REVISIONS #2023-05**

WHEREAS, the Town of Beekman's Accounting Office recommends certain budget revisions based on department requests and/or the Accounting Office review and analysis of expenditures or revenues **NOW, THEREFORE, BE IT RESOLVED** that the following itemized revisions are approved by the Town of Beekman Town Board identified as Budget Revision Number #2023-05

Budget Revisions for May 2023 # 2023-05

Revision #	Account #	Account	Increase	Decrease
General Fund				
2023-05-01	A-1110-0404	Court Training		357
	A-1110-0413	Court		
Security			357	
				-Transfer for Training Expense
2023-05-02	A-1410-0404	Town Clerk Training		423
	A-1410-0101	Town Clerk		
Staff			423	
				-Transfer for Training Expense
2023-05-03	A-1410-0460	Clerk Software Support		78
	A-1410-0401	Clerk		
Supplies			78	
				Transfer for Support
2023-05-04	A-1420-0430	Legal Counsel Highway		1,000
	A-1420-0440	Legal Labor		
Counsel			1,000	
				-Transfer for Legal Services
2023-05-05	A-5010-0107	Hwy Supt. Vehicle		500
	A-5010-0403	Hwy Supt.		
Dues			500	
				-Transfer for Vehicle Allowance
2023-05-06	A-7110-0497	Parks Maintenance		4,770
	A-1990-0400	Contingent		
Account			4,770	
				-Transfer for Field Maintenance
2023-05-07	A-7118-0200	Remembrance Park Equipment	15,000	
	A-0000-2710	County Grant		15,000
				-Record Veterans Grant for Plaques
2023-05-08	A-7180-0400	Lake Expense		4,000
	A-1990-0400	Contingent		
Acct.			4,000	
				-Transfer for Highway Work at the Lake
2023-05-09	A-8010-0470	Zoning Consulting		4,300
	A-1990-0400	Contingent		
Account			4,300	
				-Record Monitoring Contract
2023-05-10	A-8090-0400	Environmental Expense		7,930

Account	A-1990-0400	Contingent	7,930
		-Transfer for Special Sampling	
2023-05-11	A-9950-0900	Transfer to Capital Fund	100,000
	A-0000-9912	Assigned for Capital Use	100,000
		-Transfer for Garage Project	

Highway Fund

2023-05-12	DA-5112-0200	Improvement CHIPS	91,795
	DA-5112-0220	Pave NY Improvements	40,150
	DA-5112-0230	Winter Aid Improvements	32,144
	DA-5112-0210	POP NYImprovements	53,548
	DA-0000-3501	CHIPS Aid	91,795
	DA-0000-3502	Pave NY Aid	40,150
	DA-0000-3503	Winter Aid	32,144
	DA-0000-3504	POP Aid	53,548
		--Record Increase in State Funds Available	

Special Districts-

2023-05-13	SS-9930-0900	Transfer to Reserve Fund	30,000
	SW-9930-0900	Transfer to Reserve Fund	50,000
	SS-0000-9910	Fund Balance Approp.	30,000
	SW-0000-9910	Fund Balance Approp.	50,000
		-Record Reserve Funds Creation	
2023-05-14	SW-8340-0440	Engineering	500
	SW-8340-0488	Other	
Expenses			500
		-Transfer for Engineering	

Capital Funds

2023-05-15	H-8540-0200	Drainage Improvements	107,200
	H-8540-0440	Engineering	12,800
	H-8540-0480	Other Expenses	10,000
	H-0000-2705	Donations/Gifts	130,000
		-Create Alaina Drainage Project	
2023-05-16	H-1620-0400	Town Hall Expense	2,050
	H-5120-0401	Bridge Expense	2,050
	H-9730-0700	BAN	
Interest			4,100
		-Reclass Appropriations	
2023-05-17	H-5120-0500	Bridge Construction	18,564
	H-5120-0401	Bridge	
Expense			18,564
		-Transfer for Change Order #2	
2023-05-18	H-5132-0470	Garage Consulting	27,000
	H-5132-0500	Garage Improvements	73,000
	H-0000-5030	Transfer In General Fund	100,000
		-Increase Project Budget	

Introduced: SUPERVISOR COVUCCI
Seconded: COUNCILMAN STIEGLER

ROLL CALL VOTE:

Councilman Stiegler AYE

Councilman Battaglini AYE

Councilman Lemak AYE

Councilwoman Woehrman AYE

Supervisor Covucci AYE

Dated: June 7, 2023

RESOLUTION NO. 06:07:23-4

**RE: RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BEEKMAN
ADOPTING LOCAL LAW NO. 5 OF THE YEAR 2023 "CHAPTER 80 PUBLIC AND PRIVATE
FIREWORKS DISPLAY AND STORAGE"**

WHEREAS, the Town Board of the Town of Beekman introduced Local Law No. 5 of 2023 entitled "CHAPTER 80 PUBLIC AND PRIVATE FIREWORKS DISPLAY AND STORAGE" on May 23, 2023; and

WHEREAS, the Town Board members had the opportunity to review the proposed local law and it has sat on the desks of the Town Board for the required period of time; and

WHEREAS, a public hearing was duly held on June 7, 2023, at Town Hall, 4 Main Street, Poughquag, NY regarding Local Law No. 5 of 2023; and

WHEREAS, at this public hearing the Town Board members considered any public comments received during the public hearing as well as any written comments received; and

WHEREAS, the Town Board has determined that the matter is a Type II Action under SEQRA and no further environmental review is required.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Beekman does hereby affirm and adopt Local Law No. 5 of 2023 entitled, "CHAPTER 80 PUBLIC AND PRIVATE FIREWORKS DISPLAY AND STORAGE;" and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to file a copy of this Local Law with the New York Secretary of State.

Introduced: COUNCILMAN LEMAK

Seconded: COUNCILMAN STIEGLER

ROLL CALL VOTE:

Councilman Stiegler AYE

Councilman Battaglini AYE

Councilman Lemak AYE

Councilwoman Woehrman AYE

Supervisor Covucci AYE

Dated: June 7, 2023

RESOLUTION NO. 06:07:23-5

RE: APPROVE APPLICATION AND CERTIFICATION FOR PAYMENT (# 4) FOR THE BEEKMAN RECREATION BASEBALL FIELD 1 PROJECT

WHEREAS, the Town of Beekman is a party to a contract with Sport-Tech Construction Corp. (the "Contractor") for the project known as "the Beekman Recreation Baseball Field 1"; and

WHEREAS, the Contractor has submitted an Application and Certification for Payment (# 4) dated May 17, 2023, requesting final payment of the items on the payment application continuation sheet with a total completed value of 156,000.00 less previous payments totaling \$148,200.00 for a total of \$7,800.00 plus the release of the retainage (see attached); and

WHEREAS; the contractor has requested full payment of the items on the continuation sheet that is attached to the payment request application, covering the period of April 14, 2023 through May 7, 2023, and

WHEREAS, the Town Engineer has reviewed the request and agrees with the quantity of work completed per the continuation sheet of Application # 4 and has recommended the Town Board make payment as requested,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor of the Town of Beekman to make a final payment to Sport-Tech Construction Corp., requested in Application and Certification for Payment # 4 in the amount NOT TO EXCEED \$7,800.00. The one-year warranty period will commence upon final payment.

Introduced: COUNCILMAN LEMAK

Seconded: COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

Councilman Stiegler AYE

Councilman Battaglini AYE

Councilman Lemak AYE

Councilwoman Wohrman AYE

Supervisor Covucci AYE

Dated: June 7, 2023

RESOLUTION NO. 06:07:23 -6

**RE: AMENDING THE HIGHWAY GARAGE IMPROVEMENTS CAPITAL PROJECT
AUTHORIZATION**

WHEREAS, the Town Board of the Town of Beekman previously approved a \$250,000 Capital Project Authorization for the Highway Garage Improvements in resolution 09:27:22-3, and

WHEREAS, the Town deems it appropriate to increase the authorization to \$350,000, Based on new project cost estimates,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Beekman authorizes a new authorization of \$350,000 for the Highway Garage Improvements with an added transfer from the General Fund of \$100,000.

Introduced: COUNCILWOMAN WOHRMAN

Seconded: COUNCILMAN STIEGLER

ROLL CALL VOTE:

Councilman Stiegler AYE

Councilman Battaglini AYE

Councilman Lemak AYE

Councilwoman Wohrman AYE

Supervisor Covucci AYE

Dated: June 7, 2023

RESOLUTION NO.06:07:23-7

RE: RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BEEKMAN

ADOPTING LOCAL LAW NO. 4 OF THE YEAR 2023, AMENDING CHAPTER 126.1 'SHORT-TERM RENTALS' AND CHAPTER 155 'ZONING' OF THE CODE OF THE TOWN OF BEEKMAN"

WHEREAS, the Town of Beekman introduced a local law, known as Local Law No. 4 of the Year 2023, Amending Chapter 126.1 'Short-Term Rentals' and Chapter 155 'Zoning' of the Code of the Town of Beekman"; and

WHEREAS, public hearings were duly held on May 9, 2023, May 23, 2023 and June 7, 2023 at Town Hall, 4 Main Street, Poughquag, NY regarding Local Law No. 4 of the Year 2023; and

WHEREAS, the Town Board was given the opportunity to hear concerns of all Beekman residents; and

WHEREAS, pursuant to GML 239-m, the proposed Local Law was sent to the Town of Beekman Planning Board and the Dutchess County Department of Planning and Development, which determined that the local law was a matter of local concern, but which provided comments on the proposed law; and

WHEREAS, the Town Board duly considered all of the County's comments, and made changes to the proposed local law in response to the same; and

WHEREAS, the revised local law has sat upon the desks of the Board members for the required period of time; and

WHEREAS, the Town Board has determined that the matter is a Type I Action under SEQRA, **NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Beekman does hereby determine that the proposed Local Law will not have an adverse effect on the environment, as set forth in the SEQRA determination of non-significance (negative declaration) for this matter; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Beekman does hereby affirm and adopt "Local Law No. 4 of the Year 2023, Amending Chapter 126.1 'Short-Term Rentals' and Chapter 155 'Zoning' of the Code of the town of Beekman"; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to file a copy of this Local Law with the New York Secretary of State.

Introduced: COUNCILMAN STIEGLER

Seconded: COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

Councilman Stiegler AYE

Councilman Battaglini AYE

Councilman Lemak AYE

Councilwoman Wohrman AYE

Supervisor Covucci AYE

Dated: June 7, 2023

RESOLUTION NO. 06:07:23-8

RE: APPROVE ENTERTAINMENT FOR BAND CONCERT AT TOWN CENTER PARK

WHEREAS, the 2023 Recreation Budget included funding for entertainment for events for the summer months,

NOW, THEREFORE, BE IT RESOLVED, that the following expenditure be approved in the amount of \$250, for live music performed by "The Blend" to perform at Town Center Park Pavilion on August 11, 2023 at 6:00 PM.

Introduced: COUNCILMAN BATTAGLINI

Seconded: COUNCILMAN LEMAK

ROLL CALL VOTE:

Councilman Stiegler AYE

Councilman Battaglini AYE

Councilman Lemak AYE

Councilwoman Wohrman AYE

Supervisor Covucci AYE

Dated: June 7, 2023

RESOLUTION NO. 06:07:23-9

RE: PAYMENT OF CLAIMS

WHEREAS, the Bookkeeper has audited and approved claims pursuant to Sect. 119 of Town Law as set forth in the attached abstracts; be it

RESOLVED, that the payment, therefore, is hereby authorized as follows:

Claims to be paid from the A-General Fund	\$	70,984.09
Claims to be paid from the DA-Highway Fund	\$	112,089.15
Claims to be paid from the SS-Dover Ridge Sewer	\$	600.78
Claims to be paid from the SW-Dover Ridge Water	\$	619.50
Claims to be paid from the T-Trust-Fund	\$	5,773.75
Claims to be paid from the H-Capital Fund	\$	34,582.67
	\$	224,649.94

5/25/2023 Payroll #11

General Fund	\$	35,389.67
Highway Fund	\$	21,662.14
	\$	57,051.81

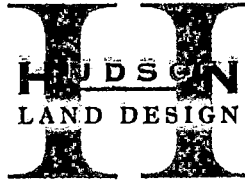
Introduced: COUNCILWOMAN WOHRMAN

Seconded: COUNCILMAN LEMAK

ROLL CALL VOTE:

Councilman Stiegler	AYE
Councilman Battaglini	AYE
Councilman Lemak	AYE
Councilwoman Wohrman	AYE
Supervisor Covucci	AYE

Dated: June 7, 2023



Civil & Environmental Engineering Consultants
174 Main Street, Beacon, New York 12508 (Main Office and Mailing Address)
13 Chambers Street, Newburgh, New York 12550 (Satellite Office)
Phone: 845-440-6926
www.HudsonLandDesign.com

June 1, 2023

Supervisor Mary Covucci and Members of the Town Board
Town of Beekman
4 Main Street
Poughquag, New York 12570

Re: Beekman Recreation Baseball Field 1 Project
Contractor Request for Payment #4 - FINAL

Dear Supervisor Covucci and Members of the Town Board:

Hudson Land Design (HLD) is in receipt of Application and Certificate for Payment #4 dated May 17, 2023 from Sport-Tech Construction Corp. requesting final payment in the amount of \$156,000.00 less previous payments totaling \$148,200.00 for a total of \$7,800.00 (see attached). The contractor has requested full payment of the items on the continuation sheet that is attached to the payment request application, covering the period of April 14, 2023 through May 7, 2023, plus release of the retainage. HLD has reviewed the request and agrees with the quantity of work completed per the continuation sheet. HLD also certifies that the completed works associated with the contract have been substantially completed and are acceptable.

Therefore, we suggest that the Town Board authorize payment to Sport-Tech Construction Corp. in the amount of \$7,800.00 in order to satisfy Application and Certification for Payment #4. The one-year warranty period will commence upon final payment. Should you have any questions, please feel free to call me at 845-440-6926.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel G. Koehler".

Daniel G. Koehler, P.E.
Principal

cc: Tom Carey, Town Financial Consultant (via email)
Linda Bloomer, Town Bookkeeper (via email)
Laureen Abbatantuono, Town Clerk (via email)
Wallace & Wallace, Town Attorney (via email)
Michael A. Bodendorf, P.E. (HLD file)

enc: Application and Certificate for Payment #4 with Continuation Sheets
Certified Payroll
Final Release
Town Voucher

APPLICATION AND CERTIFICATE FOR PAYMENT

TO OWNER:
Town of Beekman
4 Main Street
Poughquag, NY 12570
FROM CONTRACTOR:
Sport-Tech Construction Corp.
410 Route 22
Brewster, NY 10509

PROJECT:
Beekman Recreation Baseball Field 1 (RFP: 2022-0113-1)
31 Recreation Road
Hopewell Junction, NY 12533
VIA ARCHITECT:
Daniel G. Koehler, P.E.
Hudson Land Design Professional Engineering, P.C.
174 Main Street, Beacon, NY 12508

APPLICATION #: 4
PERIOD TO: 05/17/23
PROJECT NOS: RFP: 2022-0113-1
CONTRACT DATE: 06/30/22

Distribution to:
 Owner
 Const. Mgr
 Architect
 Contractor

CONTRACT FOR: Beekman Recreation Baseball Field 1 (RFP: 2022-0113-1)

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
Continuation Sheet is attached.

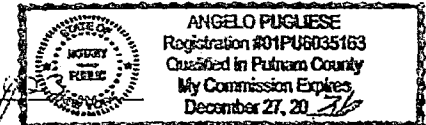
1. ORIGINAL CONTRACT SUM	\$	156,000.00
2. Net change by Change Orders	\$	
3. CONTRACT SUM TO DATE (Line 1 +/- 2)	\$	156,000.00
4. TOTAL COMPLETED & STORED TO DATE-\$ (Column G on Continuation Sheet)	\$	156,000.00
5. RETAINAGE:		
a. of Completed Work (Columns D+E on Continuation Sheet)	\$	
b. of Stored Material (Column F on Continuation Sheet)	\$	
Total Retainage (Line 5a + 5b or Total in Column 1 of Continuation Sheet)	\$	
6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5 Total)	\$	156,000.00
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$	148,200.00
8. CURRENT PAYMENT DUE	\$	7,800.00
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$	- 0 -

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown therein is now due.

CONTRACTOR:

By: [Signature] Date: 05/17/2023

State of: New York
County of: Putnam
Subscribed and sworn to before
me this 17th day of May, 2023



Notary Public: [Signature]
My Commission expires: 11/27/2026

CERTIFICATE FOR PAYMENT

In accordance with Contract Documents, based on on-site observations and the data comprising application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 7,800.00
(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT:

By: [Signature] Date: 6/1/2023

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner of Contractor under this Contract.

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner		
Total approved this Month		
TOTALS		
NET CHANGES by Change Order		

Schedule of Values

APPLICATION NUMBER: 4

APPLICATION DATE: 05/17/23

PERIOD TO: 17-May-23

ARCHITECT'S PROJECT NO: RFP: 2022-0113-1

PROJECT:
 Beekman Recreation Baseball Field 1 (RFP: 2022-0113-1)
 31 Recreation Road
 Hopewell Junction, NY 12533

A Item No.	B Description of Work	C Scheduled Value	D Work Completed		F Materials Presently Stored (Not In D or E)	G		H Balance To Finish (C - G)	I Retainage
			From Previous Application (D + E)	This Period		Total Completed And Stored To Date (D + E + F)	% (G/C)		
1	Mobilization	30,000.00	30,000.00			30,000.00	100%		
2	Bond/Insurance	20,000.00	20,000.00			20,000.00	100%		
3	Demolition	10,000.00	10,000.00			10,000.00	100%		
4	Fencing	21,000.00	21,000.00			21,000.00	100%		
5	Safety Netting	70,000.00	70,000.00			70,000.00	100%		
6	Grade Clay	5,000.00	5,000.00			5,000.00	100%		
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SUBTOTALS PAGE 1		156,000.00	156,000.00			156,000.00	100%		

PAYROLL

(For Contractor's Optional Use; See Instructions at www.dol.gov/whd/forms/wh347instr.htm)



U.S. Wage and Hour Division

Rev. Dec. 2008

Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

NAME OF CONTRACTOR <input checked="" type="checkbox"/> OR SUBCONTRACTOR <input type="checkbox"/>		ADDRESS		OMB No.: 1235-0008 Expires: 07/31/2024	
Sport-Tech Construction Corp.		410 Route 22 Brewster, NY 10509			
PAYROLL NO. 14	FOR WEEK ENDING 04/30/2023	PROJECT AND LOCATION Beekman Recreation Baseball Field 1 31 Recreation Road, Hopewell Junction, NY 12533		PROJECT OR CONTRACT NO. RFP: 2022-0113-1	

(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) NO. OF WITHHOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	OT OR ST.	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY		(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS						(9) NET WAGES PAID FOR WEEK	
				Mon	Tues	Wed	Thurs	Fri	Sat	Sun					FICA	WITH-HOLDING TAX	Medicare	NYS Tax	OTHER	TOTAL DEDUCTIONS		
				4/24	4/25	4/26	4/27	4/28	4/29	4/30												
HOURS WORKED EACH DAY																						
Juan Acosta - 2265 118 Palmer Avenue Apt. 10 Mamaroneck, NY 10543	0	Laborer	o											\$374.85	\$10.85	\$23.24	\$5.44	\$9.19	\$1.71	\$50.43	\$324.42	
			s			5.25						5.25	44.50	26.90								
Victor Acosta - 4635 430 Fayette Avenue #2 Mamaroneck, NY 10543	0	Laborer	o											\$374.85	\$10.85	\$23.24	\$5.44	\$9.19	\$1.71	\$50.43	\$324.42	
			b			5.25						5.25	44.50	26.90								
Brian Pascale - 0201 8 E. Salem Road Fishkill, NY 12524	0	Laborer	o											\$428.40	\$16.21	\$26.56	\$6.21	\$12.01	\$1.95	\$62.94	\$365.46	
			s			6.00						6.00	44.50	26.90								
			o																			
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			s																			

While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. §§ 3.3, 5.5(a). The Copeland Act (40 U.S.C. § 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U.S. Department of Labor (DOL) regulations at 29 C.F.R. § 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

Public Burden Statement

We estimate that it will take an average of 55 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S3502, 200 Constitution Avenue, N.W. Washington, D.C. 20210

Date May 1, 2023

I, Katherine Bicari Office Manager
(Name of Signatory Party) (Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by

Sport-Tech Construction Corp.
(Contractor or Subcontractor)

on the

Beekman Recreation Baseball Field 1

(Building or Work)

24th day of April, 2023, and ending the 30th day of April, 2023

all persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of said

Sport-Tech Construction Corp.

from the full

(Contractor or Subcontractor)

weekly wages earned by any person and that no deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 C.F.R. Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stat. 108, 72 Stat. 967; 76 Stat. 357; 40 U.S.C. § 3145), and described below:

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

- In addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

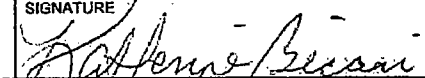
- Each laborer or mechanic listed in the above referenced payroll has been paid, as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION

REMARKS:

NAME AND TITLE
Katherine Bicari, Office Manager

SIGNATURE


THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 3729 OF TITLE 31 OF THE UNITED STATES CODE.

PAYROLL

(For Contractor's Optional Use; See Instructions at www.dol.gov/whd/forms/wh347instr.htm)



U.S. Wage and Hour Division
Rev. Dec. 2008

Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

NAME OF CONTRACTOR <input checked="" type="checkbox"/> OR SUBCONTRACTOR <input type="checkbox"/>	ADDRESS	OMB No.:1235-0008 Expires: 07/31/2024
Sport-Tech Construction Corp.	410 Route 22 Brewster, NY 10509	

PAYROLL NO. 15	FOR WEEK ENDING 05/07/2023	PROJECT AND LOCATION Beekman Recreation Baseball Field 1 31 Recreation Road, Hopewell Junction, NY 12533	PROJECT OR CONTRACT NO. RFP: 2022-0113-1
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(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) NO. OF HOLDING EMPLOYMENTS	(3) WORK CLASSIFICATION	OT OR ST	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY		(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS						(9) NET WAGES PAID FOR WEEK	
				Mon	Tues	Wed	Thurs	Fri	Sat	Sun					FICA	WITH- HOLDING TAX	Medicare	NYS Tax	OTHER	TOTAL DEDUCTIONS		
				5/1	5/2	5/3	5/4	5/5	5/6	5/7												
James McGee - 9304 124 Route 292 Holmes, NY 12531	0	Laborer	o																			
			s					3.25			3.25	44.50	26.90	\$232.05		\$14.39	\$3.36	\$3.17	\$1.06	\$21.98	\$210.07	
			o																			
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While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. §§ 3.3, 5.5(a). The Copeland Act (40 U.S.C. § 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U.S. Department of Labor (DOL) regulations at 29 C.F.R. § 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

Public Burden Statement

We estimate that it will take an average of 55 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S3502, 200 Constitution Avenue, N.W. Washington, D.C. 20210

Date May 8, 2023

I, Katherine Bicari Office Manager
(Name of Signatory Party) (Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by

Sport-Tech Construction Corp. on the
(Contractor or Subcontractor)

Beekman Recreation Baseball Field 1; that during the payroll period commencing on the
(Building or Work)

1st day of May, 2023, and ending the 7th day of May, 2023

all persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of said

Sport-Tech Construction Corp. from the full
(Contractor or Subcontractor)

weekly wages earned by any person and that no deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 C.F.R. Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stat. 108, 72 Stat. 967; 76 Stat. 357; 40 U.S.C. § 3145), and described below:

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

- in addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

- Each laborer or mechanic listed in the above referenced payroll has been paid, as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in section 4(c) below.

(c) EXCEPTIONS

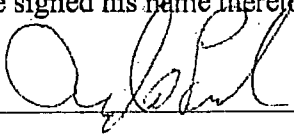
EXCEPTION (CRAFT)	EXPLANATION

REMARKS:

NAME AND TITLE Katherine Bicari, Office Manager	SIGNATURE <i>Katherine Bicari</i>
THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 3729 OF TITLE 31 OF THE UNITED STATES CODE.	

STATE OF NEW YORK)
) ss.:
COUNTY OF Putnam)

On this 17th of May, in the year 2023, before me personally came Robert Tranchida, to me known, who, being by me duly sworn, did depose and say that he resides at 14 Scotts Lane, South Salem, NY 10590, that he is the Secretary of the Sport-Tech Construction Corp., the corporation described in and which executed the foregoing Final Release and Lien Waiver, and that he signed his name thereto by authority of the Board of Directors of the corporation.



Notary Public



VOUCHER

Town of Beekman
4 Main Street
Poughquag, NY 12570

Voucher Number _____

Date Received _____

Dept. _____

Claimants Name &

**Sport-Tech Construction Corp.
410 Route 22
Brewster, NY 10509**

Fund-Appropriation	Amount
Total	\$ -

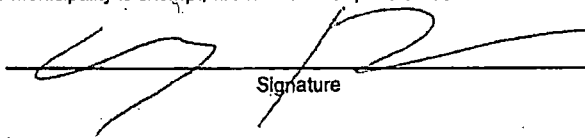
Detailed invoices may be attached and total entered on this voucher
Certification below must be signed.

INVOICE DATE	INVOICE #	DESCRIPTION OF MATERIALS OR SERVICES	UNIT PRICE	AMOUNT
5/17/2023	Application #4	Town of Beekman Beekman Recreation Baseball Field 1 Project (RFP:2022-0113-1)		\$7,800.00
Total				\$7,800.00

CLAIMANT'S CERTIFICATION

I, Eric Pugliese, certify that the above account in the amount of \$7,800.00 is true and correct; that the items, services, and disbursements were rendered to or for the municipality on the dates stated; that no part has been paid or satisfied; that taxes, from which the municipality is exempt, are not included; and that the amount claimed is actually due.

5/17/2023
Date


Signature

President
Title

Department Approval

The above services or materials were rendered or furnished to the municipality on the dates stated and the charges are correct.

Date

Authorized Official

Approval for Payment

This claim is approved and ordered paid from the appropriations indicated above

Date

Auditing Board

Print Name of Authorized Official

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

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 **TOWN BOARD OF THE TOWN OF BEEKMAN**, as lead agency, has determined that the proposed action described below will not have a significant environmental impact and a Draft Environmental Impact Statement will not be prepared.

Name of Action: In the Matter of Local Law No. ____ of the Year 2023
AMENDING CHAPTER 126.1 "SHORT-TERM RENTALS" AND CHAPTER 155
"ZONING" OF THE CODE OF THE TOWN OF BEEKMAN

SEQR Status: Type 1
Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

The Town of Beekman Town Board has found that it is necessary to update and amend Chapter 126.1 "Short-Term Rentals" and Chapter 155 "Zoning" of the Code of the Town of Beekman to efficiently and effectively regulate short-term rental uses.

Location: Town of Beekman, Dutchess County, New York.

Reasons Supporting This Determination:

1. The proposed activity is to add regulations for short-term rentals to the Town Code.
2. Adopting the Local Law would not create (a) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, (b) a substantial increase in solid waste production, or (c) a substantial increase in potential for erosion, flooding, leaching or drainage problems.
3. Adopting the Local Law would not result in (a) the removal or destruction of large quantities of vegetation or fauna, (b) substantial interference with the movement of any resident or migratory fish or wildlife species, (c) impacts on a significant habitat area, (d) substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species, or (e) other significant adverse impacts to natural resources.
4. Adopting the Local Law would not result in the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to 6 NYCRR 617.14(g);
5. Adopting the Local Law would not create a material conflict with the Town of Beekman's current plans or goals as officially approved or adopted.
6. Adopting the Local Law would 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.

7. Adopting the Local Law would not result in a major change in the use of either the quantity or type of energy.
8. Adopting the Local Law would not create a hazard to human health.
9. Adopting the Local Law would 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.
10. Adopting the Local Law would not encourage or attract a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action.
11. Adopting the Local Law would not create a material demand for other actions that would result in one of the above consequences.
12. Adopting the Local Law would not create changes in two or more elements of the environment, no one of which has a significant impact on the environment, but which, when considered together, result in a substantial adverse impact on the environment.

For Further Information: Mary Covucci, Supervisor
Town of Beekman Town Board
Town Hall
4 Main St.
Poughquag, NY 12570

The foregoing Negative Declaration was duly adopted by the vote of a majority of the members of the Town of Beekman Town Board, the Lead Agency, at a regular meeting held on June 7, 2023.

By: _____
Lauren Abbatantuono, Town Clerk
Town of Beekman

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.

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 _____ 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: Adoption of Amendment to Chapter 126.1 "Short-Term Rentals" and Chapter 155 "Zoning" of the Code of the Town of Beekman

Name of Lead Agency: Town Board of the Town of Beekman

Name of Responsible Officer in Lead Agency: Mary Covucci

Title of Responsible Officer: Supervisor

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: Supervisor Mary Covucci

Address: 4 Main Street, Poughquag, NY 12570

Telephone Number: (845) 724-5300 ext. 232

E-mail: Supervisor@townofbeekmanny.us

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>

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

Agency Use Only [If applicable]
 Project: Amend Ch 126.1 "STR" & Ch 155 "Zoning"
 Date: 6/7/2023

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.

		<input checked="" type="checkbox"/> NO		<input type="checkbox"/> YES
1. Impact on Land 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>				
	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 type="checkbox"/>		<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input 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 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 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 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 type="checkbox"/>		<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>		<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>		<input type="checkbox"/>

2. Impact on Geological Features

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)

 NO YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
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"/>

3. Impacts on Surface Water

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)

 NO YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input 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 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 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 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 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 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 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 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 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 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 type="checkbox"/>	<input type="checkbox"/>

1. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater 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. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (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>			
	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 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 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 type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input 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 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 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 type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
	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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6. Impacts on Air The proposed action may include a state regulated air emission source. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (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 ₂)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
ii. More than 3.5 tons/year of nitrous oxide (N ₂ O)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iv. More than .045 tons/year of sulfur hexafluoride (SF ₆)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflouorocarbons (HFCs) emissions	D2g	<input type="checkbox"/>	<input type="checkbox"/>
vi. 43 tons/year or more of methane	D2h	<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"/>

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <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 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 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 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 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 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 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 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 type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)
If "Yes", answer questions a - h. If "No", move on to Section 9.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
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"/>

9. Impact on Aesthetic Resources 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
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
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"/>		

10. Impact on Historic and Archeological Resources 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
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
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"/>
e. 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"/>

11. Impact on Open Space and Recreation 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. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (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>			
	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"/>

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>			
	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 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 type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input 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 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 type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input 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.)
If "Yes", answer questions a - m. If "No", go to Section 17.

NO YES

	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 type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input 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 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 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 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 type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input 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 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 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 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 type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.
(See Part 1. C.1, C.2. and C.3.)

NO

YES

If "Yes", answer questions a - h. If "No", go to Section 18.

	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 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 type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input 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 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 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 type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.
(See Part 1. C.2, C.3, D.2, E.3)

NO

YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	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 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 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 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 type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input 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 type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Adoption of Amendment to Chapter 126.1 "Short-Term Rentals" and Chapter 155 "Zoning" of the Code of the Town of Beekman		
Project Location (describe, and attach a general location map): Entire Town of Beekman		
Brief Description of Proposed Action (include purpose or need): The Town of Beekman is proposing to adopt amendments to Chapter 126.1 "Short-Term Rentals" and Chapter 155 "Zoning" to more efficiently and effectively regulate short-term rental uses. Since the changes to the Code affect the entire Town, the adoption of the amendments is a Type I action under SEQR.		
Name of Applicant/Sponsor: Town Board of the Town of Beekman, Attn: Supervisor Mary Covucci		Telephone: 1 (845) 724-5300 Ext. 232
		E-Mail: supervisor@townofbeekmanny.us
Address: Town Hall, 4 Main Street		
City/PO: Poughquag	State: New York	Zip Code: 12570
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town Board - adoption of local law	5/23/23
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?
Townwide - so all zoning districts within the Town

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Arlington Central School District

b. What police or other public protection forces serve the project site?
Dutchess County Sheriff's Office and New York State Police

c. Which fire protection and emergency medical services serve the project site?
The Beekman Fire District, which includes Beekman Rescue, and M Star

d. What parks serve the project site?
The Town is served by Beyer Park, Doherty Park, Recreation Park and Town Center Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. 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

c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____
ii. Is a cluster/conservation layout proposed? Yes No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
• Total number of phases anticipated _____
• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
• Anticipated completion date of final phase _____ month _____ year
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) Yes No
 If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No
 If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No
 If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No
 If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

Yes No
 Yes No

- Do existing sewer lines serve the project site?
- Will a line extension within an existing district be necessary to serve the project?

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

- If to surface waters, identify receiving water bodies or wetlands: _____

- Will stormwater runoff flow to adjacent properties? Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
- _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
--	---

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:

i. Provide details including sources, time of day and duration:

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No

Describe: _____

n. Will the proposed action have outdoor lighting? Yes No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban Industrial Commercial Residential (suburban) Rural (non-farm)

Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
 i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
 If Yes,
 i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
 If Yes:
 i. Dimensions of the dam and impoundment:
 • Dam height: _____ feet
 • Dam length: _____ feet
 • Surface area: _____ acres
 • Volume impounded: _____ gallons OR acre-feet
 ii. Dam's existing hazard classification: _____
 iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
 If Yes:
 i. Has the facility been formally closed? Yes No
 • If yes, cite sources/documentation: _____
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
 iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
 If Yes:
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
 If Yes:
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____
 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): _____
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site: _____ %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____

 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
 If Yes:
 i. Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No
 If Yes:
 i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic 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? Yes No

If Yes:

i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Mary Covucci Date _____

Signature _____ Title Supervisor

Dutchess County Department of Planning and Development

Fax info Only	To	Date	#pgs
	Co./Dept.	From	
	Fax #	Phone #	

239 Planning/Zoning Referral - Exemption Communities

Municipality: **Town of Beekman**

Referring Agency: **Municipal Board**

Tax Parcel Numbers(s):

Project Name: **Amendment to Local Law - Short Term Rentals**

Applicant: **Town Board**

Address of Property:

Please Fill in this section

<p>Exempt Actions:* 239 Review is NOT Required</p> <ul style="list-style-type: none"> ● Administrative Amendments (fees, procedures, penalties, etc.) ● Special Permits for residential uses (accessory apts, home occupations, etc.) ● Use Variances for residential uses ● Area Variances for residential uses ● Renewals/Extension of Site Plans or Special Permits that have no changes from previous approvals <p>No Authority to review these Actions</p> <ul style="list-style-type: none"> ● Subdivisions / Lot Line Adjustments ● Interpretations <p><input type="checkbox"/> Exempt Action submitted for informal review</p>	<p>Actions Requiring 239 Review</p> <ul style="list-style-type: none"> <input type="checkbox"/> Comprehensive/Master Plans <input checked="" type="checkbox"/> Zoning Amendments (standards, uses, definitions, district regulations, etc.) <input type="checkbox"/> Other Local Laws associated with zoning (wetlands, historic preservation, affordable housing, architectural review, etc.) <input type="checkbox"/> Rezoning involving all map changes <input type="checkbox"/> Architectural Review <input type="checkbox"/> Site Plans (all) <input type="checkbox"/> Special Permits for all non-residential uses <input type="checkbox"/> Use Variances for all non-residential uses <input type="checkbox"/> Area Variances for all non-residential uses <input type="checkbox"/> Other (Describe): 	<p>Parcels within 500 feet of:</p> <ul style="list-style-type: none"> <input type="checkbox"/> State Road: <input type="checkbox"/> County Road: <input type="checkbox"/> State Property (with recreation area or public building) <input type="checkbox"/> County Property (with recreation area or public building) <input checked="" type="checkbox"/> Municipal Boundary <input type="checkbox"/> Farm operation in an Agricultural District
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Date Response Requested: **5/8/2023**


Entered By: **abbatantuono, laureen**

These actions are only exempt in municipalities that signed an intermunicipal agreement with Dutchess County to that effect.

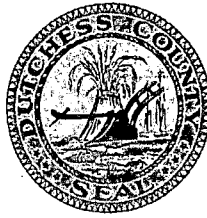
For County Office Use Only

Response From Dutchess County Department of Planning and Development

<p>No Comments:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Matter of Local Concern <input type="checkbox"/> No Jurisdiction <input type="checkbox"/> No Authority <input type="checkbox"/> Withdrawn <input type="checkbox"/> Incomplete - municipality must resubmit to County <input type="checkbox"/> Exempt from 239 Review <input type="checkbox"/> None 	<p>Comments Attached:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Local Concern with Comments <input type="checkbox"/> Conditional <input type="checkbox"/> Denial <input type="checkbox"/> Incomplete with Comments- municipality must resubmit to County <input type="checkbox"/> Informal Comments Only (Action Exempt from 239 Review)
--	---

Date Submitted: 5/4/2023	Notes:	<input type="checkbox"/> Major Project
Date Received: 5/4/2023		
Date Requested: 5/8/2023		
Date Required: 6/2/2023	<input type="checkbox"/> Also mailed hard copy	Referral #: ZR23-133
Date Transmitted: 5/19/2023		Reviewer: 

WILLIAM F.X. O'NEIL
COUNTY EXECUTIVE



EWIN WRAFTER, AICP
COMMISSIONER

COUNTY OF DUTCHESS
DEPARTMENT OF PLANNING & DEVELOPMENT

May 19, 2023

To: Planning Board, Town of Beekman
Re: **ZR23-133, Amendment to Local Law - Short Term Rentals**

The Dutchess County Department of Planning and Development has reviewed the subject referral within the framework of General Municipal Law (Article 12B, §239-l/m).

ACTION

The Town seeks to amend Chapter 126.1 and Chapter 155 of the Town Code, regarding the regulation of Short-Term Rentals (STRs).

COMMENTS

Upon reviewing the proposed amendments, we offer the following comments, listed in the order in which they appear in the draft local law:

- The term "owner" is defined §126.1-2 and both "owner" and "property owner" are referred to throughout the document. If both terms are intended to have the same meaning, consider choosing one and using it consistently for the purpose of continuity and clarity.
- The definition of "Immediate Family" may be narrowly defined, consider also including siblings, stepsiblings, stepparents, sister-in-law, brother-in-law, adult son-in-law, adult daughter-in-law.
- The definition of "person" provided in §126.1-2 differs from the definition of "person" included in Chapter 155 Zoning.
- Subsections (1) & (2) of the Short-Term Rental definition could leave off the last sentence restating that each use shall not include accessory structures as this exclusion is already mentioned in the main definition provided for short-term rental.
- It is unclear why there is a requirement that the "resident agent" must be a resident of Dutchess County, given that the required 20-mile radius would extend into the following neighboring counties: Putnam, Orange, Ulster, Fairfield, and Litchfield. It could prove unnecessarily limiting, as being available within a 2-hour basis to address any violations to the conditions of occupancy is the more pertinent factor in designating an agent. Consider removing this residency requirement and rewording the term "resident agent" to "rental agent" or something similar.
- §126.1-3 (B) states that a total of 15 STR permits will be issued by the Town annually, on a first come first serve basis. Consider clarifying whether this limit would include the renewal of STR permits.
- The intent of §126.1-3(C) is somewhat unclear, as specifying unhosted rentals here may lead potential applicants to believe that an owner may obtain permits for more than one hosted STR or for one hosted and one unhosted permit per year, which would be inconsistent with §155-39.1(C)(4) stating that a property owner may only operate a Short-Term Rental on one parcel within the Town. The maximum number of STR permits allowed per owner should be clearly stated here.
- §126.1-3(D) states that the use of a dwelling for STR purposes "shall be a permitted *accessory* use to a lawful dwelling [emphasis added]." Were an STR to be allowed in non-primary residences (e.g. investor-owned properties), the STR use likely wouldn't qualify as an accessory use. Therefore, we suggest

clarifying the definition of a short-term rental to state that the dwelling must be the owner's primary residence, whether it's a hosted or unhosted STR.

- §126.1-5 provides the permit application requirements for both hosted and unhosted STRs but lists them by switching back and forth between requirements for each type of STR from one line to the next. Consider reorganizing this section by first stating requirements that apply to both types, then clearly breaking down additional requirements that differ for hosted versus unhosted STRs within their own distinct subsections.
- The term "non-host owner" used within §126.1-5(5) may be confusing. Consider using the term "owner" instead if the intent is to state that the owner (and not the resident agent) must provide proof that the property is under their ownership. Unhosted STRs do not have hosts by definition and owners are not referred to as "host-owners" within the requirements provided for hosted STRs.
- §126.1-5(5) Again, we suggest requiring primary residence for unhosted STRs in addition to hosted STRs, as this will allow the Town to avoid the potential proliferation of investor-owned unhosted short-term rentals operating within the Town, which can negatively affect both housing availability and affordability in an already tight local housing market.
- §126.1-5(8)(b) The Town should reconsider whether it would be desirable to allow resident agents to apply for STR permits on behalf of the owner. We recommend that the owner be the only person allowed to apply for all STR permits within the Town. Section 126.1-7(A) also mentions resident agents being authorized to apply for such permits.
- §126.1-7(B) It is stated within this section that an owner is prohibited from offering for rent more than one unhosted property per year and from operating more than one STR per parcel in the Town. It is unclear why unhosted rentals are specifically mentioned here, when §155-39.1(C)(4) provides that a property owner may only operate a Short-Term Rental on one parcel within the Town, regardless of their type.
- §126.1-11(2) could be amended to include "or fails to remain on-site during the time of hosted rentals" or something to that effect, as this is one of the main requirements associated with hosted short-term rentals.
- To make §155-39.1(C)(7) consistent with the language in §126.1-3(D), it could be amended to say, "...shall be a permitted accessory use in any lawful dwelling..."

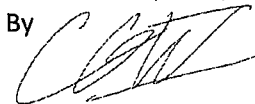
The sections of the Town Code being referenced within the proposed amendment, §126.1 and §155-39.1, were adopted by the Town last year (resolution No. 2 of 2022). We note that, at the time this review was conducted, these updates to the Code have not been reflected in eCode. We suggest that the Town keep their eCode webpage as up-to-date as possible, as this platform is most likely the primary way that residents will be accessing the Town Code. If someone were to look at the version of the Code that is currently available online, they would not be aware that short-term rentals are regulated within the Town of Beekman. Similarly, Schedule A, Schedule of Permitted Uses, should also be updated to include notations showing that STRs are a permitted accessory use to all lawful dwellings subject to the regulations provided in the Code, including references to these new sections (126.1 and 155-39.1).

RECOMMENDATION

The Department recommends that the Board rely upon its own study of the facts in the case with due consideration of the above comments.

Eoin Wrafter, AICP, Commissioner

By



Clayton Gurnett, Junior Planner



TOWN OF
BEEKMAN
New York

4 Main Street
Poughquag, NY 12570
www.townofbeekman.com
(845) 724-5300

June 8, 2023

NYS Dept. of State
Division of Corporations
State Records & Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231

Enclosed herewith please find for filing in your office:

Local Law 4-2023 for the Town of Beekman.

Warm regards,

Lauren Abbatantuono

Town Clerk

Encl.

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of Beekman

Local Law No. 4 of the year 2023

A local law ADOPTING LOCAL LAW NO.4 OF THE YEAR 2023, AMENDING CHAPTER 126.1
(Insert Title)
'SHORT-TERM RENTALS' and CHAPTER 155 'ZONING' OF THE CODE OF THE TOWN
BEEKMAN"

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of BEEKMAN

as follows:

SEE ATTACHED

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 2023 of the (County)(City)(~~TOWN~~)(Village) of BEEKMAN was duly passed by the TOWN BOARD on JUNE 7 2023, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20 , in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

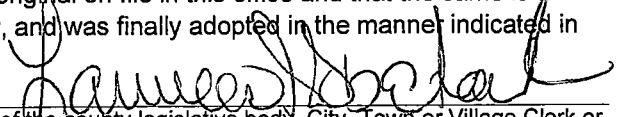
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

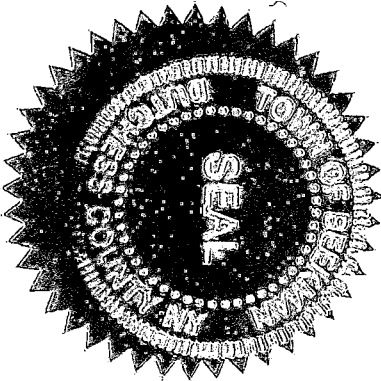
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.


Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: June 8, 2023



(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

**TOWN OF BEEKMAN
LOCAL LAW NO. 4 OF THE YEAR 2023**

**LOCAL LAW AMENDING CHAPTER 126.1 “SHORT-TERM RENTALS” AND
CHAPTER 155 “ZONING” OF THE CODE OF THE TOWN OF BEEKMAN**

BE IT ENACTED by the Town Board of the Town of Beekman as follows:

SECTION 1. LEGISLATIVE INTENT

The Town Board finds that it is necessary to update and amend Chapter 126.1 “Short-Term Rentals” and Chapter 155 “Zoning” of the Code of the Town of Beekman to efficiently and effectively regulate short-term rental uses.

SECTION 2. APPLICATION

This Local Law shall apply within the Town of Beekman.

SECTION 3. AMENDMENTS TO CHAPTER 126.1 “SHORT-TERM RENTALS”

Chapter 126.1 is hereby amended to read as follows:

CHAPTER 126.1. SHORT-TERM RENTALS

§ 126.1-1. Purpose.

The Town Board of the Town of Beekman has determined it is in the best interest of the Town and its residents to regulate short-term rentals. The Town Board recognizes the benefits of short-term rentals to allow homeowners to supplement their income to defray the cost of housing and to provide lodging for visitors to the Town. However, to protect the health, safety and welfare of the Town and its residents, it is necessary to restrict the rental of dwelling units for terms shorter than 30 consecutive days because such use has the potential to negatively impact residential neighborhoods by allowing what are effectively transient lodging uses in buildings and areas where commercial uses may not be permitted. In addition, the presence of short-term rentals also can lead to a reduction in the affordable housing supply by removing dwelling units from the market and driving up demand for the limited remaining housing supply. This can result in fewer available units and increased prices or rents for those units that are available. The Town Board believes that the restrictions and requirements imposed herein further the Town’s goals and objectives and

promotes the protection of the health, safety and welfare of the Town and its residents. This Chapter describes procedures and requirements for obtaining a permit for a short-term rental and is intended to operate in conjunction with the regulations of the Town of Beekman Code Chapter 155 entitled "Zoning."

§ 126.1-2. Definitions.

As used in this chapter, the following words shall have the meanings indicated:

PRIMARY RESIDENCE

The domicile and principal dwelling that a person inhabits and resides in for the majority of the year. If title to the property is not held in the name of a natural person, then the following shall apply: if the property is held in the name of a trust, the person that inhabits the residence must be a grantor or a beneficiary of the trust; if the property is held by an entity other than a trust (corporation, limited liability company, partnership, etc.), the resident must be a majority owner of the entity.

OWNER

Any person having a fee interest in the real property to be used as a short-term rental. For purposes of a short-term rental, the definition of an owner includes members of the owner's immediate family.

IMMEDIATE FAMILY

The "immediate family" of an owner of a dwelling unit shall include the owner's spouse or domestic partner, adult children, parents, adult step-children, father-in-law and mother-in-law.

PERSON

A natural person, partnership, corporation, limited liability company, trust, governmental entity or other legal entity.

SHORT-TERM RENTAL

A dwelling made available for rent or lease, or otherwise assigned, for an occupancy of fewer than 30 consecutive days. The term "short-term rental" does not include dormitories, hotel or motel rooms, bed-and-breakfast establishments, or inns as regulated by the Town of Beekman Zoning Law, and does not include the use of any accessory structure(s) for dwelling purposes.

The following are types of short-term rentals:

- (1) Hosted short-term rental. A short-term rental where the owner is residing in the dwelling overnight with their guest(s). A hosted short-term rental shall not include an accessory structure.
- (2) Unhosted short-term rental. A short-term rental where the owner is not present in the dwelling overnight with their guest(s) but must designate a resident agent for the property. An unhosted short-term rental shall not include an accessory structure.

RESIDENT AGENT

A representative of an owner who resides within the designated boundaries within 20 miles of the short-term rental as defined at the time of periodic property registration. All resident agents must be natural persons at least 21 years of age and shall not be corporations, limited liability companies or other similar entities.

§ 126.1-3. Short-Term Rental Permit.

- A. Permit required. It shall be unlawful to use, establish, maintain, operate, rent or lease, or advertise for rent or lease, any property as a short-term rental within the Town of Beekman without first having obtained a short-term rental permit for such purpose in accordance with provisions of this chapter. The failure or refusal to obtain a short-term rental permit prior to the commencement of a short-term rental use shall be deemed a violation of this chapter.
- B. A total of up to fifteen (15) short-term rental permits or renewal of permits will be issued by the Town per year on a first come, first serve basis.
- C. Only one (1) short-term rental permit shall be issued by the Town per owner per year.
- D. Zoning use authorized. Subject to the conditions set forth in this chapter and in Chapter 155, including §155-39.1, a short-term rental shall be a permitted accessory use to a lawful dwelling.
- E. Advertisement. If an owner advertises their rental online or in print, the short-term rental permit number issued by the Town must be included in the listing.
- F. Presumptive evidence. The presence or existence of any of the following shall create a rebuttable presumption that a property is being utilized as a short-term rental:
 - (1) The property is offered for lease or rent on a short-term rental website, including but not limited to Airbnb, HomeAway, VRBO or similar websites; or
 - (2) The property is offered for lease or rent by the use of any other advertising mechanism for a period of fewer than thirty (30) consecutive days.

§ 126.1-4. Term of Permit.

A short-term rental permit shall be issued annually and shall expire on the last day of December next succeeding the date of issuance, unless sooner terminated, revoked or suspended. An owner may apply for renewal for the following calendar year up to 90 days prior to the expiration of the permit, but no later than 30 days prior to such expiration.

§ 126.1-5. Application for permit.

- A. Application. An application for a short-term rental permit shall be made to the Building Department on forms provided by the Town and signed by the owner of the property. The form and content of the permit application shall be as determined from time to time by the Town and shall request such information and materials as the Town deems necessary. Such application shall contain, at a minimum, the information required by this chapter, including the following:

- (1) For hosted property. The name, address, e-mail address, and telephone number of the owner.
- (2) For unhosted property. The name, address, e-mail address and telephone number of both the owner and the resident agent.
- (3) Property information, including:
 - (a) The property address and Tax Parcel ID number;
 - (b) The total number of bedrooms and bathrooms in the dwelling;
 - (c) The total number of bedrooms proposed for short-term rental use;
 - (d) The square footage and ceiling height of bedroom(s) proposed to be used for short-term rental;
 - (e) A sketch indicating the location of each bedroom in the dwelling proposed to be rented, and two means of egress from each such bedroom; and
 - (f) The number of persons (1 or 2) to be accommodated in each short-term rental bedroom.
- (4) For hosted property. Certification that the property is the owner's primary residence. Primary residency shall be verified by one of the following:
 - (a) Proof of receipt of New York State STAR Credit or STAR property tax exemption for the short-term rental property; or
 - (b) A copy of a filed federal or state tax return showing the owner being domiciled at the property address; or
 - (c) Other evidence satisfactory to the Town that the property meets the primary residence criteria.
- (5) For unhosted property. Certification that the property is owned by the non-host owner, a deed or other satisfactory evidence to the Town that the property is owned by the non-host owner.
- (6) Proof of insurance coverage for the short-term rental use.
- (7) A sketch map or photos of the site sufficient to show the location of driveway, the number and location of existing on-site parking spaces, and the number of available on-site parking spaces for the short-term rental. It is not necessary for the sketch map to be prepared by a licensed professional surveyor or engineer.
- (8) A signed and notarized certification in a form acceptable to the Town Attorney by the owner attesting to the fact that:
 - (a) If a hosted short-term rental. The property is the applicant's primary residence.
 - (b) If a hosted short-term rental. The applicant/owner will reside in the dwelling during the rental.
 - (c) If an unhosted short-term rental. The applicant is the owner or resident agent of the property.
 - (d) If an unhosted short-term rental. A designated resident agent who shall be responsible and authorized to act on the owner's behalf and who resides within the designated

boundaries within 20 miles of the short-term rental and is available on a 2 hour basis to address any violations of the conditions of occupancy.

- (e) The property is fit for human habitation and is safe.
 - (f) The applicant will comply with all of the conditions and restrictions of the permit.
 - (g) No portion of the area to be used for the short-term rental will utilize a cellar or attic, or any portion thereof, as habitable space unless it meets the requirements of the New York State Uniform Fire Prevention and Building Code; and
 - (h) The property is in compliance with all of the provisions of this chapter, the applicable provisions of the Town Code, and the New York State Uniform Fire Prevention and Building Code.
- (9) A non-refundable application fee, in accordance with the Schedule of Fees, payable upon application. In no instance shall the filing of an application or the payment of an application fee be construed as permission to operate a short-term rental, or to exonerate the owner from responsibility for compliance with the building, housing, fire and maintenance requirements of any local, county, state or federal agency having jurisdiction.
- (10) If the owner intends to prepare and serve food to guests, proof of compliance with the licensing requirements administered by the Dutchess County Department of Behavioral and Community Health applicable to bed-and-breakfast establishments.
- (11) Any such other information and/or documentation deemed necessary by the Building Inspector or the Town Board.
- B. Inspection. The property shall be inspected by a Town Building Inspector at the time of the initial application and prior to any permit renewal to determine whether the property is in compliance with this chapter and all other applicable provisions of the Town Code and the New York State Uniform Fire Prevention and Building Code. The Building Inspector will confirm that the short-term rental contains functioning smoke and carbon monoxide detectors in appropriate locations as required by the New York State Uniform Fire Prevention and Building Code, as well as a functioning fire extinguisher, and two safe means of ingress/egress for each rented bedroom. The inspection report shall indicate the number of bedrooms in the dwelling permitted by the certificate of occupancy and/or as permitted by the size of the sanitary sewage disposal system approved for the dwelling by the Dutchess County Department of Behavioral and Community Health. A non-refundable inspection fee shall be payable upon application in accordance with the Schedule of Fees. If the Building Inspector determines that the short-term rental space is not in compliance, any existing permit shall be revoked, and the owner shall cease use of the dwelling unit as a short-term rental until all noncomplying elements have been corrected, as confirmed by re-inspection by the Building Inspector, which shall be subject to an additional fee as set forth in the Schedule of Fees.
- C. Permit Fee. A non-refundable permit fee shall be payable upon issuance of the permit in accordance with the Schedule of Fees.
- D. Duty to amend. If the information submitted as part of the permit application changes at any time after submittal, it is the responsibility of the owner to submit such changes to the Building Department in writing within 30 days of the occurrence of such change. Failure to do so shall be deemed a violation of this chapter.

§ 126.1-6. Renewal of permit.

A short-term rental permit may be renewed by application to the Building Department as in the case of an original permit application as outlined in § 126.1-5 above. All applications for a renewal of a permit shall be filed within the time period outlined in § 126.1-4 above. A permit may only be renewed by the same owner for the same property upon the payment of the requisite fees. In addition to the application and information required pursuant to § 126.1-5 above, for any renewal application, evidence of payment of the Hotel Occupancy Tax required by Dutchess County for the fiscal year covered by the current permit shall be submitted. No permit shall be issued for a renewal until such proof is provided.

§ 126.1-7. Issuance of permit; conditions and restrictions.

- A. **Transferability.** Only the owner or resident agent of the property containing a proposed short-term rental may apply for and operate a short-term rental. Short-term rental permits are specific to the designated owner or resident agent and property, and cannot be transferred to other owners, agents or properties. Any person who purports to transfer a permit, or who uses a permit that has been transferred, shall be in violation of this chapter.
- B. **Primary residence.** It shall be unlawful for a person to use, establish, maintain operate, rent or lease any property as a hosted short-term rental if the property is not the person's primary residence. The property used as a hosted short-term rental shall be the primary residence of the owner at all times during the term of the permit. An owner is prohibited from renting more than one property per year. An owner may only operate one short-term rental per parcel in the Town.
- C. **Violations.** No short-term rental permit shall be issued to any owner or for any property with an outstanding notice of violation under the Town of Beekman Code, nor to any owner or property with a permit that was suspended or revoked and remains uncured, or that was suspended or revoked two or more times during the two-year period preceding the year applied for.
- D. **Authority of Building Inspector.** The Building Inspector may issue a permit upon such restrictions and conditions as he/she deems reasonable and necessary under the circumstances.
- E. **Conditions and restrictions of permit.** All permits issued pursuant to this Chapter shall be subject to the following conditions and restrictions, whether or not they are itemized on the permit:
 - (1) **Signage.** There shall be no signage on the property advertising or identifying any portion of the property as a short-term rental.
 - (2) **Residential appearance and character.** All outward appearances of the property in which the short-term rental will be located must remain residential in character. A short-term rental shall be conducted in a manner which does not give the outward appearance of a business, does not have commercial-type outdoor lighting, does not infringe on the right of neighboring residents to enjoy the peaceful occupancy of their residential premises, and does not alter the residential character of the property or the neighborhood.
 - (3) **Parking.** Off-street parking shall be located on the parcel on which the short-term rental is located, and shall be comply with § 155-56 of the Town Code to the satisfaction of the Building Inspector and the Town Board.

- (4) Number of bedrooms. The number of bedrooms used by the residents of the dwelling unit and the short-term rental use shall not exceed the number of bedrooms that are permitted by the certificate of occupancy and/or as permitted by the size of the sanitary sewage disposal system approved for the dwelling by the Dutchess County Department of Behavioral and Community Health.
- (5) Number of guests. No more than two guests per bedroom may be accommodated on any occasion. Children under 5 years of age shall not count towards this maximum.
- (6) Size of bedrooms. Every bedroom in a short-term rental occupied by one (1) person shall contain at least seventy (70) square feet of floor area and every bedroom in a short-term rental occupied by two (2) persons shall contain at least one hundred (100) square feet of floor area. Children under five (5) years of age shall not be included in this calculation.
- (7) Traffic. Traffic attributed to the short-term rental must not result in significant adverse impacts to existing traffic patterns nor create a hazard to pedestrians in the neighborhood.
- (8) Code Compliance. Compliance with the provisions of Chapter 108 (Noise) and Chapter 124 (Sewage Disposal Systems) shall be required.
- (9) Solid Waste. Facilities to handle solid waste, including recycling, shall be made available to short-term rental guests and shall be easily accessible, secure and screened from adjacent properties. Instructions shall comply with (14) below.
- (10) Assembly. It shall be unlawful for a short-term rental property to be utilized by short-term rental guests for any type of assembly. As used in this Chapter, assembly shall include, but not be limited to, a wedding; bachelor or bachelorette party; or any similar party, activity or gathering; or a luncheon, banquet, or meeting; or similar activities.
- (11) Meals. No restaurant may be operated, and no meals may be prepared or served to guests other than the rental occupants of the short-term rental. Meals served to permitted occupants of the short-term as in a typical "bed-and-breakfast" are permitted, subject to compliance with the regulations of the Dutchess County Department of Behavioral and Community Health.
- (12) Non-habitable structures. No owner shall offer or use any part of the property not approved for residential use as a short-term rental, including but not limited to a recreational or other vehicle parked on the property, a storage shed, recreation room, trailer, garage, or any temporary structure such as a tent or treehouse.
- (13) Transient recreational use not part of short-term rental use. It shall be unlawful for an owner to offer for use, rent or lease, or advertise for use, rent or lease, any portion of the residential property, such as pool or hot tub rentals, party or yard rentals, or sport court rentals, to any third-party for transient recreational use separate from a permitted short-term rental use.
- (14) Postings. The owner shall post a copy of the following in an open and conspicuous place in the rental unit, readily visible to all guests:
 - (a) Short-term rental Permit Number.
 - (b) A copy of Chapter 108 (Noise) of the Town Code.

- (c) A safety/egress plan, which shall be posted on the back of the door of each rented bedroom.
 - (d) A property map (either a survey of the property or a tax map printed from Dutchess County Parcel Access) depicting property boundaries, and a notice to guests not to trespass on neighbors' property.
 - (e) Information identifying the location of easily accessible solid waste and recycling facilities, days and times when garbage is picked up, and any recycling requirements (comingled, single stream, required receptacle, etc.).
- (15) Registry of Guests. The owner of the short-term rental shall maintain a true and accurate registry of the short-term rental use, including the dates and total number of days rented, number of bedrooms rented, and number of short-term rental occupants. Such registry shall be retained for at least three years, and shall be available for inspection by the Town upon request.
- (16) Hotel Occupancy Tax. The owner shall be responsible for payment of the Hotel Occupancy Tax to Dutchess County either directly or through Airbnb or other similar websites if applicable, and for collecting and remitting all applicable occupancy and sales taxes required by state and/or County law. Failure to pay all required taxes shall be a violation of this chapter. The Town may transmit permit and registration information to Dutchess County for enforcement purposes.
- (17) Compliance with applicable laws. The owner shall comply with all applicable state, federal, and local laws.
- (18) Conditions and restrictions. It shall be unlawful for an owner to violate, fail, neglect or refuse to fully comply with any condition, restriction or requirement of the short-term rental permit.
- F. Notification Requirements. The Building Department shall provide a packet of information with each permit summarizing the restrictions, guidelines, and requirements applicable to the short-term rental use. The owner shall provide a copy of the information packet to the occupant(s) of the short-term rental.

§ 126.1-8. Denial or revocation of application.

- A. Basis for denial. Any application for a short-term rental permit, including the renewal of a permit, may be denied for the reasons set forth in § 126.1-10.
- B. Basis for revocation. Any permit for a short-term rental may be revoked or the reasons set forth in § 126.1-11.
- C. Form of denial or revocation. In the event an application is denied, revoked or suspended, notice of the same shall be given in writing by mail to the applicant at the address shown on the application. If the notice is returned by the Post Office as undeliverable for any reason, as long as it was properly addressed, service of the notice shall be presumed valid.
- D. Notice of denial, revocation or suspension. The notice of denial, revocation or suspension shall set forth the grounds therefor and contain a statement that the applicant may appeal such determination pursuant to § 126.1-12 herein. The notice shall also contain a statement that the

applicant may submit written objections, and any other information the applicant deems advisable or necessary.

§ 126.1-9. Reapplication for a permit.

Once an application has been denied or revoked, no reapplication for a permit or a renewal of the permit shall be accepted for filing until the applicant has remedied the condition(s) that formed the basis for denial or revocation to the satisfaction of the Building Inspector.

§ 126.1-10. Basis for denial of a permit.

An application for the issuance of a short-term rental permit, or renewal thereof, may be denied under the following circumstances:

- A. Failure of the owner or resident agent to file a full, true and complete application;
- B. Failure of the owner or resident agent to meet any of the requirements for obtaining a short-term rental permit;
- C. Occupancy of the property or the short-term rental area(s) creates a hazard, public nuisance, or other condition which negatively impacts the use and/or enjoyment of surrounding properties, or threatens the peace and good order, or quality of life in the surrounding community as determined by the Building Inspector; or
- D. The owner had a previous short-term rental permit revoked by the Town.

§ 126.1-11. Revocation of a permit.

The grounds upon which a permit can be revoked shall include but shall not be limited to:

A. Permanent Revocation.

- (1) The permit was issued in whole or in part as a result of a false, untrue, or misleading statement on the permit application or other document submitted as part of the application, including but not limited to the schematic or certification.
- (2) For hosted short-term rentals. The owner ceases to be an owner, or fails to continue to occupy the property as a primary residence, or fails to remain an occupant during the time of hosted rentals.
- (3) For unhosted short-term rentals. The owner ceases to be an owner or fails to designate a resident agent.
- (4) The Town either has suspended, or is in the process of suspending or revoking, the certificate of occupancy or letter in lieu thereof for the property;
- (5) The use of the property as a short-term rental creates a hazard or public nuisance, threat to public safety or other condition which negatively impacts the use and/or enjoyment of surrounding properties, or threatens the peace and good order, or quality of life in the surrounding community, as determined by the Building Inspector;
- (6) The failure by the applicant to comply with, or violation of, the conditions and restrictions of the permit; or
- (7) The failure by the applicant to comply with, or violation of, any federal, state, or local law, regulation or rule.

B. Temporary Revocation/Suspension.

- (1) The receipt by the Town of three (3) or more complaints about the short-term rental use within a thirty-day period shall cause the permit to be revoked for a period of thirty days.
- (2) The receipt by the Town of more than six (6) complaints about the short-term rental use within a forty-five-day period shall cause the permit to be revoked for a period of time to be determined by the Building Inspector, such time to be determined based upon the type and nature of the complaint, the complainant, and the ability to remedy the complaint.

§ 126.1-12. Appeals.

- A. Upon the denial, suspension or revocation of a permit, the applicant may, within 20 business days from the date of the written notice, file a request for a hearing before the Town Board. Such request shall be filed with the Town Clerk. The Town Clerk shall promptly forward a copy of the appeal to the Town Attorney and the Building Inspector for further processing. Notice of the date, place and time of the hearing shall be given in writing by mail to the applicant at the address shown on the application. If the notice is returned by the Post Office as undeliverable for any reason, as long as it was properly addressed, service of the notice shall be presumed valid. The hearing shall be scheduled no later than 30 days after the date on which the request was filed.
- B. In the event that demand for a hearing is not made within the prescribed time or in the event that the applicant does not timely appear for the hearing, the Building Inspector's decision shall become final.
- C. The applicant shall be given an opportunity to present evidence why such denial of application, or such suspension or revocation of the permit, should be modified or withdrawn. The Building Inspector or his or her designated agent may also give testimony or submit evidence in support of the proposal to deny or revoke the permit. All hearings shall be recorded and may be adjourned by the Town Board upon good cause shown. Upon consideration of the evidence presented, the Town Board shall within fifteen (15) days of the close of the hearing sustain, modify or reverse the decision of the Building Inspector, and the Town Board's decision shall be filed with the town Clerk,
- D. The applicant may file an Article 78 proceeding under the New York Civil Practice Law and Rules challenging the Town Board's decision. The Article 78 proceeding must be filed within 30 days of the filing of the Town Board's decision with the Town Clerk.

§ 126.1-13. Effect of Revocation.

- A. If a permit is revoked, the owner shall not be eligible to re-apply for a permit for a period of one (1) year from the date of the revocation. Following the one (1) year period, no application for a new permit will be accepted for filing until the applicant has remedied the conditions that formed the basis of the revocation to the satisfaction of the Building Inspector, if applicable. A prior revocation may be a factor in the determination as to whether a new permit will be issued. Once remedied, the applicant will have to apply for a new permit.
- B. Notwithstanding the foregoing paragraph and the provisions of § 126.1-11(B), if an owner moves to a new residence in the Town and provides timely notice to the Town of the same, the failure to continue to occupy the original residence shall not subject the owner to the one-year waiting period.

§ 126.1-14. Violations and Enforcement.

- A. It shall be the duty of the Building Inspector and his or her duly authorized representatives, to enforce the provisions of this Chapter.
- B. Appearance tickets. The individuals identified in Subsection A are authorized to issue appearance tickets as defined in § 150.10 of the Criminal Procedure Law, as well as orders to remedy and notices of violation, to enforce the provisions of this Chapter.
- C. A violation of any provision of this Chapter is an offense, punishable as provided for in § 126.1-15.

§ 126.1-15. Penalties for offense(s).

Every person violating any provision of this Chapter shall also be subject to a civil penalty as follows:

- A. For the first offense: a civil penalty in a minimum amount of \$350 and a maximum amount of \$500;
- B. For the second and subsequent offenses: a civil penalty in a minimum amount of \$500 and a maximum amount of \$5,000; and
- C. Each violation shall be deemed a separate violation.

SECTION 4. AMENDMENTS TO ARTICLES V AND VIII OF CHAPTER 155 "ZONING"

Chapter 155-39.1 is hereby amended to read as follows:

§ 155-39.1. Short-term rentals.

- A. Purpose. The purpose of this section, and of Chapter 126.1 of the Town Code, is to regulate short-term rentals within the Town of Beekman in a manner that protects the public health, safety, and welfare.
- B. Definitions. As used in this section, the following words shall have the meanings indicated:

PRIMARY RESIDENCE

The domicile and principal dwelling that a person inhabits and resides in for the majority of the year. If title to the property is not held in the name of a natural person, then the following shall apply: if the property is held in the name of a trust, the person that inhabits the residence must be a grantor or a beneficiary of the trust; if the property is held by an entity other than a

trust (corporation, limited liability company, partnership, etc.), the resident must be a majority owner of the entity.

OWNER

Any person having a fee interest in the real property to be used as a short-term rental. For purposes of a short-term rental, the definition of an owner includes members of the owner's immediate family.

IMMEDIATE FAMILY

The "immediate family" of an owner of a dwelling unit shall include the owner's spouse or domestic partner, adult children, parents, adult step-children, father-in-law and mother-in-law.

PERSON

A natural person, partnership, corporation, limited liability company, trust, governmental entity or other legal entity.

SHORT-TERM RENTAL

A dwelling made available for rent or lease, or otherwise assigned, for an occupancy of fewer than 30 consecutive days. The term "short-term rental" does not include dormitories, hotel or motel rooms, bed-and-breakfast establishments, or inns as regulated by the Town of Beekman Zoning Law, and does not include the use of any accessory structure(s) for dwelling purposes.

The following are types of short-term rentals:

- (1) Hosted short-term rental. A short-term rental where the owner is residing in the dwelling overnight with their guest(s). A hosted short-term rental shall not include an accessory structure.
- (2) Unhosted short-term rental. A short-term rental where the owner is not present in the dwelling overnight with their guest(s) but must designate a resident agent for the property. An unhosted short-term rental shall not include an accessory structure.

RESIDENT AGENT

A representative of an owner who resides within the designated boundaries within 20 miles of the short-term rental as defined at the time of periodic property registration. All resident agents must be natural persons, at least 21 years of age and shall not be corporations, limited liability companies or other similar entities.

- C. Subject to the requirements set forth in this section, short-term rentals shall be permitted as follows:
- (1) A short-term rental shall only be permitted as an accessory use to a dwelling.
 - (2) For hosted short-term rentals. The dwelling shall be the primary residence of the property owner.
 - (3) For unhosted short-term rentals. The owner is limited to one permit per year and the owner must designate a resident agent for the property.

- (4) A property owner may only operate a short-term rental on one parcel in the Town.
- (5) A short-term rental shall only be permitted within a principal building, not an accessory building.
- (6) A short-term rental shall not be permitted on the same lot as an accessory dwelling unit or a home occupation.
- (7) Zoning districts. A hosted or unhosted short-term rental shall be a permitted use in any lawful dwelling.

SECTION 5. RATIFICATION, READOPTION AND CONFIRMATION

Except as specifically modified by the amendments contained herein, the Code of the Town of Beekman as adopted and amended from time to time thereafter is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

SECTION 6. NUMBERING FOR CODIFICATION

It is the intention of the Town of Beekman and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Town of Beekman; that the sections and sub-sections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word "Local Law" shall be changed to "Chapter", "Section" or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

SECTION 7. SEVERABILITY

The invalidity of any word, section, clause, paragraph, sentence, part, or provision of this Local Law shall not affect the validity of any other part of this Local Law, which can be given effect without such part or parts.

SECTION 8. EFFECTIVE DATE

This local law shall take effect immediately upon the filing in the office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law, or as soon as permissible thereafter.

RESOLUTION NO. 06:07:23 -2
RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BEEKMAN
ADOPTING NEGATIVE DECLARATION FOR "LOCAL LAW NO. 4 OF THE YEAR 2023, AMENDING CHAPTER 126.1 'SHORT-TERM RENTALS' AND CHAPTER 155 'ZONING' OF THE CODE OF THE TOWN OF BEEKMAN"

WHEREAS, the Town of Beekman Town Board is considering the adoption of a Local Law entitled "Local Law No. 4 of the Year 2023, Amending Chapter 126.1 'Short-Term Rentals' and Chapter 155 'Zoning' of the Code of the Town of Beekman"; and

WHEREAS, the Town Board has determined that the Proposed Action is a Type I action pursuant to Article 8 of the Environmental Conservation Law, Part 617 NYCRR (commonly known as "SEQRA"); and

WHEREAS, the Town Board has determined that the proposed Local Law is an action for which there are no other Involved Agencies and that the Town Board is therefore, by default, the Lead Agency for this action; and

WHEREAS, the Attorney to the Town has prepared a Full Environmental Assessment Form (FEAF) regarding the proposed Local Law, which FEAF analyzes the potential environmental impacts regarding said Local Law; and

WHEREAS, the Town Board has reviewed the Local Law and the Full Environmental Assessment Form.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Beekman hereby adopts the attached Negative Declaration, for the reasons stated therein, thereby finding that the proposed Local Law entitled "Local Law No. 4 of the Year 2023, Amending Chapter 126.1 'Short-Term Rentals' and Chapter 155 'Zoning' of the Code of the Town of Beekman" will have no significant adverse impact upon the environment, and thereby ending the SEQRA process with respect to said Local Law; and

BE IT FURTHER RESOLVED, that the Town Clerk shall cause the Negative Declaration to be circulated to the involved agencies and to have it published in the Environmental Notice Bulletin as required by SEQRA regulations.

Introduced: COUNCILMAN BATTAGLINI

Seconded: COUNCILMAN LEMAK

ROLL CALL VOTE:

Councilman Stiegler	AYE
Councilman Battaglini	AYE
Councilman Lemak	AYE
Councilwoman Woehrman	AYE
Supervisor Covucci	AYE

Dated: June 7, 2023

BY ORDER OF THE TOWN BOARD
LAUREEN ABBATANTUONO, TOWN CLERK


DATED: June 8, 2023
BEEKMAN, NY

CERTIFICATION

I, LAUREEN ABBATANTUONO, the duly qualified and acting Clerk for the Town of Beekman Town Board, Dutchess County, State of New York, do hereby certify that attached hereto is a true and correct copy of an extract from the minutes of a regular/adjourned meeting of the Town Board of the Town of Beekman, held on the 7th day of June, 2023 and that the Resolution set forth herein is a true and correct copy of the of the Town Board of said Town adopted at said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said Town, the 8th day of June, 2023.


LAUREEN ABBATANTUONO
TOWN CLERK





TOWN OF
BEEKMAN
New York

4 Main Street
Poughquag, NY 12570
www.townofbeekman.com
(845) 724-5300

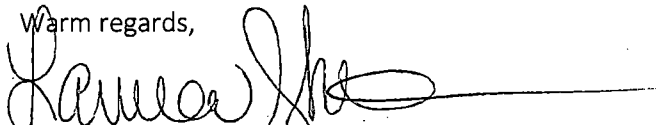
June 8, 2023

NYS Dept. of State
Division of Corporations
State Records & Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231

Enclosed herewith please find for filing in your office:

Local Law 5-2023 for the Town of Beekman.

Warm regards,



Lauren Abbatantuono

Town Clerk

Encl. ,

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of Beekman

Local Law No. 5 of the year 2023

A local law ADOPTING LOCAL LAW NO.5 OF THE YEAR 2023 "CHAPTER 80 PUBLIC AND
(Insert Title)
PRIVATE FIREWORKS DISPLAY AND STORAGE"

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of BEEKMAN

as follows:

SEE ATTACHED

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 5 of 2023 of the (County)(City)~~(Town)~~(Village) of BEEKMAN was duly passed by the TOWN BOARD on JUNE 7 2023, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(~~Town~~)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20 , in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

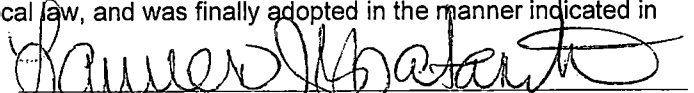
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.


Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: June 8, 2023



Local Law No.5 of 2023

"CHAPTER 80 PUBLIC AND PRIVATE FIREWORKS DISPLAY AND STORAGE"

§ 80-1 Findings and purpose.

§ 80-2 Definitions.

§ 80-3 General restrictions; permit required.

§ 80-4 Application procedures.

§ 80-5 Viewing distance.

§ 80-6 Revocation of permit.

§ 80-7 Additional requirements.

§ 80-8 Penalties for offenses.

§ 80-9 Fees.

§ 80-10 Severability.

§ 80-11 Conflict with state law.

§ 80-1 Findings and purpose.

- A. Pursuant to recent revisions to the New York State Penal Law, § 405.00, it is now legal for private individuals, as well as organizations and municipalities, to employ the services of professional pyrotechnics for fireworks displays. The Town Board of the Town of Beekman hereby finds that such activities are extremely dangerous, as they

incorporate the use of highly explosive materials and other devices which pose a threat to the health and safety of the Town of Beekman and its residents. The Board therefore finds it necessary to enact a chapter benefiting the health, safety and general welfare of the Town of Beekman and its residents with respect to the storage and use of fireworks within the Town's jurisdiction.

B. This chapter shall augment, and in no way conflict with or supersede, §§ 405.00 and 270.00 of the New York State Penal Law and, where applicable, shall regulate those areas specifically prescribed to the authority of the Town.

§ 80-2 Definitions.

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

ASSISTANT

For purposes of this chapter, the individual(s) employed by a state-certified pyrotechnic operator (as defined below) and who is at least 18 years of age and trained in the proper handling and discharge of fireworks.

FIREWORKS

Defined herein in accordance with § 270 of the New York State Penal Law as any blank cartridge, blank cartridge pistol, or toy cannon in which explosives are used, firecrackers, sparklers or other combustible or explosive of like construction, or any preparation containing any explosive or inflammable compound or any tablets or other device commonly used and sold as fireworks containing nitrates, chlorates, oxalates, sulphides of lead, barium, antimony, arsenic, mercury, nitroglycerine, phosphorus or any compound containing any of the same or other explosives, or any substance or combination of substances, or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, or other device containing any explosive substance.

HIGHWAY

Any public street, road, highway or alley, or any private road or street.

OPERATOR

A pyrotechnic or pyrotechnic company certified by the State of New York, pursuant to Article 28-D of the New York State General Business Law and Article 16 of the New York State Labor Law, in the handling, storage and discharge of fireworks.

PERMIT

For purposes of this chapter, a permit issued by the permitting authority for the public display and discharge of fireworks in accordance with the requirements set forth by this chapter and as provided for in the application materials provided by the Town of Beekman.

PERMITTING AUTHORITY

For purposes of this chapter, the Town of Beekman Department, who shall review applications for fireworks displays and, in consultation with the Town of Beekman Fire Department, issue or deny permits in connection therewith.

PUBLIC/PRIVATE FIREWORKS DISPLAY

Any outdoor display of fireworks performed in a manor to be viewed by the general public.

SPONSOR

For purposes of this chapter, any person, company, municipality, fair association, or other legal entity applying for a permit for the discharge and display of fireworks.

§ 80-3 General restrictions; permit required.

- A. No person or other legal entity shall conduct an indoor fireworks display in the Town of Beekman.
- B. No public or private fireworks display, or storage shall be conducted in the Town of Beekman on a lot containing a one-family, two-family or multi-unit dwelling as its principal use.
- C. No public or private fireworks display, shall be conducted prior to 8:00 p.m. or after 10:00 p.m.
- D. No public or private fireworks display may last longer than 45 minutes.
- E. No public or private fireworks display, nor storage of fireworks, shall be conducted in the Town of Beekman unless a valid permit for such storage and/or display is first issued by the permitting authority.
- F. A permit issued pursuant to this chapter shall not be transferable to any other party. Attempt to transfer such permit shall result in revocation of the permit.
- G. No public or private fireworks display shall result in the closure of any town Roads.
- H. No public or private display shall be set off or require the direct use of any Town Roads.

§ 80-4 Application procedures.

- A. Information required; filing deadline; fee.
 - (1) The application for a permit pursuant to this chapter shall contain at least the following information, and supporting documents, on a form provided by the Town:
 - (a) The name of the sponsor;
 - (b) The name of the state-certified operator hired to conduct the display;
 - (c) All assistants who will work with/for the operator in executing the fireworks display for which the permit is sought;
 - (d) A verified statement from the sponsor identifying the operator, accompanied by copies of all certificates demonstrating competence as a state-certified operator; such certificates shall include:
 - [1] A copy of the operator's United States Department of Transportation hazardous material certificate of registration;
 - [2] A copy of the operator's United States Treasury Department, Bureau of Alcohol, Tobacco and Firearms explosives permit;
 - [3] A copy of the operator's New York State Department of Labor, Division of Safety and Health license to deal in or manufacture explosives; and
 - [4] Copies of the licenses of the individual assistants who will assist the operator in execution of the fireworks display;

(e) The date and time on which the display is to be made;

(f) The number and kind of fireworks;

(g) The manner and place of storage of the fireworks under the display date;

(h) A diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged, the location of all buildings, highways and other lines of communication, the lines behind which the audience will be restrained and the location of all nearby trees, telegraph or telephone lines or other overhead obstructions;

(i) A fully explained plan for the setup of the display, cleanup of the display, and an emergency plan in the event of an emergency related to the display.

(j) Such other information as the permitting authority prescribes as necessary for the evaluation and determination of a fireworks permit application.

(2) Such application shall be filed with the permitting authority no less than 30 calendar days before the date on which the proposed fireworks display is to take place. Such application shall be accompanied by a nonrefundable fee as set forth in the Town of Beekman fee schedule on file in the Town Clerk's office.

B. Bond or insurance.

(1) Before granting and issuing a permit for the display of fireworks as herein provided, the permitting authority shall require an adequate bond from the sponsor, unless it is a state park, or a city, town or village, which shall not be less than \$1,000,000, conditioned for the payment of all damages which may be caused to a person or to the property of a person or legal entity by reason of the display permitted and arising from any acts or omissions of the sponsor, operator, or any agent, employee, contractor, or subcontractor thereof. A certificate evidencing the purchase of the bond shall be provided to the Town prior to the date of any proposed fireworks display.

(2) The Town may accept, in lieu of such bond, an indemnity insurance policy with liability coverage and indemnity protection equivalent to the terms and conditions upon which such bond would be predicated and for the purposes provided in this section. Such indemnity insurance policy shall name the Town of Beekman, and its agents, officers, directors and employees, as an additional insured. A certificate evidencing the purchase of the policy shall be submitted to the Town prior to the date of any proposed fireworks display.

C. Upon receipt of an application for a fireworks permit, the permitting authority shall review the application contents and determine whether such application is in conformity with the requirements of this chapter. The permitting authority shall not unreasonably withhold granting of a permit.

D. Denial of an application for a permit shall be in writing, addressed to the sponsor of the permit, setting forth the reasons for such denial.

E. The non-refundable fee for submission of a fireworks display permit application shall be as set forth in the Town of Beekman fee schedule.

§ 80-5 Viewing distance.

The sponsor and operator shall establish the minimum safe viewing distance from which viewers of the fireworks display can observe the proposed display without risk of harm or injury, which minimum distance shall be approved by the permitting authority. A perimeter shall be established for this purpose, which only authorized members of the permitting authority and operator may cross before and during execution of the fireworks display.

§ 80-6 Revocation of permit.

If the permitting authority discovers that the sponsor has provided intentionally misleading or false information in the application materials, or that the sponsor or operator has otherwise violated any provision of this chapter, he/she may deny or revoke the permit prior to the date of the proposed fireworks display.

§ 80-7 Additional requirements.

- A. All fireworks that fire as a projectile shall be set up such that they fire in as vertical a direction as possible in order to avoid the possibility that debris will travel outside the perimeter established pursuant to § 80-5, above.
- B. All debris resulting from the fireworks display shall be promptly collected and properly disposed of by the operator in the manner prescribed by state law.
- C. There shall be at least two individuals constantly on duty during the discharge of the fireworks display, at least one of whom shall be a state-certified operator. Furthermore, there shall be two approved type fire extinguishers kept within the actual display area, which must be as widely separated as possible.
- D. The Town reserves the right to have a representative of the permitting authority, or another appropriate representative attend any fireworks display for which a permit is issued.
- E. The sponsor and operator shall have all permits available and ready for inspection on site before and during the execution of the fireworks display.
- F. No smoking shall be permitted within 200 feet of any area where fireworks or other related materials are being temporarily stored.
- G. Neighbors within 500 feet of the display shall be notified in writing one-week prior to the event.
- H. Adequate warning signage shall be posted on all adjacent roads within 500 feet during the display.

§ 80-8 Penalties for offenses.

- A. Any person, legal entity, sponsor, or operator committing an offense against this chapter shall be subject to the penalties of Article 270 of the New York State Penal Law, and § 405.05 of the New York State Penal Law concerning seizure of fireworks contained in §405.05.
- B. Notwithstanding any conviction(s) for violation of state law, violation of this chapter shall constitute a violation of the Code of the Town of Beekman, subject to civil penalties as outlined in the Town of Beekman Fee Schedule and revocation of any and all permits issued pursuant to this chapter. Any such conviction will also be considered in determining whether future permits under this chapter should be issued to the same sponsor and/or operator.
- C. The Building Inspector, in addition to any other person or agency authorized under state or local law, shall have the authority to enforce the provisions of this chapter and issue citations for civil penalties for failure to comply with the provisions this.

§ 80-9 Fees.

The Town board may from time to time approve by simple resolution the fees, penalties and deposits to be charged pursuant to this chapter. Such fees, penalties and deposits shall be adequate for recovery by the town of its costs incurred in the administration and enforcement of this chapter.

§ 80-10 Severability.

In the event any section, subsection, paragraph, or clause of this chapter is declared invalid by a court of competent jurisdiction, such finding shall have no effect on the remaining provisions of this chapter or their enforceability.

§ 80-11 Conflict with state law.

In the event any section, subsection, paragraph, or clause of this chapter is in conflict with §§ 270 or 405 of the State Penal Law, the provisions of the Penal Law are deemed to be incorporated herein and will control.

RESOLUTION NO. 06:07:23-4
RE: RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BEEKMAN
ADOPTING LOCAL LAW NO. 5 OF THE YEAR 2023 "CHAPTER 80 PUBLIC AND PRIVATE FIREWORKS DISPLAY AND STORAGE"

WHEREAS, the Town Board of the Town of Beekman introduced Local Law No. 5 of 2023 entitled "CHAPTER 80 PUBLIC AND PRIVATE FIREWORKS DISPLAY AND STORAGE" on May 23, 2023; and

WHEREAS, the Town Board members had the opportunity to review the proposed local law and it has sat on the desks of the Town Board for the required period of time; and

WHEREAS, a public hearing was duly held on June 7, 2023, at Town Hall, 4 Main Street, Poughquag, NY regarding Local Law No. 5 of 2023; and

WHEREAS, at this public hearing the Town Board members considered any public comments received during the public hearing as well as any written comments received; and

WHEREAS, the Town Board has determined that the matter is a Type II Action under SEQRA and no further environmental review is required.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Beekman does hereby affirm and adopt Local Law No. 5 of 2023 entitled, "CHAPTER 80 PUBLIC AND PRIVATE FIREWORKS DISPLAY AND STORAGE;" and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to file a copy of this Local Law with the New York Secretary of State.

Introduced: COUNCILMAN LEMAK

Seconded: COUNCILMAN STIEGLER

ROLL CALL VOTE:

Councilman Stiegler	AYE
Councilman Battaglini	AYE
Councilman Lemak	AYE
Councilwoman Woehrman	AYE
Supervisor Covucci	AYE

Dated: June 7, 2023

BY ORDER OF THE TOWN BOARD
LAUREN ABBATANTUONO, TOWN CLERK

DATED: June 8, 2023
BEEKMAN, NY

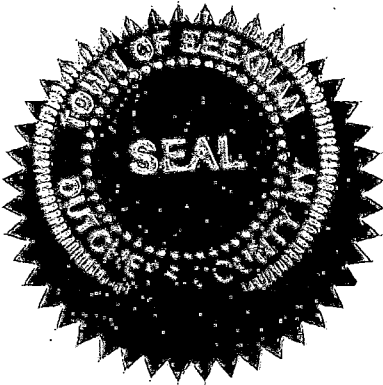
CERTIFICATION

I, LAUREEN ABBATANTUONO, the duly qualified and acting Clerk for the Town of Beekman Town Board, Dutchess County, State of New York, do hereby certify that attached hereto is a true and correct copy of an extract from the minutes of a regular/adjourned meeting of the Town Board of the Town of Beekman, held on the 7th day of June, 2023 and that the Resolution set forth herein is a true and correct copy of the of the Town Board of said Town adopted at said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said Town, the 8th day of June, 2023.


LAUREEN ABBATANTUONO
TOWN CLERK



The ENB SEQRA Notice Publication Form - Please check all that apply

Deadline: Notices must be received by **6 p.m. Wednesday** to appear in the following Wednesday's ENB

- | | |
|---|--|
| <input checked="" type="checkbox"/> Negative Declaration - Type I | <input type="checkbox"/> Draft EIS |
| <input type="checkbox"/> Conditioned Negative Declaration | <input type="checkbox"/> with Public Hearing |
| <input type="checkbox"/> Positive Declaration | <input type="checkbox"/> Generic |
| <input type="checkbox"/> Draft Scope | <input type="checkbox"/> Supplemental |
| <input type="checkbox"/> with Public Scoping Session (optional) | <input type="checkbox"/> Final EIS |
| <input type="checkbox"/> Final Scope | <input type="checkbox"/> Generic |
| | <input type="checkbox"/> Supplemental |

DEC Region # 3 County: Dutchess Lead Agency: Town of Beekman

Project Title: Adoption of Amendment to Chap 126.1 "Short-Term Rentals" and Chap 155 "Zoning" of the code of TOB

Brief Project Description: The action involves . . .

The Town of Beekman Town Board has found that it is necessary to update and amend Chapter 126.1 " Short-Term Rentals" and Chapter 155 " Zoning" of the Code of the Town of Beekman to efficiently and effectively regulate short-term rental uses.

Project Location (include street address/municipality): Town of Beekman

Contact Person: Supervisor Mary Covucci

Address: 4 Main Street City: Poughquag State: NY Zip: 12570
supervisor@townofbeekmanny.us

Phone: 845-724-5300 Fax: _____ E-mail: _____

For Conditioned Negative Declaration / Draft Scope / Draft EIS: Public Comment Period ends: ___ / ___ / ___

For Public Hearing or Scoping Session: Date: 06 / 07 / 2023 Time: 07 : 00 am/pm

Location: 4 Main Street, Poughquag NY 12570

A hard copy of the Draft Scope/Final Scope/DEIS/FEIS is available at the following locations:

The online version of the Draft Scope/Final Scope/DEIS/FEIS is available at the following publically accessible web site:

For Conditioned Negative Declaration: In summary, conditions include:

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.

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 _____ 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.

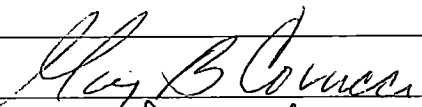
Name of Action: Adoption of Amendment to Chapter 126.1 "Short-Term Rentals" and Chapter 155 "Zoning" of the Code of the Town of Beekman

Name of Lead Agency: Town Board of the Town of Beekman

Name of Responsible Officer in Lead Agency: Mary Covucci

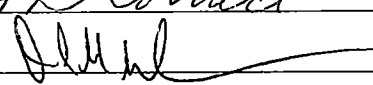
Title of Responsible Officer: Supervisor

Signature of Responsible Officer in Lead Agency:



Date: 6-8-2023

Signature of Preparer (if different from Responsible Officer)



Date: 6/8/2023

For Further Information:

Contact Person: Supervisor Mary Covucci

Address: 4 Main Street, Poughquag, NY 12570

Telephone Number: (845) 724-5300 ext. 232

E-mail: Supervisor@townofbeekmanny.us

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>

PRINT FULL FORM



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Hopewell Junction, NY 12533
servicehw@teamcamelot.com
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LAUREEN ABBATANTUONO, TOWN CLERK
TOWN OF BEEKMAN
4 MAIN STREET
POUGHQUAG, NY 12870

SHIP DATE: 08JUN23
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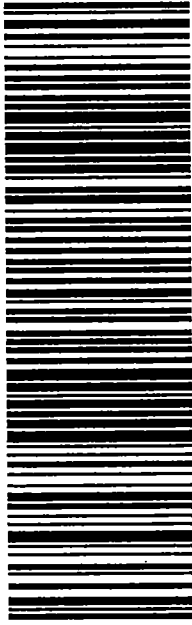
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Delivered

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772386102784

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POUGHQUAG, NY US

Label Created

6/8/2023 8:07 AM

PACKAGE RECEIVED BY FEDEX

NEWBURGH, NY

6/8/2023 4:29 PM

IN TRANSIT

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6/9/2023 8:20 AM

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6/9/2023 8:20 AM

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Shipment facts




 Shipment overview

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DELIVERED TO Mailroom

SHIP DATE  6/8/23

STANDARD TRANSIT  6/9/23 before 10:30 am

ACTUAL DELIVERY 6/9/23 at 9:33 am

 Services

SERVICE FedEx Priority Overnight

TERMS Shipper

SPECIAL HANDLING SECTION Deliver Weekday

 Package details

TOTAL PIECES 1

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Friday, 6/9/2023

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NEWARK, NJ

● 7:24 AM

At local FedEx facility
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● 8:20 AM

On FedEx vehicle for delivery
MENANDS, NY

● 8:20 AM

At local FedEx facility
MENANDS, NY



☺ 9:33 AM

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linda tute
Signature

Sworn to before me, this 25 day of April, 2023

Vicky Felty
Notary Signature State of Wisconsin County of Brown

9/19/25
My commission expires

VICKY FELTY
Notary Public
State of Wisconsin

Ad Number: 0005676745

Read- Editions Dated : 04/25/2023

NOTICE OF PUBLIC HEARING: RESOLUTION NO. 04:20:23-1

LEGAL NOTICE IS HEREBY GIVEN that pursuant to 239 of the Town Law, the Beekman Town Board will hold a Public Hearing on Tuesday May 9th, 2023 at 7:00PM at the Beekman Town Hall, 4 Main Street, Poughquag. PURPOSE of the Hearing is "INTRODUCING A LOCAL LAW AMENDING CHAPTER 126.1 "SHORT-TERM RENTALS" AND CHAPTER 155 "ZONING" OF THE CODE OF THE TOWN OF BEEKMAN" and it hereby is introduced before the Town Board of the Town of Beekman in the county of Dutchess and State of New York;

BY ORDER OF THE TOWN BOARD
TOWN OF BEEKMAN
LAUREN ABBATANTUONO
TOWN CLERK
Dated: 20 April, 2023

5676745