

Local Law Filing

New York State Department of State  
162 Washington Avenue, Albany, NY 12231

(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

of Lyndonville, New York

Local Law No. 5 of the year 19 98

A local law Establishing Mobile Home Park Regulations of the  
(Insert Title) Village of Lyndonville

Be it enacted by the Board of Trustees of the  
(Name of Legislative Body)

~~County~~

~~City~~

~~Town~~

Village

Lyndonville, New York

as follows:

SECTION 1. The Village Code of the Village of Lyndonville is hereby amended by adding Chapter 130 to the Village Code, the provisions of which read as follows:

**130-1 Title.**

This chapter shall be known as the "Mobile Home Park Regulations of the Village of Lyndonville, County of Orleans, State of New York".

**130-2 Purpose.**

The purpose of this chapter is to regulate mobile home parks, to promote the health, safety and general welfare of the community and to protect and preserve the property of the Village of Lyndonville, County of Orleans, State of New York, and its inhabitants.

**130-3 Interpretation.**

In its interpretation and application, the provisions of this chapter are held to be minimum requirements. Whenever the requirements of this chapter are held invariance with the requirements of any other lawfully adopted rules and regulations, the one most restrictive or the one that imposes the higher standard shall govern.

### **130-4 Applicability.**

This chapter shall apply to all existing and future mobile home parks.

### **130-5 Definitions**

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

**Lot** - A parcel of land, considered as a unit, devoted to a certain use and occupied, or capable of being occupied, by a building or group of buildings that are united by a common interest or use, and the customary accessory used and open space belonging to same.

**Lot (Corner)** - A parcel of land at the junction of, and fronting on two (2) or more intersecting streets, roads, or thoroughfares.

**Lot (Through)** - An interior lot having frontage on two (2) parallel or approximately parallel streets, roads, or thoroughfares.

**Lot Area** - The square footage of acreage contained within the boundaries of a lot. Any portion of a lot included in a public road, street or highway right-of-way shall not be included in calculating lot area.

**Lot Depth** - The mean distance from the edge of the street to the rear lot line measured in the general direction of the side lines of the lot.

**Lot Frontage** - The linear distance along a lot line which adjoins the road or highway which provided access to the lot.

**Lot Line** - The property lines bounding the lot.

Lot Line, Front - The line separating the lot from a street right-of-way.

**Lot Line, Rear** - The lot line opposite and most distant from the front lot line.

**Lot Line, Side**- Any lot line other than a front or rear lot line.

**Lot Width** - The width of the lot between side lot lines at the front building line, as prescribed by the front yard regulations.

**Manufactured Home** - A factory manufactured home, built on a permanent steel-framed chassis in accordance with federal H.U.D. standards and designed to be transported to a site in one or more sections, which is intended to be used as permanent living quarters by a single family unit when connected to the required plumbing, heating and electrical utilities. For the purposes of this ordinance, the removal of transport wheels and/or the anchoring of the home to a permanent foundation shall not remove it from this definition. This term shall include double-wide manufactured homes.

**Manufactured Home Park** - Any site, lot, field or plot, parcel or tract of land upon which two (2) or more manufactured homes are parked or located and are occupied or intended for the occupancy on the premises, and for which either the said premises or manufactured homes are offered to the public for a fee of any type, including cost sharing. This includes the rental of the said premises and/or the manufactured homes.

**Open Space** - Area unoccupied by any building, structure or parking area, whether paved or unpaved. Driveways and roads are not classified as open space.

### **130-6 License required.**

It shall be unlawful for any person, firm or corporation to establish, maintain, operate or conduct within the Village of Lyndonville any mobile home park without obtaining a license as is hereafter provided. It shall be the owner's or operator's responsibility to see that each home unit is in compliance with these regulations.

### **130-7 Contents of application for Park Permit**

Each mobile home park permit shall be in writing and signed by the applicant. It shall state:

- A. The name and address of the applicant.
- B. The name and address of each partner if the applicant is a partnership.
- C. The name and address of each officer and director, if the applicant is a corporation.
- D. A complete description of the premises upon which the proposed park is to be located.
- E. The name and address of the owner or owners of such premises.
- F. The total number of park units for all phases of the development - even those that may not be immediately sought and would not be built until some point in the future provided in the proposed park.
- G. Plans. The application shall be accompanied by six (6) sets of plans. These plans shall include specifications, drawn to scale, showing the layout of the park, the location, size and arrangement of any park unit and arrangement of each park unit, location of streets, location of water services and location of the sewage disposal system. Each park unit shall be separately numbered as shown upon such plans. Where the applicant is not the owner of the premises, the application shall also be accompanied by a certified or photostatic copy of the lease of the premises.

**130-8 Application and Permit procedure for installation of individual mobile homes.**

- A. Application. An application must be made with the Code Enforcement Officer on forms approved by the Village Board and be made available at the office of the Code Enforcement Officer. No use or structure shall be established or erected on land developed until a building permit has been issued by the Code Enforcement Officer.
- B. Information. All information on the application form must be completed. In addition, the following information is also required to constitute a complete application.
  - (1) Map required. Two (2) copies of a property map shall be submitted to constitute a complete application.
    - (a) Sketch map. A sketch map is required with all applications for dwellings, their customary accessory uses. The sketch map shall be drawn to scale and show the dimensions and location of the lot exact size buildings on the lot, proposed location of water and sewage disposal lines, parking areas and driveway locations, surface drainage patterns and location of existing or proposed easements.
    - (b) Site plan. A site plan is required with applications for all other use.
- C. Approval of water and sewage disposal systems. Evidence of approval of the water supply and the sewage disposal system plans by the Village Superintendent of Public Works must be submitted at the time of application. Applications lacking such information shall not be accepted.

- D. Evidence of property ownership or intent to purchase. Copies of deeds, titles, purchase agreements or other proof of ownership or intent to purchase must be attached to an application before it will be accepted.
- E. Licenses. Any use current licensed by federal, state or county agencies and already operating with the Village shall present evidence of currently valid licenses before any expansion permits are considered.
- F. Fee. The appropriate non-refundable fee established by the Village Board in its fee structure shall be collected at the time of application.
- G. When all requirements of this chapter of the Code have been met, the Code Enforcement Officer shall issue a building permit and return one (1) approved copy of the map no later than fifteen (15) days after approval. The Code Enforcement Officer shall file one (1) copy of the approved permit in the Village Clerk's Office. Ch. 240-8
- H. Term of permit. Any zoning permit or special use permit for which construction or use has not commenced one (1) year after issuance shall be automatically revoked.
- I. Certificate of occupancy. The applicant shall notify the Code Enforcement Officer when the structure or use is ready for final inspection. The Code Enforcement Officer shall then make a final inspection. If satisfied that the regulations pertaining to the project have been complied with and that the project has been completed as specified on the approved application, the Code Enforcement Officer shall issue a certificate of occupancy, granting permission to occupy or use the structure.

**130-9 Issuance of license.**

The Village Clerk, of the Village of Lyndonville, upon the written application, upon the approval of the same by the Village Board and receipt of the fee hereinafter provided, shall issue a license to become effective from the date thereof and to continue in force through the 31st day of December next succeeding, for the use of the premises therein specified as a mobile home park, which license shall specify the number of park units which may be used in said park. No license issued pursuant to this chapter is transferable or assignable.

In addition to the foregoing, prior to the issuance of a license or the renewal thereof, an applicant shall furnish and post with the Village Clerk a bond as security for the faithful performance and payment of applicant's obligations under the license and the provisions of this chapter. Each bond shall be in an not less than (1) Fifty (50%) percent of the value of the real property to be licensed, or (2) Estimated gross rents receivable by the licensee for a period of eighteen (18) months, or (3) Estimated gross income for three (3) years from sources other than gross rents, or (4) in such amount as the Village Board directs. In fixing the amount of a bond, the Village Board may require evidence as to the character and value of the assets to be committed to the mobile home park and may examine the applicant or any other person under oath or take such other steps as it deems necessary. The bond shall run to the Village of Lyndonville for the security of the faithful performance of the licensee as herein provided. For good cause shown, the Village Board may waive the posting of a bond, or may allow the posting of other security or indemnity to insure the faithful performance of the licensee. The bond shall remain in effect at least until one year after the date of expiration of the license to be issued or renewed.

#### **130-10 Application fees.**

The application for a mobile home park shall be accompanied by an investigation fee, as set from time to time by resolution of the Village Board, which shall cover five (5) park lots, plus a sum as set from time to time by resolution of the Village Board, for each additional park lot. The amount to be paid shall cover the required investigation and if a license is subsequently issued, said sum shall be applied on account of license fee. However, in the event a license is not issued, the investigation fee will be retained by the Village.

#### **130-11 Renewal of license.**

Application for the renewal of any mobile home park license issued pursuant to this chapter must be filed with the Village Clerk on or before the first day of December next proceeding the expiration of said license. The application shall set forth, in detail, any fact or facts in variation with any fact or facts set forth in the original application. The application shall state that all facts not set forth in the renewal application remain unchanged. The procedure for obtaining a renewal license shall, in all other respects, be the same as set forth above for obtaining an original license. Upon the approval of said application for renewal of the license by the Village Board and upon the payment of the license fee, the Village Clerk, after inspection by Code Enforcement Officer, shall issue a renewal license, which shall become effective upon the expiration of the prior license and continue for a period of one (1) year. Such renewal license shall not be transferred or assigned.

### **130-12 General regulations.**

The Planning Board may approve a special use permit for mobile/manufactured home parks in the Mobile/Manufactured (M/M) District provided that the following standards and provisions are maintained:

- A. The minimum site area of proposed manufactured home parks shall not be less than twenty (20) acres.
- B. Individual manufactured home lots shall have an area of not less than seven thousand eight hundred (7,800) square feet. Each individual lot shall front on an interior park roadway and have a minimum width of sixty-five (65) feet.
- C. Setbacks for individual manufactured home lots
  - (1) Minimum Front Setback: Thirty-five (35) feet
  - (2) Minimum Side Setback: Twelve (12) feet
  - (3) Minimum Rear Setback: Twenty-five (25) feet
- D. The minimum setbacks of every manufactured home, building or other structure in a park from the nearest edge of the street line shall be seventy (70) feet, and from every other lot line of the park shall be forty (40) feet.
- E. Not more than one (1) manufactured home shall be located on any one individual lot. Every manufactured home within a park shall be located on a manufactured home lot shown on the approved site plan for said park.
- F. Storage. A storage space within a unit shall be provided in an amount equal to at least eighty (80) square feet (8' x 10') for each mobile home. No more than one (1) accessory building shall be permitted on any individual manufactured lot. This is to be located at the rear of unit lot.



- G. Each individual lot shall have not less than two (2) off-street parking spaces. Such parking spaces shall be connected to the entrance of the manufactured home by a paved sidewalk having a minimum width of thirty-six (36) inches.
- H. Swimming Pools. All swimming pool installation must follow the Village of Lyndonville set backs. Zoning permit required, with park owners signature.
- I. No boats, campers, travel trailers, recreational vehicles, or unregistered and unlicensed motor vehicles shall be parked or stored at any place within a manufactured home park except in areas designated and approved for such storage as part of the site plan approval.
- J. Roads. All road construction will be done by approval of the Village Engineer. All roadways within a mobile home park shall remain private roads, unless dedicated to a public use by Village resolution.
- K. Water systems.
- (1) No mobile home park license shall be issued unless and until the water system thereof is connected to and serviced by a public water supply and distribution system and adopted by the Orleans County Health Department. The water system of a mobile home park shall be connected by pipes to each mobile home stand and to each service building.
- (2) Each mobile home park shall have a village master water meter installed in a water meter pit. Its design and location shall be approved by the Village Engineer and Water Superintendent.

(3) All water mains built to supply water to any mobile home shall also be in conformance with standards set by the Village Engineer and Water Superintendent. All water lines shall remain in private ownership. See Ch. 230.

L. Sanitary sewer.

(1) Each mobile home space shall be provided with a sewer, which shall be connected to the mobile home unit situated on the mobile home space, to receive the waste from the shower, tub, flushed toilet, lavatory and kitchen sink in such home. The sewer shall be connected to public sewer so as not to present a health hazard. Sewer connections in unoccupied mobile home spaces shall be so sealed as to prevent the emission of any odors and the creation of breeding places for insects.

(2) All waste from showers, tubs, toilets, laundries, faucets, sinks and lavatories shall be wasted into the public sewer system. Each mobile home space shall be provided with a satisfactory sewer connection approved by the Orleans County Health Department and New York State Department of Environmental Conservation.

(3) All sanitary sewer connections to mobile homes shall be constructed and tested in compliance with Village and Orleans County Health Department standards.

(4) All sanitary sewer mains within mobile home park shall be laid out in a manner that provides access for maintenance.

(5) All sewer lines within a mobile home park shall remain in private ownership.

(6) Hook up to Village sewer must provide facilities for meter effluent flow.

**M. Storm sewers.**

(1) All storm sewers shall be constructed within mobile home parks and appropriately sized to handle a ten-year-intensity rainfall occurrence.

(2) Storm sewers shall be designed to flow to an appropriate drainage outlet as approved by the Village Engineer and other regulatory agencies.

(3) Storm sewers will remain in private ownership. Maintenance of storm sewers shall be the responsibility of the mobile home park owner/operator.

**N. All public utility, electric, gas, cable television and telephone lines shall be installed underground.**

**O. Appropriate street lighting shall be installed on interior roadways with the minimum number of lights being one (1) at each intersection of interior roadways or with abutting public roads. One (1) every two hundred (200) feet where such intersections are more than two hundred (200) feet apart. Or one (1) light for each home or lot, and one (1) light at each intersection of interior roadways.**

**P. Sidewalks. Any sidewalk constructed for public use, in the mobile home park, must be constructed in accordance with the Village code. See Ch. 205-13.**

**Q. A landscape plan shall be prepared and carried out which the approval of the Planning Board that an appropriated planting of trees and shrubs will be included in the park design, including fencing, berms and screening where necessary.**

**R. No manufactured home shall be located on a manufactured home lot until the roadways, sanitary sewage disposal system,**

water supply system, storm drainage system, street lighting, landscaping, recreation areas, framed service buildings, and accessory vehicular storage buildings serving the manufactured home park have been installed in accordance with the approved site plan for the park.

- S. Each roadway shall be named and noted upon signs at each roadway intersection. Each manufactured home lot shall be assigned a permanent number which shall be noted on the manufactured home lot in a location clearly visible from the roadway.
- T. All fuel tanks must be buried. Fuel tanks for heating or cooking must be approved underground fuel storage tanks. This includes propane.
- U. Every manufactured home park shall have a recreational area or open space for use by the occupants of the park. Such areas shall be as centrally located as the topography and design of the park permits. Such areas shall not be less than one (1) acre for the first twenty (20) mobile home lots, with an additional one thousand (1,000) square feet provided for each additional mobile home lot established thereafter.
- V. The park owner/operator shall provide for the regular collection and disposal of garbage, trash, and rubbish for all residents of the park.
- W. At least one (1) framed service building shall be constructed in each manufactured home park which shall be adequate to provide for storage of all equipment, tools and materials necessary for the maintenance of the park, and such equipment, tools, and materials shall be stored within said building when they are not in use.

- X. Foundation. Each mobile home lot shall have a minimum six (6) inch concrete slab, poured over stone.
- Y. Each manufactured home shall be enclosed at the bottom with mobile home manufactured fire resistant skirting within thirty (30) days after the placement of the home on the lot.
- Z. No enclosure or addition, with the exception of carports, door porches, and patios, shall be constructed on, added to, or attached to the exterior of any manufactured home.
- AA. No manufactured home shall be offered For Sale, displayed For Sale, or sold within a park unless such manufactured home is located on an individual manufactured home lot and is connected to electric, sewer and water services.
- BB. Every roadway within a manufactured home park shall be maintained in good repair and shall be open at all times, reasonably possible, for travel by occupants of the park and necessary fire, police, ambulance, public utility maintenance vehicles. The park owner/operator shall be responsible for providing and paying the cost of such maintenance and for all necessary snow removal. All roadways shall remain in private ownership.
- CC. Sale of Lots. Any sale of a manufactured home lot or lots, or a portion of a manufactured home park, other than the entire manufactured home park, as shown on the plan of such park approved by the village, shall thereupon immediately invalidate the special use permit for such park approved by the Planning Board. Any use of any of the premises within the manufactured home park other than as a manufactured home park shall thereupon immediately invalidate the special use permit of such park approved by the Planning Board.

**DD. Home Occupations.** Home occupations shall not be permitted in any individual manufactured home located within a park.

**EE. Pets and animals.** No dog houses or similar structures, or fenced pet "dog runs" are permitted. Owners and operators of mobile home parks shall establish their own rules and regulations with regard to the keeping of pets and animals within any mobile home park. A copy of such rules and regulations must be made available to every mobile home owner or resident and a copy shall be filed by the owner/operator with the Village Clerk.

**FF.** The park owner/operator shall conform with the Fair Housing Act of New York State.

**GG. Mailbox location; landscaping**

(1) All mailboxes will be located in one (1) area. Mailbox location shall provide safe and easy access for the pickup and delivery of mail.

(2) Grouped mailboxes for cluster delivery shall be located in a way that will not require stopping on a public right-of-way for pickup.

(3) When mailboxes are grouped together for some form of cluster delivery, such groupings shall be landscaped.

**HH. Fire protection.**

(1) Mobile home park shall include a list of the applicable rules and regulations of the fire district wherein said park is located and shall comply with such rules and regulations.

(2) Fire hydrants shall be installed in accordance with requirements of the district and shall be inspected and approved by the enforcement officer.

(3) Mobile home parks shall be kept free of litter, rubbish and other flammable materials.

(4) A mobile home park owner or manager shall require that each mobile home shall be equipped with at least one (1) carbon dioxide fire extinguisher of a size and design approved by the local fire company or its equivalent, and it shall be in proper working order at all times. No mobile home space shall be rented unless this provision is complied with.

(5) A mobile home park owner or manager shall require that each mobile home shall be equipped with at least one (1) operable single-station smoke-detecting alarm device or devices. This device shall be in proper working order at all times. No mobile home space shall be rented unless this provision is complied with.

II. Anchoring . As per mobile home manufactured specifications

**130-13 Right of entry.**

The licensee shall, at all times, allow such persons as the Code Enforcement Officer, Village Board member, Department of Public Works, Health Department Officer, Police and/or any other authorized person to enter the park to make any inspections as would be in the best interest of the village.

**130-14 Penalties for offenses.**

Any person, firm or corporation who violates any provision of this chapter shall be subject to a penalty or revocation of the license, or both. The penalty shall consist of a fine of not more than Five Hundred Dollars (\$500.00) plus One Hundred Dollars (\$100.00) for each day that violation continues, to be recovered by the Village of Lyndonville in a civil action. Each week that such a violation, disobedience, omission, neglect or refusal shall continue, shall be deemed a separate offense.

#### **130-15 Revocation of license; reissuance.**

The Village Board may revoke any license to maintain and operate a park when the licensee has been found guilty by a court of competent jurisdiction of violating any provision of this chapter. After the conviction and revocation, the license may be reissued within six (6) months if the circumstances leading to the conviction have been remedied and the park is operated and maintained in full compliance with this chapter and provided that the license fee is paid.

#### **130-16 Compliance with other statutes or ordinances.**

The issuance of a license shall not waive compliance of other statutes or ordinances. The issuance of a license pursuant to the provisions of this chapter shall not be deemed to waive compliance by the holder thereof, by the property owner or by an occupant of any mobile home with any statute of the State of New York or health regulation of the County of Orleans. It shall be the owner's responsibility to see that each home unit is in compliance with this chapter.

#### **SECTION 2.**

- (a) This Local Law shall take effect immediately upon filing in the Office of the Secretary of State.
- (b) If any part or section of this Local Law shall be held to be invalid, the remaining provisions thereof shall not fail but shall remain in full force and effect.
- (c) All Local Laws, ordinances, rules, regulations or parts or portions thereof that conflict or are contrary to any provision of this Local Law are hereby repealed.



(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 1998 of the ~~(County)~~ ~~(City)~~ ~~(Town)~~ (Village) of Lyndonville was duly passed by the Board of Trustees on September 28, 1998, 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 19\_\_\_\_ of the (County) (City) (Town) (Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_, and was (approved) (Name of Legislative Body) (not disapproved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed (Elective Chief Executive Officer\*) duly adopted on \_\_\_\_\_ 19\_\_\_\_, 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 19\_\_\_\_ of the (County) (City) (Town) (Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_, and was (approved) (Name of Legislative Body) (not disapproved) (repassed after disapproval) by the \_\_\_\_\_ (Elective Chief Executive Officer\*) on \_\_\_\_\_ 19\_\_\_\_. 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 \_\_\_\_\_ 19\_\_\_\_, 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 19\_\_\_\_ of the (County) (City) (Town) (Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_, and was (approved) (not disapproved) (repassed after disapproval) by the \_\_\_\_\_ (Elective Chief Executive Officer\*) on \_\_\_\_\_ 19\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 19\_\_\_\_, 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 chairman 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 19 \_\_\_\_\_ 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 \_\_\_\_\_ 19 \_\_\_\_\_, 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 19 \_\_\_\_\_ of the County of \_\_\_\_\_, State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 19 \_\_\_\_\_, 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 of 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 1, above.

(Seal)

Debra W. Miller  
Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 9-30-98

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK  
COUNTY OF ORLEANS

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

[Signature]  
Signature

Village Attorney  
Title

\_\_\_\_\_

~~County~~

~~City~~

~~Town~~

~~Village~~

of Lyndonville

Date: \_\_\_\_\_



STATE OF NEW YORK  
DEPARTMENT OF STATE  
ALBANY, NY 12231-0001

ALEXANDER F. TREADWELL  
SECRETARY OF STATE

October 8, 1998

DAVID C. SCHUBEL  
WEBSTER & SCHUBEL, LLP  
343 MAIN ST, POB 606  
MEDINA, NY 14103

RE: Village of Lyndonville, Local Law 5, 1998, filed 10/05/98

The above referenced material was received and filed by this office as indicated. Additional local law filing forms will be forwarded upon request.

Sincerely,

A handwritten signature in black ink that reads "Janice G. Durfee". The signature is written in a cursive style with a large, looped "J" and "D".

Janice G. Durfee  
Principal File Clerk  
Bureau of State Records  
(518) 474-2755

JGD:ml



# PART 1—PROJECT INFORMATION

## Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

|  |             |                                      |
|--|-------------|--------------------------------------|
| NAME OF ACTION<br>Village Code Amendment - Establishing Mobile Home Park Regulations           |             |                                      |
| LOCATION OF ACTION (Include Street Address, Municipality and County)<br>Village of Lyndonville |             |                                      |
| NAME OF APPLICANT/SPONSOR<br>Village of Lyndonville Village Board                              |             | BUSINESS TELEPHONE<br>(716) 765-9385 |
| ADDRESS<br>2 South Main Street   |             |                                      |
| CITY/PO<br>Lyndonville   | STATE<br>NY | ZIP CODE<br>14098                    |
| NAME OF OWNER (If different)   |             | BUSINESS TELEPHONE<br>( )            |
| ADDRESS  |             |                                      |
| CITY/PO  | STATE       | ZIP CODE                             |
| DESCRIPTION OF ACTION  |             |                                      |

Please Complete Each Question— Indicate N.A. if not applicable

### A. Site Description N/A - Applicable throughout entire Village

Physical setting of overall project, both developed and undeveloped areas.

1. Present land use:     Urban     Industrial     Commercial     Residential (suburban)     Rural (non-farm)  
                                   Forest     Agriculture     Other \_\_\_\_\_

2. Total acreage of project area: \_\_\_\_\_ acres.

| APPROXIMATE ACREAGE   | PRESENTLY   | AFTER COMPLETION |
|---|-------------|------------------|
| Meadow or Brushland (Non-agricultural)                      | _____ acres | _____ acres      |
| Forested  | _____ acres | _____ acres      |
| Agricultural (Includes orchards, cropland, pasture, etc.)   | _____ acres | _____ acres      |
| Wetland (Freshwater or tidal as per Articles 24, 25 of ECL) | _____ acres | _____ acres      |
| Water Surface Area  | _____ acres | _____ acres      |
| Unvegetated (Rock, earth or fill)                           | _____ acres | _____ acres      |
| Roads, buildings and other paved surfaces                   | _____ acres | _____ acres      |
| Other (Indicate type) _____                                 | _____ acres | _____ acres      |

3. What is predominant soil type(s) on project site? \_\_\_\_\_
- a. Soil drainage:     Well drained \_\_\_\_\_ % of site     Moderately well drained \_\_\_\_\_ % of site  
                                   Poorly drained \_\_\_\_\_ % of site
- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? \_\_\_\_\_ acres. (See 1 NYCRR 370).
4. Are there bedrock outcroppings on project site?     Yes     No
- a. What is depth to bedrock? \_\_\_\_\_ (in feet)

5. Approximate percentage of proposed project site with slopes: 0-10% \_\_\_\_\_ % 10-15% \_\_\_\_\_ %  
15% or greater \_\_\_\_\_ %
6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or the National Registers of Historic Places? Yes No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No
8. What is the depth of the water table? \_\_\_\_\_ (in feet)
9. Is site located over a primary, principal, or sole source aquifer? Yes No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?  
Yes No According to \_\_\_\_\_  
 Identify each species \_\_\_\_\_
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations)  
Yes No Describe \_\_\_\_\_
13. Is the project site presently used by the community or neighborhood as an open space or recreation area?  
Yes No If yes, explain \_\_\_\_\_
14. Does the present site include scenic views known to be important to the community?  
Yes No
15. Streams within or contiguous to project area: \_\_\_\_\_  
 a. Name of Stream and name of River to which it is tributary \_\_\_\_\_
16. Lakes, ponds, wetland areas within or contiguous to project area:  
 a. Name \_\_\_\_\_ b. Size (In acres) \_\_\_\_\_
17. Is the site served by existing public utilities? Yes No  
 a) If Yes, does sufficient capacity exist to allow connection? Yes No  
 b) If Yes, will improvements be necessary to allow connection? Yes No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? Yes No
20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No

**B. Project Description** Enactment of Village Code Amendment that will be applicable to entire Village.

1. Physical dimensions and scale of project (fill in dimensions as appropriate)
- Total contiguous acreage owned or controlled by project sponsor \_\_\_\_\_ acres.
  - Project acreage to be developed: \_\_\_\_\_ acres initially; \_\_\_\_\_ acres ultimately.
  - Project acreage to remain undeveloped \_\_\_\_\_ acres.
  - Length of project, in miles: \_\_\_\_\_ (If appropriate)
  - If the project is an expansion, indicate percent of expansion proposed \_\_\_\_\_ %;
  - Number of off-street parking spaces existing \_\_\_\_\_; proposed \_\_\_\_\_.
  - Maximum vehicular trips generated per hour \_\_\_\_\_ (upon completion of project)?
  - If residential: Number and type of housing units:
 

|            | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|------------|-----------------|-------------|
| Initially  | _____      | _____      | _____           | _____       |
| Ultimately | _____      | _____      | _____           | _____       |
  - Dimensions (in feet) of largest proposed structure \_\_\_\_\_ height; \_\_\_\_\_ width; \_\_\_\_\_ length.
  - Linear feet of frontage along a public thoroughfare project will occupy is? \_\_\_\_\_ ft.

2. How much natural material (i.e., rock, earth, etc.) will be removed from the site? \_\_\_\_\_ tons/cubic yards
3. Will disturbed areas be reclaimed?  Yes  No  N/A
- a. If yes, for what intended purpose is the site being reclaimed? \_\_\_\_\_
- b. Will topsoil be stockpiled for reclamation?  Yes  No
- c. Will upper subsoil be stockpiled for reclamation?  Yes  No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? \_\_\_\_\_ acres.
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?  
 Yes  No
6. If single phase project: Anticipated period of construction \_\_\_\_\_ months, (including demolition).
7. If multi-phased:
- a. Total number of phases anticipated \_\_\_\_\_ (number).
- b. Anticipated date of commencement phase 1 \_\_\_\_\_ month \_\_\_\_\_ year, (including demolition).
- c. Approximate completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year.
- d. Is phase 1 functionally dependent on subsequent phases?  Yes  No
8. Will blasting occur during construction?  Yes  No
9. Number of jobs generated: during construction \_\_\_\_\_; after project is complete \_\_\_\_\_
10. Number of jobs eliminated by this project \_\_\_\_\_.
11. Will project require relocation of any projects or facilities?  Yes  No If yes, explain \_\_\_\_\_
12. Is surface liquid waste disposal involved?  Yes  No
- a. If yes, indicate type of waste (sewage, industrial, etc.) and amount \_\_\_\_\_
- b. Name of water body into which effluent will be discharged \_\_\_\_\_
13. Is subsurface liquid waste disposal involved?  Yes  No Type \_\_\_\_\_
14. Will surface area of an existing water body increase or decrease by proposal?  Yes  No  
Explain \_\_\_\_\_
15. Is project or any portion of project located in a 100 year flood plain?  Yes  No
16. Will the project generate solid waste?  Yes  No
- a. If yes, what is the amount per month \_\_\_\_\_ tons
- b. If yes, will an existing solid waste facility be used?  Yes  No
- c. If yes, give name \_\_\_\_\_; location \_\_\_\_\_
- d. Will any wastes **not** go into a sewage disposal system or into a sanitary landfill?  Yes  No
- e. If Yes, explain \_\_\_\_\_
17. Will the project involve the disposal of solid waste?  Yes  No
- a. If yes, what is the anticipated rate of disposal? \_\_\_\_\_ tons/month.
- b. If yes, what is the anticipated site life? \_\_\_\_\_ years.
18. Will project use herbicides or pesticides?  Yes  No
19. Will project routinely produce odors (more than one hour per day)?  Yes  No
20. Will project produce operating noise exceeding the local ambient noise levels?  Yes  No
21. Will project result in an increase in energy use?  Yes  No  
If yes, indicate type(s) \_\_\_\_\_
22. If water supply is from wells, indicate pumping capacity \_\_\_\_\_ gallons/minute.
23. Total anticipated water usage per day \_\_\_\_\_ gallons/day.
24. Does project involve Local, State or Federal funding?  Yes  No  
If Yes, explain \_\_\_\_\_

**25. Approvals Required:**

|                                    |  | Type  | Submittal Date |
|------------------------------------|--|-------|----------------|
| City, Town, Village Board          | <input type="checkbox"/> Yes <input type="checkbox"/> No | _____ | _____          |
| City, Town, Village Planning Board | <input type="checkbox"/> Yes <input type="checkbox"/> No | _____ | _____          |
| City, Town Zoning Board            | <input type="checkbox"/> Yes <input type="checkbox"/> No | _____ | _____          |
| City, County Health Department     | <input type="checkbox"/> Yes <input type="checkbox"/> No | _____ | _____          |
| Other Local Agencies               | <input type="checkbox"/> Yes <input type="checkbox"/> No | _____ | _____          |
| Other Regional Agencies            | <input type="checkbox"/> Yes <input type="checkbox"/> No | _____ | _____          |
| State Agencies                     | <input type="checkbox"/> Yes <input type="checkbox"/> No | _____ | _____          |
| Federal Agencies                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | _____ | _____          |

**C. Zoning and Planning Information**

- Does proposed action involve a planning or zoning decision?  Yes  No  
 If Yes, indicate decision required:  
 zoning code amendment  zoning variance  special use permit  subdivision  site plan  
 new/revision of master plan  resource management plan  other \_\_\_\_\_
- What is the zoning classification(s) of the site? Applicable in entire Village
- What is the maximum potential development of the site if developed as permitted by the present zoning?  
N/A
- What is the proposed zoning of the site? N/A
- What is the maximum potential development of the site if developed as permitted by the proposed zoning?  
N/A
- Is the proposed action consistent with the recommended uses in adopted local land use plans?  Yes  No
- What are the predominant land use(s) and zoning classifications within a 1/4 mile radius of proposed action?  
\_\_\_\_\_
- Is the proposed action compatible with adjoining/surrounding land uses within a 1/4 mile?  Yes  No
- If the proposed action is the subdivision of land, how many lots are proposed? N/A  
 a. What is the minimum lot size proposed? \_\_\_\_\_
- Will proposed action require any authorization(s) for the formation of sewer or water districts?  Yes  No
- Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)?  Yes  No  
 a. If yes, is existing capacity sufficient to handle projected demand?  Yes  No
- Will the proposed action result in the generation of traffic significantly above present levels?  Yes  No  
 a. If yes, is the existing road network adequate to handle the additional traffic?  Yes  No

**D. Informational Details**

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

**E. Verification**

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

Applicant/Sponsor Name Village Board Village of Lyndonville Date 9/28/98  
 Signature \_\_\_\_\_ Title Mayor

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.



## Part 2—PROJECT IMPACTS AND THEIR MAGNITUDE

### Responsibility of Lead Agency

#### General Information (Read Carefully)

- In completing the form the reviewer should be guided by the question: Have my responses and determinations been **reasonable**? The reviewer is not expected to be an expert environmental analyst.
- Identifying that an impact will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumulative effects.

#### Instructions (Read carefully)

- a. Answer each of the 19 questions in PART 2. Answer **Yes** if there will be **any** impact.
- b. **Maybe** answers should be considered as **Yes** answers.
- c. If answering **Yes** to a question then check the appropriate box (column 1 or 2) to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- d. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- e. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

#### IMPACT ON LAND

1. Will the proposed action result in a physical change to the project site?  NO  YES

##### Examples that would apply to column 2

- Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.
- Construction on land where the depth to the water table is less than 3 feet.
- Construction of paved parking area for 1,000 or more vehicles.
- Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.
- Construction that will continue for more than 1 year or involve more than one phase or stage.
- Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.
- Construction or expansion of a sanitary landfill.
- Construction in a designated floodway.
- Other impacts \_\_\_\_\_

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.)  NO  YES

- Specific land forms: \_\_\_\_\_

| 1<br>Small to<br>Moderate<br>Impact | 2<br>Potential<br>Large<br>Impact | 3<br>Can Impact Be<br>Mitigated By<br>Project Change     |
|-------------------------------------|-----------------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |

**IMPACT ON WATER**

3. Will proposed action affect any water body designated as protected?  
(Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)  
 NO     YES

**Examples** that would apply to column 2

- Developable area of site contains a protected water body.
- Dredging more than 100 cubic yards of material from channel of a protected stream.
- Extension of utility distribution facilities through a protected water body.
- Construction in a designated freshwater or tidal wetland.
- Other impacts: \_\_\_\_\_

4. Will proposed action affect any non-protected existing or new body of water?  
 NO     YES

**Examples** that would apply to column 2

- A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.
- Construction of a body of water that exceeds 10 acres of surface area.
- Other impacts: \_\_\_\_\_

5. Will Proposed Action affect surface or groundwater quality or quantity?  
 NO     YES

**Examples** that would apply to column 2

- Proposed Action will require a discharge permit.
- Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.
- Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.
- Construction or operation causing any contamination of a water supply system.
- Proposed Action will adversely affect groundwater.
- Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.
- Proposed Action would use water in excess of 20,000 gallons per day.
- Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.
- Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.
- Proposed Action will allow residential uses in areas without water and/or sewer services.
- Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.
- Other impacts: \_\_\_\_\_

6. Will proposed action alter drainage flow or patterns, or surface water runoff?  
 NO     YES

**Examples** that would apply to column 2

- Proposed Action would change flood water flows.

|  | 1<br>Small to<br>Moderate<br>Impact | 2<br>Potential<br>Large<br>Impact | 3<br>Can Impact Be<br>Mitigated By<br>Project Change |                             |
|--|-------------------------------------|-----------------------------------|--|-----------------------------|
|  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes                         | <input type="checkbox"/> No |
|  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes                         | <input type="checkbox"/> No |
|  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes                         | <input type="checkbox"/> No |
|  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes                         | <input type="checkbox"/> No |
|  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes                         | <input type="checkbox"/> No |
|  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes                         | <input type="checkbox"/> No |
|  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes                         | <input type="checkbox"/> No |
|  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes                         | <input type="checkbox"/> No |
|  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes                         | <input type="checkbox"/> No |
|  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes                         | <input type="checkbox"/> No |
|  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes                         | <input type="checkbox"/> No |
|  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes                         | <input type="checkbox"/> No |
|  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes                         | <input type="checkbox"/> No |
|  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes                         | <input type="checkbox"/> No |
|  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes                         | <input type="checkbox"/> No |
|  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes                         | <input type="checkbox"/> No |
|  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes                         | <input type="checkbox"/> No |
|  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes                         | <input type="checkbox"/> No |
|  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes                         | <input type="checkbox"/> No |
|  | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes                         | <input type="checkbox"/> No |



- Construction activity would excavate or compact the soil profile of agricultural land.
- The proposed action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land.
- The proposed action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff)
- Other impacts: \_\_\_\_\_

**IMPACT ON AESTHETIC RESOURCES**

11. Will proposed action affect aesthetic resources? NO YES  
(If necessary, use the Visual EAF Addendum in Section 617.21, Appendix B.)

**Examples** that would apply to column 2

- Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.
- Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource.
- Project components that will result in the elimination or significant screening of scenic views known to be important to the area.
- Other impacts: \_\_\_\_\_

**IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES**

12. Will Proposed Action impact any site or structure of historic, pre-historic or paleontological importance? NO YES

**Examples** that would apply to column 2

- Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.
- Any impact to an archaeological site or fossil bed located within the project site.
- Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.
- Other impacts: \_\_\_\_\_

**IMPACT ON OPEN SPACE AND RECREATION**

13. Will Proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?

**Examples** that would apply to column 2 NO YES

- The permanent foreclosure of a future recreational opportunity.
- A major reduction of an open space important to the community.
- Other impacts: \_\_\_\_\_

| 1<br>Small to Moderate Impact | 2<br>Potential Large Impact | 3<br>Can Impact Be Mitigated By Project Change |                             |
|-------------------------------|-----------------------------|--|-----------------------------|
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |

**IMPACT ON TRANSPORTATION**

14. Will there be an effect to existing transportation systems? NO YES

Examples that would apply to column 2

- Alteration of present patterns of movement of people and/or goods.
- Proposed Action will result in major traffic problems.
- Other impacts: \_\_\_\_\_

**IMPACT ON ENERGY**

15. Will proposed action affect the community's sources of fuel or energy supply? NO YES

Examples that would apply to column 2

- Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality.
- 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 major commercial or industrial use.
- Other impacts: \_\_\_\_\_

**NOISE AND ODOR IMPACTS**

16. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action? NO YES

Examples that would apply to column 2

- Blasting within 1,500 feet of a hospital, school or other sensitive facility.
- Odors will occur routinely (more than one hour per day).
- Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.
- Proposed Action will remove natural barriers that would act as a noise screen.
- Other impacts: \_\_\_\_\_

**IMPACT ON PUBLIC HEALTH**

17. Will Proposed Action affect public health and safety? NO YES

Examples that would apply to column 2

- Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.
- Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)
- Storage facilities for one million or more gallons of liquified natural gas or other flammable liquids.
- Proposed action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.
- Other impacts: \_\_\_\_\_

| 1<br>Small to<br>Moderate<br>Impact  | 2<br>Potential<br>Large<br>Impact  | 3<br>Can Impact Be<br>Mitigated By<br>Project Change   |  |
|--|--|--|--|
| <input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/>                             | <input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/>                             | <input type="checkbox"/> Yes<br><input type="checkbox"/> Yes<br><input type="checkbox"/> Yes                                 | <input type="checkbox"/> No<br><input type="checkbox"/> No<br><input type="checkbox"/> No                                |
| <input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/>                             | <input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/>                             | <input type="checkbox"/> Yes<br><input type="checkbox"/> Yes<br><input type="checkbox"/> Yes                                 | <input type="checkbox"/> No<br><input type="checkbox"/> No<br><input type="checkbox"/> No                                |
| <input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/> | <input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/> | <input type="checkbox"/> Yes<br><input type="checkbox"/> Yes<br><input type="checkbox"/> Yes<br><input type="checkbox"/> Yes | <input type="checkbox"/> No<br><input type="checkbox"/> No<br><input type="checkbox"/> No<br><input type="checkbox"/> No |
| <input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/> | <input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/> | <input type="checkbox"/> Yes<br><input type="checkbox"/> Yes<br><input type="checkbox"/> Yes<br><input type="checkbox"/> Yes | <input type="checkbox"/> No<br><input type="checkbox"/> No<br><input type="checkbox"/> No<br><input type="checkbox"/> No |

**IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD**

18. Will proposed action affect the character of the existing community?  
 NO     YES

Examples that would apply to column 2

- The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.
- The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.
- Proposed action will conflict with officially adopted plans or goals.
- Proposed action will cause a change in the density of land use.
- Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.
- Development will create a demand for additional community services (e.g. schools, police and fire, etc.)
- Proposed Action will set an important precedent for future projects.
- Proposed Action will create or eliminate employment.
- Other impacts: \_\_\_\_\_

| 1<br>Small to Moderate Impact | 2<br>Potential Large Impact | 3<br>Can Impact Be Mitigated By Project Change |                             |
|-------------------------------|-----------------------------|--|-----------------------------|
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |
| <input type="checkbox"/>      | <input type="checkbox"/>    | <input type="checkbox"/> Yes                   | <input type="checkbox"/> No |

19. Is there, or is there likely to be, public controversy related to potential adverse environmental impacts?  
 NO     YES

**If Any Action in Part 2 Is Identified as a Potential Large Impact or If You Cannot Determine the Magnitude of Impact, Proceed to Part 3**

**Part 3—EVALUATION OF THE IMPORTANCE OF IMPACTS**

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

**Instructions**

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is **important**.

To answer the question of importance, consider:

- The probability of the impact occurring
- The duration of the impact
- Its irreversibility, including permanently lost resources of value
- Whether the impact can or will be controlled
- The regional consequence of the impact
- Its potential divergence from local needs and goals
- Whether known objections to the project relate to this impact.

(Continue on attachments)

617.21

## Appendix F

## State Environmental Quality Review

**NEGATIVE DECLARATION**

## Notice of Determination of Non-Significance

Project Number \_\_\_\_\_

Date September 28, 1998

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 Village Board, Village of Lyndonville, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Village Code Amendment - Establishing Mobile Home Park Regulations

**SEQR Status:** Type I   
Unlisted

**Conditioned Negative Declaration:**  Yes  
 No

**Description of Action:**

Enactment of Local Law amending Village Code so as to establish mobile home park regulations.

**Location:** (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.) \_\_\_\_\_

Applicable to entire Village.