

FULL ENVIRONMENTAL ASSESSMENT FORM – PART 1: PROJECT AND SETTING

**ATTACHMENT:
SECTION F ADDITIONAL INFORMATION NARRATIVE FOR**

**PROPOSED LOCAL LAW TO AMEND CHAPTER 200 AND 220 OF
THE TOWN CODE REGULATING CERTAIN TOURISM RELATED
ACCOMODATION USES**

OCTOBER 24, 2017

The narrative below corresponds to information requested and questions in the Full Environmental Assessment Form (Full EAF) Part 1 for the adoption of the Town of Gardiner Proposed Local Law to Amend Chapter 200 and 220 of the Town Code to Regulate Certain Tourism Related Accommodation Uses. Full EAF Part 1 and the narrative below set forth the “Project and Setting” of the Proposed Action. Sections A. through E. of Full EAF Part 1 involve providing information and answering questions on the form itself. However, answers to some questions require more explanation or elaboration via written narrative; and the proposed local law, which is attached hereto as an appendix. Full EAF Section F provides for additional information to be attached to Part 1. This narrative is organized as per the headings in Full EAF Part 1.

Please refer to the end of the Description of Action below, which explains why the responses to many of the questions in Full EAF Part 1, Sections A. through E, particularly in Sections D. and E. are “N/A” meaning “not applicable”.

A. Project and Sponsor Information

Name of Action

The full name of the Proposed Action is the adoption of a local law entitled: “A Local Law to Amend Chapter 220 and Chapter 200 of the Town Code of the Town of Gardiner Regulating Certain Tourism Related Accommodation Uses”. This Full EAF Part 1 and the corresponding narrative will refer to a shorter name for the action, which is “the Proposed Amendments”.

Project Location

If adopted, the proposed local law would permit “Residential Camping” as an accessory use on residential lots in all Zoning Districts subject to new supplemental requirements that are also being proposed and provided the use does not create noise, traffic, dust, odor, or other impacts that exceed those normally associated with single-family uses. “Overnight Camps” and “Day Camps” will be permitted in the same manner and the same districts that “Camps” are allowed under the existing law. The law will require the establishment of a Campground Floating (CF) District for new Campgrounds and Campground expansions over a specified threshold, however, the establishment of a CF District shall only be permitted in the RA and SP-1 Districts where “Camps” are currently permitted by Special Use Permit. Therefore, the proposed local law does not propose a substantial change in the location where defined uses shall be permitted. It is noted that “Residential Camping” is not addressed specifically under the existing law and so the proposed local law seeks to clarify and

Description of Action

The proposed action involves revising definitions of certain use categories and the adoption of new definitions to better regulate certain tourism related accommodation uses and resolve ambiguities that have been identified in the existing law. The general definitions for “Camp” and “Recreational Camps and Facilities” have been eliminated and

replaced with more specific definitions for "Campground" (including "Camping Space" and "Camping Unit"), "Residential Camping", "Day Camp" and "Overnight Camp". The definitions for "Lodging Facility", "Resort", "Low-Impact Recreation" have also been revised. New regulations applicable to "Residential Camping" which is being permitted as an accessory use have been included and exiting regulations applicable to "Camps" have been revised to apply to the newly defined uses "Day Camp" and "Overnight Camps". In addition, design and dimensional requirements in Chapter 200 that were applicable to Camps that qualified as "Travel Trailer Parks" and "Tourist Camps" under the existing law have been incorporated in Chapter 220 in a new section regulating Campgrounds. New dimensional requirements and design standards for Campgrounds have also been proposed and are set forth in more detail in the Proposed Amendments which are appended hereto.

An amendment to the Chapter 220 to require the establishment of a Campground Floating (CF) District and Special Use Permit from the Town Board for new Campgrounds and the expansion of existing Campgrounds above a specified threshold is also proposed. A procedure for creation of a new CF District is specified but there will be no CF District established by the adoption of this local law. A Special Use Permit from the Town Board will also be required for new Campgrounds and the expansion of existing Campgrounds beyond the specified threshold. The expansion of existing Campgrounds within the specified threshold will be permitted without the creation of a CF District by Site Plan Amendment approved by the Planning Board.

The Definitions in Chapter 200 have also been revised to accord with the Zoning Law definitions of Campground, Camping Unit, and Camping Space; the requirements for a Campground plan have also been moved from Chapter 200 to Chapter 220. Additional revisions to Chapter 200 have been proposed, however, the licensing requirements remain generally the same as under the existing law.

The adoption of the local law will involve the revisions of existing definitions and regulations, and the creation of new regulations and a procedure for the creation of new CF Districts. However, the adoption of the Proposed Amendments will not directly result in land development approvals, permits or subsequent land disturbance and development.

After adoption of the local law, any subsequently proposed project would be subject to applications for Special Permit, Site Plan, Subdivision or Building Permit as set forth in the existing law and any applicable supplementary zoning requirements and standards. Additionally, environmental review under the NY SEQRA regulations would be required for projects involving Special Permit, Site Plan and/or Subdivision approvals, with the exception of site plan applications that would be designated as SEQRA Type II actions. Any application to create a new CF District would also require a site specific SEQRA review.

Since the proposed action will not directly result in any land disturbance or development; and since it would generally apply to the entirety of the Town of Gardiner, most of the questions in the Full Environmental Assessment Form (Full EAF) are not applicable to this project. Therefore, many of the questions are marked "N/A" meaning "not applicable", particularly in Full EAF Part 1 Sections D. and E. Where possible general answers to certain questions are provided, and narrative is used to elaborate on aspects of the proposed action and any possible affects on the Town of Gardiner.

The questions in Full EAF Part 1, Section D. Project Details pertain to land disturbance and development projects. Since the proposed action will not directly result in any land disturbance or development, none of these questions are answered. The reader is referred to this narrative.

The questions in Full EAF Part 1, Section E. Site and Setting of Proposed Action Details pertain to sites for land disturbance and development projects. Since the proposed action will not directly result in any land disturbance or development, none of these questions are answered. However, it is acknowledged that if adopted, the zoning regulations would apply to parcels throughout the Town of Gardiner.

The Full EAF Part 1 was based in part on a form that was partially completed using the New York State Department of Environmental Conservation (NYSDEC) online EAF Mapper program. The Full EAF Mapper form was prepared for the entirety of the Town of Gardiner. Refer to the EAF Mapper Summary Report following Full EAF Part 1 page 13. Accordingly, several questions about natural resources and other designated resources were answered automatically in the Full EAF Mapper form. Additional information about the Town's natural and other resources may be found in the 2004 Comprehensive Plan of the Town of Gardiner, Appendix A; and the 2007 Town of Gardiner Open Space Plan.

C. Planning and Zoning

C.2 Adopted Land use plans

The response to Full EAF Part 1 question C.2.a is "Yes". It is the intent of the 2004 Comprehensive Plan of the Town of Gardiner to regulate land uses in a manner that appropriately balance the preservation of the Town's unique character and beauty while at the same time fostering economic opportunities. And, further, to facilitate the Town's review of land use applications for tourism related accommodation uses and to ensure these uses are developed in a manner that is consistent with the goals of the Town of Gardiner's adopted land use plans including the following:

- Formulate Town land use policies which will ensure that future growth will bear its fair share of costs for necessary increases in public improvements.
- Reserve and preserve open mountain areas and much of the river valleys – the rural character of the landscape - for public enjoyment and as a source of economic activity including Gardiner's local retail-service areas primarily to serve local needs
- Broaden the Town's tax base in order stabilize and limit the level of residential property taxes by encouraging revenue producing land uses

The Town Board maintains that the Proposed Amendments are consistent with these goals.

The response to Full EAF Part 1 question C.2.b is "Yes". The 2007 Town of Gardiner Open Space Plan addresses the entire Town. Similarly the Proposed Amendments are applicable to the entirety of the Town.

The response to Full EAF Part 1 question C.3.a is "Yes". The Code of the Town of Gardiner Chapter 220, Zoning and the corresponding Zoning Map regulate the entire Town. Following adoption of the Proposed Amendments "Residential Camping" will be permitted as an accessory use on residential lots in all Zoning Districts subject to new supplemental requirements that are also being proposed. "Overnight Camps" and "Day Camps" will be permitted in the same manner and the same districts that "Camps" are allowed under the existing law. The law will require the establishment of a Campground Floating (CF) District for new Campgrounds and Campground expansions over a specified threshold, however, the establishment of a CF District shall only be permitted in the RA and SP-1 Districts where "Camps" are currently permitted by Special Use Permit.

