

Section F Narrative, FEAF Part I for Adoption of Zoning Law

A. Project Description: Adoption of a Zoning Law for the Town of Caroline.

Purpose of Action: To establish a local law that Implements the Town of Caroline 2021 Comprehensive Plan.

Project Site and Process: The project site includes the entire area within the boundaries of the Town of Caroline, Tompkins County, NY. The Town Board initiated work on developing the Zoning Law after adoption of their 2021 Comprehensive Plan. This included efforts by the Land Use and Economic Development Task Force (2020) which recommended development of a zoning law to meet the needs of the community. This subsequently led to the establishment of a Zoning Commission to research and make recommendations for adoption of a first zoning law for the Town. The planning process included establishment of the Zoning Commission, hiring of planning consultants, significant public engagement, drafting of language, holding required public hearings, and formally submitting the Final Report of the Zoning Commission to the Town Board. Adoption of the zoning by the Town Board is a Type I action because NYCRR Part 617.4 (b) (1) requires such designation for adoption of a municipalities initial zoning law. This action does not need a coordinated review since the Town Board is the only agency with the authority to adopt a zoning law for the Town. Details on the planning process to develop the draft zoning are fully articulated in the Final Report to the Town of Caroline Town Board dated March 27, 2023.

Consistency with Comprehensive Plan: The proposed zoning law is established to implement the Town of Caroline Comprehensive Plan. The Town developed and adopted the Comprehensive Plan to guide future growth and development in the community in a manner that meets community goals and expectations. That plan, adopted pursuant to New York State Town Law 272-a, is a written document that describes the conditions and resources of the Town, and outlines the goals, principles, policies, strategies and actions for the immediate and long-range protection, enhancement, growth, and development of the Town. It was designed to guide not only the physical, environmental and economic development of the Town, but also to address the social and cultural needs as identified by Town residents. The Plan was based on public input, research, and analysis of data collected in and about the Town.

The Comprehensive Plan recognizes the unique environmental features of Caroline and seeks to protect and enhance them. Environmental resources are recognized as critical to the quality of life for Town residents and to the economy (especially in relation to agriculture). The intent of the proposed zoning is to establish land use policies and procedures that are consistent with the adopted Comprehensive Plan. The draft zoning establishes a set of purpose statements that mirror the vision, goals, and policies established in the Plan.

Policies established in the Plan and then realized through the proposed zoning and development standards address the following:

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- Affordable Housing
- Housing in Hamlets and Focused Areas
- Environmental Protection including:
 - Maintain Air Quality
 - Maintain Water Quality and Quantity
 - Protect Steep Slopes, Unique Natural Areas, Aquifers, Soils and Habitats
- Environmental Justice
- Historic Character Preservation
- Rural Character Preservation
- Connections for Bike and Pedestrians
- Traffic and Transportation
- Promotion of Small Business
- Farming and Farm Diversification
- Farmland Preservation
- Retail Trade in Hamlets/Focused Areas including Regulation of Formula Businesses
- Protection of Visual Appearance/Scenic Viewsheds
- Prevention of Light and Noise Pollution
- Open Space Protection
- Green Building Practices
- Renewable Energy
- Promotion of Home-Based Businesses
- Cell Tower Siting
- Community Resilience
- Climate Resilience

From this list, the Plan specifically establishes many environmentally oriented goals. The following chart is derived from the Final Report of the Zoning Commission (March 27, 2023) and further articulates how the proposed zoning addresses these environmental topics. The proposed zoning also addresses many other community needs that are indirectly related to the environment. The depth and breadth of environmental topics addressed in the Plan and then implemented through the proposed zoning illustrate the commitment Caroline has made to protect, preserve, and enhance the environment. While all future development can have impacts upon the environment, some topics addressed by the zoning are designed to directly protect the environment. These topics are highlighted in the table below. Overall, the primary purpose of this action (to adopt a zoning law) is to implement the environmental goals established in the Comprehensive Plan.

Table 1. Summary of Topics Addressed in Proposed Zoning and Relation to SEQR FEAF Part 2 Questions.

Topic Established As Important In The Comprehensive Plan	Highlights of Zoning Provisions That Addresses Topic/Policy	Zoning Provision Designed to avoid, minimize or mitigate environmental topics evaluated in SEQR (Part 2)
Affordable Housing	<p>§1.3 (Purposes) – Encourages development for all ages, which provides the foundation for zoning provisions that include a wide variety of affordable housing opportunities including single, two-family, multifamily, accessory apartments, tiny houses, manufactured homes and multibuilding housing in all districts.</p> <p>§4.1 (Use Table) – Allows for single, two-family, multifamily, accessory apartments, tiny houses, manufactured homes and multibuilding housing in all districts.</p> <p>§4.2 (Dimension Requirements by District) – Affordable housing allowed at higher density than other housing types (see Table 2.1). 4-Unit multifamily structures allowed as Permitted Use.</p>	Not a specific SEQR Topic, but affordable housing provisions designed to avoid, minimize or mitigate adverse impacts of overall development on land (Q1), to enhance community character (Q17) and to be consistent with Comprehensive Plan (Q18).
Denser Housing in Hamlets/Focus Areas	<p>§3.1 (Official Zoning Maps, and Names and Purposes of Districts) – Establishes individual zoning districts for each hamlet, allowing hamlet areas to be zoned differently from each other and from the Agricultural/Rural District.</p> <p>§4.2 (Dimension Requirements by District) – No minimum lot size in the hamlets; lots allowed to be as small as can get approval for water and septic. No maximum density limit for hamlet development. There is no minimum lot size in the Agricultural/Rural District, either, but the maximum allowed density of development in the Agricultural/Rural District is one Development Unit per three acres.</p>	Not a specific SEQR Topic, but affordable houses provisions designed to avoid, minimize or mitigate adverse impacts of overall development on land (Q1), to community character (Q17) and to be consistent with Comprehensive Plan (Q18).
Environmental Protection	<p>§1.3 (Purposes) – Specifically mentions conserving the Town’s natural resources including air, water, and natural resources, and protecting the environment.</p>	
Maintain Air Quality	<p>§3.1 (Official Zoning Maps, and Names and Purposes of Districts) – Establishes Stream Corridor Overlay District to protect critical water resources and stream sides.</p> <p>§5.1 (Regulations for all Districts) – Empowers the Review Board to require a hydrogeological study for significant projects; establishes various environmental performance standards for steep slopes, Unique Natural Areas, scenic resources and the like.</p>	These provisions were designed to avoid, minimize or mitigate adverse impacts on Air Resources (Q6)
Maintain Water Quality and Quantity	<p>§5.2 (Specific Standards and Guidelines by Zoning District) – Various additional environmental review criteria established for the Agricultural/Rural District.</p> <p>§5.3 (Specific Standards for the Water Resources Overlay District) –Establishes buffer areas (riparian buffers) for streams and sets other standards and requires a review process to protect water quality and stream habitats.</p> <p>§6.2 (Design Standards for Business Uses) – Review Board empowered to require sustainable transportation infrastructure such as bike racks and/or storage, dedicated</p>	These provisions were designed to avoid, minimize or mitigate adverse impacts on surface and ground waters (Q3 and 4), flooding (Q5), and impact on plants and animals (Q7). Also works to ensure new development has consistency with comprehensive plan, and consistency with community character (Q17 and Q18), and that are
Protect Steep Slopes, Unique Natural Areas, Aquifers, Soils and Habitats	<p>§5.2 (Specific Standards and Guidelines by Zoning District) – Various additional environmental review criteria established for the Agricultural/Rural District.</p> <p>§5.3 (Specific Standards for the Water Resources Overlay District) –Establishes buffer areas (riparian buffers) for streams and sets other standards and requires a review process to protect water quality and stream habitats.</p> <p>§6.2 (Design Standards for Business Uses) – Review Board empowered to require sustainable transportation infrastructure such as bike racks and/or storage, dedicated</p>	These provisions were designed to avoid, minimize or mitigate adverse impacts on surface and ground waters (Q3 and 4), flooding (Q5), and impact on plants and animals (Q7). Also works to ensure new development has consistency with comprehensive plan, and consistency with community character (Q17 and Q18), and that are

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	<p>car-share parking spaces, a car or van pooling service, and electric vehicle charging stations.</p> <p>§6.4 (Utilities) – Review Board empowered to require that all (suitable) utilities be placed underground.</p> <p>§6.5.15 (Conservation Subdivisions) – Conservation subdivision design that requires that at least 50% of a parcel be left as open space required for major subdivision developments in the Agricultural/Rural District; conservation subdivision design is encouraged but optional in other districts.</p> <p>§7.3 (Site Plan Considerations) – Various environmental factors such as impacts on water supply, floodplains, wetlands, scenic resources, energy use, greenhouse gas emissions, plant resources, animal resources, and important or critical habitats are part of the site plan review.</p> <p>§7.4 (Specific Standards and Considerations) – Contains standards that must be met for various environmental features such as water quality, water supply, flood prevention, air quality, sound, lighting, energy use, greenhouse gas emissions, scenic resources, plant and animal resources, and buffering of development from neighboring properties and uses.</p> <p>§7.6 (Site Plan Review Process – Site Plan Checklist) – Projects undergoing site plan review are required to submit SEQR forms and must include mapping and other documentation for the environmental features listed in §7.3 and §7.4.</p> <p>§7.9 (Abbreviated Site Plan Review) – Requires all development (commercial or residential) in the Stream Corridor Overlay to undergo review in order to minimize impacts on important water and streamside resources in the Town.</p> <p>§8.9 (Factors for Consideration and Conditions) – Protection of natural environmental features is high on the priority list of review criteria for special use permits.</p>	<p>protective of agricultural resources (Q8).</p>
Environmental Justice	<p>See above re: Environmental Protection.</p> <p>See above re: Affordable Housing.</p> <p>See below re: Community Resiliency.</p> <p>See below re: Climate Resiliency.</p> <p>§1.3 (Purposes) – Protect and promote public health, safety, general welfare. Support community resilience. Encourage businesses that provide local employment opportunities. Encourage livable development for people of all ages.</p> <p>§4.1 (Use Table) – All housing types, including accessory apartments and structures and multifamily, are allowed in all districts. Farmworker housing is allowed in all districts. All</p>	<p>Not directly related to a SEQR Topic but is designed to ensure new development is consistent with comprehensive plan and community character (Q17 and Q18).</p>

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	<p>districts allow Home Occupations and some types of businesses (types differing by district).</p> <p>§4.1 (Dimensions Table) – No specified minimum residential lot size other than meeting Tompkins County Department of Health water and septic system requirements.</p> <p>§7.2 (Abbreviated Site Plan Review) – Abbreviated Site Plan Review rather than full Site Plan Review for qualifying small projects promotes timeliness of project approval and reduces barriers to implementation.</p>	
Historic Character Preservation	<p>§5.2 (Specific Standards and Guidelines by Zoning District) – Hamlet district siting and lot layout guidelines encourage the adaptive reuse of existing buildings and encourage new structures to be designed in a manner consistent with the general architectural features of existing buildings and compatible with historic buildings in the Town.</p> <p>§6.1 (General Standards for Non-Residential and Business Building Design) – Encourages commercial developments to take into account historic features.</p> <p>§6.5.12 (Lodging) – Encourages adaptive reuse and preservation of historic structures for lodging.</p> <p>§6.5.15 (Conservation Subdivisions) – Historic structures or areas of national, state or local importance are among the features to include in the open (undeveloped) portions of the conservation subdivision. Sites are to be designed to preserve sites of historic, archeological or cultural value.</p> <p>§7.4 (Specific Standards and Considerations) – Site plans are to preserve sites of historic, archeological, or cultural value.</p>	<p>These provisions were designed to avoid, minimize or mitigate adverse impacts on historic and archaeological resources (Q10) and to ensure new development is consistent with comprehensive plan and with community character (Q17 and Q18).</p>
Rural Character Preservation	<p>§1.3 (Purposes) – Explicitly establishes that a purpose of the zoning is to maintain the rural character of the Town.</p> <p>§2.2 (Definitions) – Defines character, including rural character.</p> <p>§3.1 (Purposes of Ag/Rural District) – Explicitly establishes that a purpose of the Ag/Rural District is to promote and maintain the rural character of the area.</p> <p>§5.2 (Specific Standards and Guidelines by Zoning District) – Establishes guidelines so that new development is supportive of and consistent with the rural character of Town.</p> <p>§6.5.15 (Conservation Subdivision) – Required for major subdivisions to ensure that such new neighborhoods protect, conserve and are consistent with rural character.</p>	<p>These provisions were designed to ensure that new development is consistent with community character (Q18), but also to protect many other environmental features related to or that rely upon rural landscapes such as plants and animals (Q7), agriculture (Q8), and open space and recreation (Q11)</p>
Connections – Bike and Pedestrian Links	<p>§4.5 (Density Bonuses) – Provision of public access to recreational uses (such as fishing access, hiking trails, and trail linkages) qualifies developments for a density bonus.</p> <p>§6.5.15 (Conservation Subdivisions) – Existing trails and trail linkages are to be included in the site design for large subdivisions (conservation subdivision) and creation of new trails and pathways in the open (undeveloped) space is encouraged.</p>	<p>These provisions were designed to ensure that new development is consistent with community character (Q18), promotes open space and</p>

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		recreation (Q11), and to promote quality human health (Q16)
Traffic Calming	<p>§5.2 (Specific Standards and Guidelines by Zoning District) – Evaluation of traffic volumes for major subdivisions, special uses, and uses requiring site plan review required in any hamlet district and traffic calming methods proposed as appropriate.</p> <p>§6.5 (Additional Standards for Specific Uses) – Home-based and residential secondary businesses should not generate significant additional traffic in residential neighborhoods; other commercial uses including multifamily developments are to have adequate parking and safe traffic patterns.</p> <p>§6.5.15 (Conservation Subdivision) – Conservation subdivision development standards are designed to reduce length of roads and amount of paving required, to have new streets designed to minimize excess street connections, and to facilitate access to and from new homes.</p> <p>§7.3 (Site Plan Considerations) – Traffic access and traffic patterns are part of site considerations for site plan review.</p> <p>§7.4 (Specific Standards and Considerations) – As part of site plan review, contains standards that must be met for traffic safety; empowers Review Board to request a Traffic Impact Analysis.</p>	These provisions were designed to avoid, minimize or mitigate adverse impacts on transportation systems in the Town (Q13).
Promotion of Small Businesses	<p>§4.1 (Use Table) – Allows for wide variety of retail, service, and other commercial uses in hamlets; creates a focused commercial zone along Route 79; allows for minor and major home occupations and residential secondary businesses in all districts; allows for a variety of business uses in the Agricultural/Rural District; permits all agricultural uses and ag-related businesses.</p> <p>§4.2 (Dimension Requirements by District) – Sets total building footprint sizes at a level to prevent large scale and intense uses inconsistent with the goals of Caroline.</p> <p>§7.2 (Authorization to Review Board, Exemptions and Applicability) – Sets a list of conditions whereby a smaller commercial use can qualify for Abbreviated Site Plan Review rather than full Site Plan Review.</p>	Not a separate SEQR Topic, but these provisions are designed to ensure new development is consistent with the comprehensive plan and with community character (Q17 and Q18). Zoning provisions for uses that require site plan and special uses are also designed also to ensure that all new business development avoids, minimizes or mitigates adverse impacts in all other environmental topics.
Farming and Farm Diversification/Value-Added Farming	<p>§2.2 (Definitions) – A wide variety of agriculture-related uses and terms are defined.</p> <p>§4.1 (Use Table) – Allows for all types of farming and farm support businesses as permitted uses, or if an ag use having higher traffic (farm market) or noise (farm sawmill), allowed with an abbreviated site plan review.</p>	These provisions are designed to help the town avoid, minimize or mitigate adverse impacts on the environment and promote farming (Q8)

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	<p>§5.1 and 5.2 (Regulations for all Districts, and Specific Standards by Zoning Districts) – incorporates use of NYS Agricultural Data Statement, Ag Disclosure Statement, and use of siting guidelines designed to minimize farm/non-farm adverse interactions.</p>	
Farmland Preservation	<p>§5.1 (Regulations for all Districts) – Requires submission of an Agricultural Data Statement to aid the Review Board in evaluating impacts on farm operations and in designing mitigation measures to prevent conflict with farming practices (required for any development that needs a special use permit, site plan approval, variance, or subdivision review); highlights that properties in a NYS Agricultural District must have plat notes referring to Caroline’s Right to Farm Law and the protections it contains.</p> <p>§5.2 (Specific Standards and Guidelines by Zoning District) – Establishes goal of maximizing open space for developments in the Agricultural/Rural district that require site plan approval, subdivision review or special use permits.</p> <p>§5.3 (Stream Corridor Overlay District) – exempts farms and agricultural uses from overlay requirements.</p> <p>§6.5.15 (Conservation Subdivisions) – Promotes development sited in a way to maintain open space; open space allowed to be used for farming.</p> <p>§7.4 (Specific Standards and Considerations) – Developments are to minimize impacts on existing farm operations and are to avoid as much as possible precluding future agricultural use of lands with Prime Agricultural Soils, Prime Agricultural Soils if Drained and Farmlands of Statewide Importance.</p>	<p>These provisions are designed to help the town avoid, minimize or mitigate adverse impacts on the environment and promote farming (Q8). These provisions also help avoid, minimize, or mitigate adverse impacts on water resources, open space, plants and wildlife, agricultural resources, and other environmental elements as farmlands are a significant land feature throughout the valley areas of the Town.</p>
Retail Trade in Hamlets/Focus Areas	<p>§4.1 (Use Table) – Allows for a variety of retail and service uses, and at a higher intensity and scale in hamlets and the commercial area on Route 79 than in the Agricultural/Rural district in order to focus development.</p>	<p>These provisions are designed to promote smart growth principles that focuses growth in traditional neighborhoods rather than on undeveloped farmed or open space parcels.</p>
Protection of Visual Appearance/Scenic Viewsheds	<p>§2.2 (Definitions) – Value of scenic views incorporated into definition of rural character.</p> <p>§5.1 (Regulations for all Districts) – Identification and protection of scenic resources included in Specific Environmental Performance Standards.</p> <p>§6.5.15 (Conservation Subdivisions) – Appearance standards and protection of scenic views are incorporated into conservation subdivision design considerations.</p> <p>§7.4 (Specific Standards and Considerations) – Scenic resources are to be identified and protected as part of site plan review; empowers Review Board to request a Visual Impact Assessment.</p>	<p>These provisions are designed to protect aesthetic resources in the Town (Q9), and to ensure that new development avoids, minimizes or mitigates adverse impacts on community character (Q18).</p>

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	§8.9 (Factors for Consideration and Conditions) – Scenic resources are one of the factors considered in issuing a Special Use Permit.	
Prevent Light Pollution	§7.4 (Specific Standards and Considerations) – Site Plan Review includes requirements that commercial outdoor lighting and signage be consistent with dark sky lighting standards.	These provisions are designed to ensure that new development avoids, minimizes, or mitigates adverse impacts related to lighting, glare, and light pollution (Q15).
Prevent Noise Pollution	§7.4 (Specific Standards and Considerations) – Review Board empowered to require mitigation measures to keep noise produced by commercial uses commensurate with ambient noise levels in the area. §8.9 (Factors for Consideration and Conditions) – Noise levels are one of the factors considered in issuing a Special Use Permit.	These provisions are designed to ensure that new development avoids, minimizes, or mitigates adverse impacts related to noise pollution (Q15).
Open Space Protection	§1.3 (Purposes) – Explicitly states a purpose of the law is to preserve open spaces. §2.2 (Definitions) – Includes open space in the definition of Caroline’s character. §5.2 (Specific Standards and Guidelines by Zoning District) – Establishes authority for the Review Board to site building envelopes during development to preserve open spaces. §6.5.15 (Conservation Subdivision) – Established to ensure that 50% of every parcel being developed through a major subdivision is preserved as open space and establishes open space standards and protections of those lands. Article VI (Supplemental Regulations) – Open space is incorporated in many places but especially via use of conservation subdivision, buffers for new non-farm development, water resources and flooding overlay, site plan considerations, and special use considerations.	These provisions seek to avoid, minimize or mitigate adverse impacts future development may have on open spaces (Q11), and that they are protective of the environment in many areas (agricultural resources (Q8), plants and animals (Q7), water resources (Q3, 4 and 5) and most other environmental topics.
Green Building Practices	§4.5 (Density Bonuses) – An incentive is created for building to New York State Energy Stretch Code standards in order to obtain a density bonus.	Not a SEQR Topic, but relates to promoting renewable energy, addressed in Q14.
Renewable Energy	§4.1 (Use Table) – Solar energy generating systems and small wind generating systems allowed in all districts. §4.5 (Density Bonuses) – An incentive is created for installing solar energy generating systems in order to obtain a density bonus.	These provisions are designed to promote, and not adversely impact energy sources (Q14).
Promote Home-Based Businesses	§2.2 (Definitions) – Minor home occupations are allowed to have up to three full-time equivalent employees; major home occupations are unlimited in the number of	Not directly a SEQR Topic, but these provisions are designed to promote development and future actions that

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	<p>employees. Residential Secondary Business added as additional opportunity in Ag/Rural district.</p> <p>§4.1 (Use Table) – Home-based businesses are permitted uses in all districts. Minor home occupations require no review; Abbreviated Site Plan Review required for major home occupations.</p>	<p>are consistent with community character (Q18).</p>
Design Standards for Commercial Businesses	<p>Established in Article VI “Supplementary Standards” – Includes a set of aesthetic and siting standards and guidelines for commercial businesses.</p>	<p>These provisions are designed to ensure that future development is consistent with community character (Q18).</p>
Regulate Formula Businesses	<p>§4.1 (Use Table) – Formula businesses may only locate in several hamlet areas and the Focused Commercial district.</p> <p>§6.1 (General Standards for Non-Residential and Business Building Design) – Requires formula businesses to meet all design standards of the Town for commercial uses.</p> <p>§6.3 (Trademarked Architecture and Formula Business Design) – Formula Businesses must meet all design standards in zoning for commercial uses.</p>	<p>These provisions are designed to ensure that future development is consistent with community character (Q18).</p>
Cell Tower Siting	<p>§6.5.4 (Siting of Telecommunication Towers) – Incorporates the existing Town of Caroline Telecommunications Law.</p>	<p>This was a local law previously adopted by the Town of Caroline and referenced in the zoning law.</p>
Community Resilience ¹	<p>§3.1 (Official Zoning Maps, and Names and Purposes of Districts) - Establishes the Stream Corridor Overlay District as a method to protect water resources, avoid development in hazardous areas and reduce community storm impacts.</p> <p>§5.3 (Specific Standards for the Stream Corridor Overlay District) - Sets development standards for the Stream Corridor Overlay District. Establishes the riparian buffer areas, which are important tools in flooding and erosion control.</p>	<p>Although not a specific SEQR topic, these provisions encompass many environmental topics and the zoning will promote, rather than adversely impact, community resilience.</p>
Climate Resilience	<p>§3.1 (Official Zoning Maps, and Names/Purposes of Districts) – Establishes hamlets and focused commercial districts to encourage compact development, which promotes climate resiliency.</p> <p>§4.1 (Permitted and Special Permitted Uses by District) – Allows for farms and other farm-related businesses to maintain agriculture, open spaces, and undeveloped areas which contribute to climate resiliency.</p>	<p>Although not a specific SEQR topic, these provisions encompass many environmental topics and the zoning will promote, rather than adversely impact, community resilience.</p>

¹ Zoning allows regulation of areas at risk from damage due to human actions, storm surge, and flooding. Zoning also aids in conservation of natural protective features, and control of development densities to reduce human and natural impacts and facilitate recovery in those areas.

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	<p>§4.5 (Density Bonus) - Creates incentives to promote energy efficiency and green building.</p> <p>§5.3 (Specific Standards for the Stream Corridor Overlay District) – Establishes stream-side buffers and sets other standards to protect water quality and stream habitats. This can reduce development near waterways and potentially reduce property damage due to weather events related to climate change. Low impact development methods to reduce stormwater pollution are also included.</p> <p>Article VII (Site Plan Review) - Addresses best development practices and siting of new buildings.</p> <p>§6.5.15 (Conservation Subdivision) – Protects open spaces when major subdivisions are developed.</p>	

The Town established the need to promote new development in Caroline in a manner that meets community performance expectations and that is consistent within the context of the character and environment of Caroline. The proposed zoning law is a set of land use regulations that will work to ensure sustainability and protection of Caroline's environment. The zoning law will serve to allow the Town to effectively reduce or mitigate environmental impacts, as discussed below.

B. Environmental Setting:

A complete description of the environmental setting of the Town of Caroline can be found in the 2021 Comprehensive Plan. The environmental setting is fully described via maps; a comprehensive profile and inventory of the demographic, cultural, economic, environmental, infrastructure, recreational and historical resources in the Town; and other supporting information compiled through public input.

C. Discussion of Potential Environmental Impacts:

The following discussion offers more detail on the action (adoption of zoning law). It is organized by the topics covered in Part II of the Full Environmental Assessment Form (FEAF). This Section F, as per the FEAF, is designed to provide additional information to help the Lead Agency evaluate any significant adverse environmental impacts associated with adoption of the proposed zoning law.

The Town's goal in developing zoning regulations is to implement their Comprehensive Plan and to have land use policies and standards that are consistent with the environmental resources in Caroline. The proposed zoning has been developed to ensure higher levels of protection of those resources and to promote new development that is fully consistent with the environment and goals of Caroline. It does so by establishing development standards and review and permitting processes that will establish environmentally protective performance standards for new actions in Caroline through a fair but thorough review process (site plan review, abbreviated site plan review, and special use permit approvals).

Currently, the Town can only review individual sites for commercial uses that require site plan approval. While site plan is an excellent method to ensure a new commercial use is adequately designed for that parcel, it does not address whether the use is one consistent with the Town of Caroline nor does it address controlling dimensions, density, scale, or intensity of use: These are all land use controls established via zoning. The Town is left vulnerable and incapable of ensuring new land uses meet the long-established goals and needs of the community as articulated in the Town's Comprehensive Plan.

The proposed zoning offers expanded and enhanced land use policies to protect steep slopes, streams, and groundwater resources in the Town. Of vital importance to the Town, the proposed zoning establishes mechanisms to allow for new growth and development in a way that can maintain Caroline's rural, small town and historic character, and agricultural resources. The zoning is further established to elevate the role of community and neighborhood character in the planning of new land uses that preserve historic and environmental resources, and that ensures for future development that is consistent with the type, scale and intensity desired by the Town. Zoning will create certainty and

stability and is environmentally oriented as shown in Table 1 above. Comprehensive review processes as would be required for certain land uses (especially those that are of larger scale and intensity) offer the Town the ability to review actions and plan to have them avoid, minimize or mitigate impacts. Each project requiring site plan review and/or special use permits would be required to be reviewed under SEQR, but would also have Review Board and other reviews such as through the GML 239-m requirements.

Environmental Factors Considered

For this action, the Town of Caroline as lead agency, has a responsibility to take a hard look at the potential adverse environmental impacts which may be caused by adopting the zoning law, and to determine if that action will cause any significant adverse environmental impacts. The completion of Part I of the Environmental Assessment Form (EAF) is the first step on the path to making that determination. According to the *SEQR Handbook* published by the New York State Department of Environmental Conservation, Part I of the Environmental Assessment Form (EAF) is intended to provide a concise description of the whole action and basic data about the project and the site (page 77). Further, the *SEQR Handbook* (page 77) says that a properly completed EAF describes the proposed action, its location, its purpose, and its potential impacts on the environment. This EAF Part I fulfills that purpose. It is acknowledged that potential adverse impacts could arise when future development projects occur, and potential adverse environmental impacts may arise, even if action on adopting the proposed zoning law is not taken. Currently Caroline's major land use regulations come from a local subdivision law and site plan review law. Previously adopted Flood Damage Prevention, Solar Facilities, Telecommunication, and adult uses address other limited uses and situations. Without zoning, which allows for regulation of uses, scale, intensity, and design, the Town has few tools at its disposal to ensure the policies of the Comprehensive Plan are attained. The primary goal and purpose of the proposed new zoning law is to minimize the potential adverse environmental impacts of future development to the maximum extent practicable.

Adoption of a zoning law itself has no direct impact on the environment as no individual site or location will be built upon, graded, or otherwise changed. However, application of the zoning may allow for projects proposed in the future and those projects may have environmental impacts. Although each project would be reviewed individually at the time of application, the following discussion centers on how the zoning would serve to avoid, minimize or mitigate adverse impacts from the very beginning.

1. Impact on Land

Impacts on land resources involve construction on, or physical alteration of, the land surface. There will be new land uses in the future that will alter the land surface, but the zoning will be more protective of land resources because of the proposed zoning policies and requirements. Current subdivision law exempts certain minor subdivisions from review (and thus there would be no SEQR conducted on those actions), and current site plan is limited to commercially oriented development proposals. Important provisions of the proposed zoning that will enable future development to be more protective of the environment include but are not limited to:

- a. Minimizing Erosion: The zoning establishes an environmental performance standard related to steep slopes and designed to minimize the adverse impacts of development on soils, vegetation, and water systems. It sets standards for development on slopes > 15% and requires all projects to demonstrate significant mitigations to avoid stormwater and erosion impacts. It incorporates stormwater and erosion control requirements as per New York State and encourages low impact development (even for those projects needing only an abbreviated site plan) as per NYS DEC Chapter 5 Manual to reduce stormwater and erosion impacts on steep slopes and in the water resource overlay district.

2. Impact on Geological Features

Impacts on geological resources involve modification or destruction of, or inhibiting access to, any unique or unusual land forms on the site. There are no unique land forms or geologic features identified in the Town, nor are there any registered National Natural Landmarks in Caroline.

3. Impact on Surface Water Features

Impacts on surface water involve wetlands and other surface water bodies (streams, rivers, ponds, and lakes). There are several New York State Department of Environmental Conservation regulated and Federal (National Wetland Inventory) wetlands in the Town. The Six Mile Creek is a Class A water body, and it holds significance in the Town and beyond as a potable water source for areas beyond Caroline. These resources are mapped and fully discussed in the Comprehensive Plan. The Town recognizes the importance of these surface water bodies, desires to ensure high quality surface waters, and notes the significant role protection of water resources plays in the Comprehensive Plan.

To that end, the zoning is more protective of surface resources than under current regulations because of the following policies of the zoning:

- a. Encourages green infrastructure techniques, enhances stormwater reduction with new methods such as Low Impact Development (As per New York State Stormwater Management Chapter 5).
- b. Control of erosion and stormwater is elevated in importance in both site plan and special use permitting processes. These will all minimize surface water runoff when development occurs and thus minimize adverse impacts on area wetlands and streams. Zoning references Caroline Local Law 2 of 2007 (Stormwater Management and Erosion and Sediment Control) to elevate recognition of those requirements.
- c. Creates a Stream Corridor Overlay District designed primarily to minimize or eliminate adverse impacts of disturbances on streams and their riparian areas.
- d. Establishes a requirement that all major subdivisions be designed pursuant to the Conservation Subdivision regulations which would require 50% of the parcel to be preserved and defines primary conservation areas to be those lands that contain surface water features such as wetlands, ponds, lakes, streams and stream riparian areas.
- e. Site Plan review criteria include the requirement that the Review Board finds there are adequate water supplies, wastewater treatment, and drainage facilities. Further, it requires review of impacts on agricultural resources, floodplains and wetlands.

- f. A special use permit process is established that includes specific factors for Review Board consideration related to surface water resources.

4. Impact on Groundwater

Impacts on groundwater relate to new or additional use of ground water or uses that have the potential to introduce contaminants to ground water or an aquifer. Ground water is currently the only source of potable water in the Town for residents. As with surface waters, the Comprehensive Plan emphasizes the importance of protection of ground water resources. Because there is currently no public water infrastructure in the Town, Caroline recognizes that any future growth will rely on ground water.

- a. Site Plan review provisions establish criteria to ensure adequate water quality is provided for and emphasizes stormwater and erosion control methods for new development.
- b. Zoning authorizes the Review Board to require hydrogeologic studies to determine impacts of withdrawal of ground water on both surface flows and groundwater supplies.
- c. A special use permit process is established that includes specific factors for Review Board consideration related to ground water resources.
- d. The zoning includes provisions so the Review Board can: fully assess adequacy of groundwater supply for the use proposed; evaluate impacts on groundwater; require hydrogeological studies for large (>1,000 gallons per day) withdrawals; and avoid uses that will adversely impact groundwater resources.

5. Impact on Flooding

Impact on flooding relates to actions that result in development on lands subject to flooding. The zoning is more protective of floodplain areas, integrates the evaluation of flooding potential during development, and seeks to maintain the natural functioning of floodplains in the Town. The zoning references and reiterates the Flood Damage Prevention local law, defines flood-related terms, and includes floodplains as important resources to be preserved as part of a conservation subdivisions dedicated open space area. Overall, the zoning is designed to limit development in and impacts to these areas.

6. Impact on Air

As per the SEQRA FEAF, air impacts include those related to state regulated air emission sources. Adoption of the proposed zoning law would not adversely impact air resources. The proposed zoning serves to limit adverse impacts on air by restricting certain uses such as heavy industries, which may have state regulated air emissions.

Further, the proposed zoning elevates the importance of air resources during project site plan and special use review. It requires the Review Board to evaluate potential impacts to air resources during permitting. In addition to any SEQR evaluation related to air resources, development standards are set to ensure that development plans comply with air quality standards set forth by NYS DEC and the US EPA. Many uses that could have the potential for air emissions (e.g., light industries) are proposed to

require a special use permit approved by the Review Board. Inclusion of a special use permitting processes along with development criteria established in the proposed law would also serve to ensure air emissions are evaluated and mitigated if the Review Board were to find any potential adverse impacts. Proposed site plan and special use provisions require the Review Board to mitigate or avoid pollution of air resources.

7. Impact on Plants and Animals

These impacts relate to loss of flora or fauna. In the future, new development on 'green' or undeveloped sites may disturb land and habitats and may cause a loss of flora or fauna locally. These are important considerations. The zoning does not stop development but seeks to ensure it is of the scale and intensity consistent with the environment, and designed to avoid, minimize or mitigate adverse impacts. The Town recognizes that there are undeveloped land areas in Caroline that could be developed in the future as a result of the zoning. This includes more intense areas such as the Focused Commercial District and hamlets. With or without zoning, future development may impact meadow, wetland, forests, stream side, and other habitats. The zoning is specifically designed to enable the Town to allow for development where plant and animal impacts are considered and avoided, minimized or mitigated. The Town has much more of an ability to be more protective of plants and animals, and the entire environment, by virtue of having zoning in place than currently exists.

The proposed zoning requires the Review Board to pay special attention to impacts on plants and animals as follows:

- a. Zoning is established with a primary purpose to "protect the Town's environmentally sensitive areas to preserve ecological function, maintain open space and conserve natural Habitats."
- b. Site plan reviews and special use permit reviews require evaluation of impacts on plant and animal resources. Zoning specifically establishes a criterion that "Development must not adversely impact important natural resources including Critical Environmental Areas, Unique Natural Areas, and State-mapped areas of Significant Natural Communities."
- c. Applications will require identification of important habitats.
- d. Definitions related to habitats are included for clarity and habitats are included in the definition of a primary conservation area to be protected when conservation subdivisions occur.

Any future project requiring SEQR would also be required to have potential adverse impacts on plant and animal species evaluated. Thus the zoning will result in limiting disturbances and enhancing the protection of plant and animal habitats during development.

8. Impact on Agricultural Resources

Impacts on agricultural resources relate to actions that impact prime agricultural soils, and that limit access to agricultural lands, result in the compaction of agricultural soils, irreversibly convert agricultural lands to non-agricultural uses, or disrupt or prevent agricultural land management systems, cause increased development pressure on farmland.

The Town's comprehensive plan extensively addresses the desire and need to protect farmlands and farming in the Town. The proposed zoning incorporates a variety of provisions designed to do that. The zoning is farm-friendly and includes provisions that promote and allow for a diversity of farming operations consistent with NYS AML 25-aa. The New York State Department of Agriculture and Markets has reviewed this draft law for consistency with that law and the New York State Agricultural Districts program. That review resulted in several minor updates to agricultural-related terms and clarification of CAFO and farmworker housing provisions.

The proposed zoning recognizes the importance of agriculture and accommodates for this by adding the following provisions:

- a. Includes preserving farming and activities associated with agriculture in the purpose statements of the zoning law.
- b. Defines a more extensive list of farm-related activities that are allowed as of right.
- c. Adds agriculture as an important component in the land use regulation's purpose section.
- d. Adds farmland protection siting guidelines and use of an Ag Buffer – designed solely to promote development that is placed to be consistent and able to coexist with active farming operations.
- e. Adds use of the agricultural data statement as per Agriculture and Markets Law 25-aa.
- f. Adds the modified site plan review process to allow for a special site plan review process for certain agricultural operations. This follows New York State Department of Agriculture and Markets guidelines for such a process and is designed to allow for more intensive agricultural activities while allowing review of certain aspects such as parking, traffic, and signage for such uses in a New York State agricultural district.
- g. Includes provisions to require the Review Board to consider possible impacts a proposed project undergoing site plan review may have on the functioning of farm operations within the New York State Agricultural District in which the property is located. This includes avoidance to the maximum extent feasible of prime farmland soils and soils of statewide importance.
- h. Requires that farmland owners within 500' of a non-agricultural project be notified of any public hearing (Ag Disclosure).
- i. Allows for continued agricultural operations even within the Stream Corridor Overlay District.
- j. Allows for agricultural uses on the preserved portion of open space within a conservation subdivision. Preserving or promoting agriculture is identified as a critical purpose of land preservation in a conservation subdivision.

9. Impact on Aesthetic Resources

Adverse impacts on aesthetic resources can occur when a proposed action is one that is obviously different from, or is in sharp contrast to, current land use patterns. Pursuant to the Full Environmental Assessment Form (FEAF), aesthetic resources relate to officially designated federal, state or local scenic or aesthetic resources, officially designated scenic views, or impacts to publicly accessible vantage points viewed during routine travel or recreation/tourist-based activities.

Aesthetic resources are important to Caroline and contribute to the rural character. The zoning defines rural character and that includes scenic views. The proposed zoning specifically includes new provisions to address impacts of development on aesthetic resources.

- a. Scenic resources are defined.
- b. Protection of scenic resource protection is included in the list of specific environmental performance standards new development is to follow.
- c. Zoning specifically directs the Review Board to identify potential adverse impacts and determine methods to avoid or mitigate those impacts as part of application approval.
- d. In the Ag/Rural district, zoning establishes that land disturbances should be in “locations least likely to block or interrupt scenic vistas as seen from public roadways.”
- e. Design of conservation subdivisions must take into consideration scenic views and vistas as seen from public roads be incorporated into the layout.
- f. Site plan review establishes that one of the reasons for those provisions is to foster the preservation and enhancement of significant scenic resources and that the Review Board evaluate impacts on scenic resources. The zoning authorizes the Review Board to request a Visual Impact Assessment if necessary, during project review.
- g. Uses that require a special use permit have a criteria to be considered that the use not significantly negatively impact historic or scenic resources.

10. Impact on Historic and Archaeological Resources

These are impacts that occur in, or adjacent to, a historic or archaeological resource. Structures, sites, or districts that are contiguous to, or listed on, the State or National Register of Historic Places, or as areas that are sensitive as an archaeological site by the NY SHPO Inventory, are resources of concern.

Historic resources are recognized in the Plan as a critical feature of the overall community character of Caroline. Many of these occur in hamlet areas of Caroline. They contribute to the area’s character and quality of life and offer additional opportunities for cultural and recreational uses in the Town. To implement the Plan’s strategies related to protecting historic resources, the proposed zoning:

- a. Includes preserving designated historic buildings and sites in the zoning purpose statements. This elevates the role of historic structures.
- b. Recognizes the historic context of Caroline’s hamlets.
- c. Specifically defines historic structures and includes historically important features (built and natural landscapes) as part of the character of hamlets definition.
- d. Includes historic resources as an important feature to be included in open spaces preserved as part of a conservation subdivision.
- e. Adds new provisions that require historic structures to be a consideration in the siting and design of new structures and parking lots as part of site plan review.
- f. Seeks to preserve and adaptively reuse historic structures during abbreviated site plan review, and for specific uses such as lodging and other uses.
- g. Adds new provisions that require historic structures to be factors for consideration in the issuance of special use permits.

- h. Enhances the role historic resources play in the proposed commercial building design standards. For example, the zoning now says that new buildings should reflect historic building materials, forms, and roof and eave design. Project specific SEQR's in the future will also ensure that these resources are considered during any site-specific development review process.

11. Impact on Open Space and Recreation

Adverse impacts on open space and recreation involve the loss of recreational opportunities or a reduction in open space resources that may be designated in any municipal open space plan. Impairment of natural functions, loss of current or future recreational resources, or elimination of open spaces or recreational resources are the specific areas of concern related to this topic.

The Town has no municipal open space plan. Open space and recreation are, however, important parts of the adopted Town Comprehensive Plan. As undeveloped land is converted to housing or commercial uses over time, there will be a loss of open space in the Town. The proposed zoning, however, is designed to ensure that the density of development, the type of uses allowed, and the location of that development will be balanced with the environment, infrastructure and capacity of the Town. The zoning recognizes that open spaces contribute to the Town's environment and community character.

In recognition that open space needs to be protected, the proposed zoning includes the following:

- a. Purpose statement to maintain open spaces.
- b. Use of buffers between open spaces and new development.
- c. Includes open space as part of Caroline's definition of community character.
- d. Establishes a requirement that major subdivisions be designed as a conservation subdivision primarily to protect open spaces and requires 50% of a parcel be preserved as open space in a major subdivision. This section of the zoning offers detailed provisions to protect open spaces during that process.
- e. Establishes that the Ag/Rural district seeks to maximize open spaces and protection of the environment.
- f. Establishment of rural siting and farmland protection siting guidelines will also help preserve open spaces.

12. Impact on Critical Environmental Areas

There are no locations in the Town of Caroline designated as a Critical Environmental Area under SEQRA.

13. Impact on Transportation

Adverse impacts on transportation result when there are changes to existing transportation systems. Decreased road capacity, large parking areas, degrading transit access, degrading pedestrian or bike accommodations, or altering the present pattern of movement of people or goods are all adverse changes of concern related to transportation.

The Town Comprehensive Plan addresses these needs and seeks to minimize traffic impacts and maintain rural roads traffic patterns and character. As such, the proposed zoning will be more protective of transportation systems in the Town than currently exists, and includes provisions and development standards such as:

- a. Requiring a limit on the number of curb cuts allowed.
- b. Authorizing use of a traffic impact analyses for site plan or special use approvals when proposed traffic counts will increase by 100 cars per day.
- c. Requiring the Review Board to evaluate traffic generation volumes and patterns for special uses, major subdivisions, and uses requiring site plan approval. Site plan establishes considerations for traffic access and circulation and to provide for diverse and safe access and traffic movement. Specific transportation-related criteria are included in the Site Plan section including those that promote alternative transportation choices (bikes, and pedestrians), and stating that the development “shall not result in a significant decrease in the quality or lifetime of the road and increased negative impacts on the safety of all users of the road.”
- d. Traffic is a consideration that needs to be reviewed for adequacy during special use permit reviews.

14. Impact on Energy

Adoption of the new zoning will not have any impact on energy. New uses would however increase energy needs within the Town. However, no new use would be permitted unless adequate energy sources were already available to support that use.

Further, the zoning addresses renewable energy by including development standards for solar facilities and EV Charging Stations.

15. Impact on Noise and Odor Impact

Adoption of the zoning will not be expected to result in an increase in noise levels above local ambient noise levels. Future construction activities may result in temporary noise that exceeds local ambient noise levels.

The proposed zoning includes provisions for the Review Board to deny or amend applications if adverse noise or odor impacts were to be found from any proposed project. Together with site plan and special use permit approvals the Town will have increased capability to identify and mitigate noise and odor. The zoning also defines ambient noise levels, nuisance noise, and are elements reviewed during site plan and special use processes. Site Plan and special use permit sections include performance expectations for odors and sound, and methods to mitigate noise.

16. Impact on Human Health

Adverse impacts related to actions that influence human health are from exposure to new or existing sources of contamination. No adverse impact on public health is anticipated as a result of adopting the new zoning law. The zoning update would not adversely impact public health for several reasons including continued regulation of land uses that may introduce pollutants or contaminants, and maintenance of all Tompkins County and New York State health department requirements. The Use Table is limited to those uses deemed consistent with the environment and rural nature of Caroline and does not include heavy industries or other uses that are likely to adversely impact human health. The site plan and special use processes however are designed to review those elements of the use, and require avoidance, minimization or mitigation of such impacts were they to be a consequence of a future development.

17. Consistency with Comprehensive Plan

As described throughout this narrative, a significant purpose of developing the zoning law is to ensure that the Town of Caroline operates with a set of land use regulations that are in accordance with its adopted Comprehensive Plan. The Comprehensive Plan is about maintaining the quality community character and environment the Town currently enjoys. The zoning is designed to ensure that future land use in the Town will not be different from current land use patterns, that the environment in the Town is preserved or enhanced, and that there will not be a change in the density of development not supported by infrastructure and the environment. Adoption of the zoning law is an action that would be fully consistent with the Comprehensive Plan.

18. Consistency with Character of Community

Every other aspect of the environment discussed above is part of community character and should be taken into consideration when reviewing this question in the FEAF Part 2. This topic relates to actions that would be inconsistent with the existing community character. Adoption of the zoning law is an action that would be fully consistent with existing community character because the main thrust behind all the proposed zoning changes is to maintain and even enhance community character as defined, described and articulated in the adopted Comprehensive Plan. This character is further specifically defined and articulated in the proposed zoning.

Protection of aesthetic resources, historic resources, open spaces, natural resources and overall community character are significant topics addressed throughout the proposed zoning. Protection of the environment and community character are foundational to the entire proposal. Community character is recognized by the Town as one of the primary resources they desire to protect. As previously stated, the Town's Comprehensive Plan is implemented through this proposed zoning. The zoning is fully oriented to ensuring that any new land uses that are built in Caroline are done so in a manner, with scale and intensity, and with site layout and building design, that are consistent with the rural character of Caroline.

The Comprehensive Plan included many recommended strategies directed at protecting aesthetic resources and community character. Adoption of the proposed zoning will enhance the ability of the

Town to protect community character and promote growth that is consistent with that character, which includes both the built and unbuilt environment.

Most of the proposed provisions as listed in Table 1 of this Section F, above, are oriented to limiting adverse impacts of new growth and maintaining, or even improving community character. Highlights of proposed zoning changes to address community character include the following new provisions:

- a. Use Table in the zoning to ensure that new uses are compatible with community character and existing land uses.
- b. Dimensions Table in the zoning so that new lots and siting of new structures on lots maintain development patterns, density and lot sizes (in hamlets) consistent with the district and Town.
- c. Establishment of the conservation subdivision technique that promotes lots, streetscapes, and open spaces within major subdivision that are consistent with the rest of the Town and the open spaces.
- d. Establishment of commercial design standards to ensure that new opportunities for commercial uses promote development in a manner consistent with the character of the landscape and Town.
- e. Establishment of hamlet and farmland siting guidelines for new development. These are designed solely to ensure that new development is sensitive to and protects rural and community character in Caroline.
- f. Lighting standards to prevent glare and light trespass.
- g. Parking lot standards to prevent over-built parking lots and to improve the aesthetic character of streetscapes when parking lots exist.
- h. Screening and buffering requirements so that uses can comfortably coexist.

The Town does want to grow its economy and be an attractive place for existing and new residents in a manner that protects and promotes its community character and environment. This zoning law provides a mechanism to guide development in ways that achieve these goals.

Economic Impacts and SEQR

It is noted that the primary purpose of SEQR (pursuant to the *SEQR Handbook*) is to “analyze environmental impacts and to identify alternatives and mitigation measures to avoid or lessen those impacts.” Further, the *SEQR Handbook* also states that economic or social impacts are not considered environmental impacts (*SEQR Handbook*, Question 34). The handbook states that potential impacts relating to lowered real estate values, or net jobs created, would be considered economic, not environmental.

When considering whether an action may have significant adverse environmental impacts, the *SEQR Handbook* (page 93) further states that, “The significant impact(s) must relate to an environmental effect. Economic or social factors do not constitute a basis for a positive declaration.” Page 123 of the handbook, Question 9, also explains that economic or social factors are inappropriate for inclusion in an EIS. It states, “Purely economic arguments have been disallowed by the courts as a basis for agency

conclusions when concluding a SEQR review by developing Findings. Therefore, potential effects that a proposed project may have in drawing customers and profits away from established enterprises (commonly known as “competitive impacts”), possible reduction of property values in a community, or potential economic disadvantage caused by competition or speculative economic loss, are not environmental factors.”

This direction is significant to note in this SEQR analysis. There has been much discussion in Caroline about economic impacts of zoning. A primary argument presented to the Town by some in opposition to the proposed regulations is that such regulations will adversely impact the ability to grow the local tax base and economic opportunities. Following guidance from the *SEQR Handbook* and related court cases, purely economic arguments related to the proposed land use requirements in the zoning are not relevant to this SEQR analysis.