

**STATE ENVIRONMENTAL QUALITY REVIEW ACT  
RESOLUTION REGARDING  
VILLAGE OF BATH PLANNING BOARD  
DYNA LYONS APARTMENTS**

**WHEREAS**, the Village of Bath Planning Board (hereinafter the “Village”) has received a site plan application for the establishment of a multifamily use at the former Dana Lyons School; and

**WHEREAS**, the applicant, Providence Housing, is proposing to construct up to 49 new residential units at the former Dana Lyons Elementary School along with the required off street parking and appurtenances (collectively, the “Project”); and

**WHEREAS**, the Village is obligated under SEQRA and corresponding regulations to review the Project, and if necessary, undertake a review of the potential environmental impacts associated with the Project before undertaking the same; and

**WHEREAS**, the Village is the appropriate agency to be the lead agency to undertake the project review under SEQRA; and

**WHEREAS**, based upon an examination of 6 NYCRR § 617.4 and § 617.5, the Village classified the Project as an Unlisted Action according to section(s) of § 617.2(al), 617.4(b)(5)(iii), and 617.4(b)(9). A Full Environmental Assessment Form was prepared for the Project, and pursuant to 6 NYCRR § 617.6(b)(4) an uncoordinated review was undertaken by the Village.

**NOW, THEREFORE, BE IT:**

**RESOLVED**, that the Village Board hereby makes the following findings:

The Project consists of rehabilitation of the existing 3 story former Dana Lyons School into family housing to include up to 49 apartment units, common areas, on-site management office, commercial space and associated site amenities.

**IT IS FURTHER RESOLVED**, that:

The Village Planning Board hereby designates itself lead agency pursuant to 6 NYCRR § 617.6(b)(4) with respect to the Project.

**IT IS FURTHER RESOLVED**, that:

Based upon an examination of the components of the Project, the Full Environmental Assessment Form, and the criteria contained in 6 NYCRR § 617.7(c), and based upon its knowledge of the areas including and surrounding the Project site, and discussions with professionals retained by the Village, the Village Planning Board, as lead agency, hereby makes the following determinations with respect to the Project pursuant to SEQRA:

- A. The Project constitutes an Unlisted Action.
- B. Based upon review by the Village Planning Board of the Full Environmental Assessment Form, any input provided by other involved agencies, and other necessary criteria set forth in SEQRA, the Village Planning Board hereby finds and determines that the Project will result in no significant impacts and, therefore, (a) the

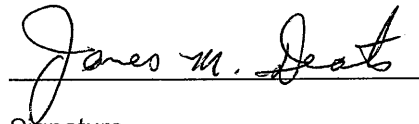
action is not one which “may include the potential for at least one significant adverse environmental impact,” (b) “there will be no significant adverse environmental impacts,” and (c) no “environmental impact statement” need be prepared, as such quoted terms are defined in SEQRA. This determination constitutes a negative declaration for purposes of SEQRA and it has been prepared in accordance with Article 8 of the Environmental Conservation Law.

- C. A copy of this resolution, together with notice of negative declaration, shall be placed on file in the office of the Village Clerk where the same shall be available for public inspection during business hours and such notice of negative declaration shall be filed in such offices, posted in such places and published in such manner as shall be necessary to conform to the requirements of SEQRA.

This resolution shall take effect immediately.

**CERTIFICATE OF RECORDING OFFICER**

The attached Resolution is a true and correct copy of a resolution establishing determination of no significant impact under SEQR for the Dana Lyons Apartments project, as regularly adopted at a legally convened meeting of the Village Planning Board of the Village of Bath duly held on the 21<sup>st</sup> day of April, 2022; and further that such Resolution has been fully recorded in the record of Village board minutes in my office. In witness whereof, I have hereunto set my hand at this 22<sup>nd</sup> day of April, 2022.

A handwritten signature in cursive script that reads "James M. Deats". The signature is written in black ink and is positioned above a horizontal line.

Signature

James Deats, Village Planning Board Chairperson