

**RESOLUTION  
TOWN OF ULSTER TOWN BOARD**

**Initiation of SEQR Type 1 Action-Coordinated Review**

**Central Hudson Gas & Electric  
S-B-L: 48.17-1-10.100, 13.110 & 22.110**

**WHEREAS**, the Applicant – Central Hudson Gas & Electric – is seeking Site Plan and Special Permit approval to expand an existing “utility company structure” (i.e., substation) located at 435 Hurley Avenue; and

**WHEREAS**, the subject site is situated within the OM-Office Manufacturing Zoning District where a “utility company structure” is an allowed use subject to Site Plan approval; and

**WHEREAS**, pursuant to Section 190-21 C of the Town Code, the applicant is seeking a Special Use Permit for proposed transmission structures exceeding 100-feet in height; and

**WHEREAS**, the Town of Ulster Town Board has the authority to approve the Proposed Action (Site Plan and Special Permit) since the expansion area of the substation is more than one (1) acre, upon a favorable recommendation from the Town of Ulster Planning Board; and

**WHEREAS**, the materials submitted in support of the Proposed Action includes:

- *Cover Letter* prepared by Caren LoBrutto, Senior Planner, The Chazen Companies, dated 12/21/2018;
- *Application for Site Plan & Special Permit Review* prepared by Ivan Hojsak, CHG&E, dated 12/21/18;
- *Full EAF Part 1 & Report* prepared by The Chazen Companies, dated December 21, 2018;
- *Title Sheet* prepared by The Chazen Companies, dated December 21, 2018;
- *Notes & Legend* prepared by The Chazen Companies, dated December 21, 2018;
- *Existing Conditions Plan* prepared by The Chazen Companies, dated December 21, 2018;
- *Site Plan* prepared by The Chazen Companies, dated December 21, 2018;
- *Grading, Erosion and Sediment Control Plan* by The Chazen Companies, dated December 21, 2018;
- *Earthwork Cross-Sections* prepared by The Chazen Companies, dated December 21, 2018;
- *Site and Storm Details* prepared by The Chazen Companies, dated December 21, 2018; and
- *Erosion and Sediment Control Notes* by The Chazen Companies, dated December 21, 2018.

**WHEREAS**, the Town of Ulster Planning Board, upon review of the application materials determined the Proposed Action was a *Type 1 Action* pursuant to [6 CRR-NY 617.4 \(b\)\(6\)](#) and [6 CRR-NY 617.4 \(b\)\(10\)](#) of the State Environmental Quality Review (SEQR) Law; and

**WHEREAS**, Involved Agencies include: Town of Ulster Town Board (Site Plan, Special Permit, [MS4 Acceptance](#)), NYSDEC (General Permit, Stream Disturbance and 401 Water Quality Certificate) and NYSDEC (General Permit for Construction Activities and SWPPP); and

**WHEREAS**, Interested Agencies would include the Town of Ulster Planning Board (Site Plan and Special Permit), Ulster County Planning Board (NYSGML 239 review), [New York State Department of State \(Coastal Consistency Assessment – Esopus Creek Inland Waterway\)](#), New York State Department of Ag & Markets (Filing of Ag Data Statement), United States Army Corps of Engineers (Nationwide Permit), NYS Parks, Recreation Historic Preservation (Consultation), U.S. Fish & Wildlife Service and NYNHP for consultation regarding Threatened and Endangered Species (Northern Long-eared Bat, Bald Eagle, Bog Turtle) and Town of Ulster Floodplain Development Permit (activities within the 100-year floodplain/special hazard area); and

**Central Hudson Gas & Electric**  
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**WHEREAS**, the Town’s Consulting Planner recommended to the Planning Board that the Proposed Action be referred to the Town Board for the sole purpose of initiating a SEQR *Type 1 Action-Coordinated Review* with the Town Board so named as Lead Agency.

**WHEREAS**, the Town of Ulster Planning Board, at its January 8, 2019 meeting, referred this matter to the Town Board for the sole purpose of initiating a SEQR *Type 1 Action-Coordinated Review* with the Town Board so named as Lead Agency.

**NOW THEREFORE BE IT RESOLVED**, the Town of Ulster Town Board, based upon the above and its own review of the application materials, hereby Declares its Intent to be Lead Agency for a *Type 1 Action-Coordinated Review* and directs the Deputy Town Clerk to circulate a Notice of Intent to all Involved and Interested Agencies.

**Motioned by:** Councilman Secreto

**Seconded by:** Councilman Brink

**All in Favor:**

**All Opposed:**

James E. Quigley, III, Supervisor

\_\_\_\_\_ *EXCUSED* \_\_\_\_\_

John Morrow, Deputy Supervisor

\_\_\_\_\_ X \_\_\_\_\_

Joel Brink, Councilman

\_\_\_\_\_ X \_\_\_\_\_

Eric Kitchen, Councilman

\_\_\_\_\_ X \_\_\_\_\_

Rocco Secreto, Councilman

\_\_\_\_\_ X \_\_\_\_\_

Date: January 17, 2019