

Special Meeting of the Village of Brewster Board
of Trustees held on August 31, 2011 at 7:30PM
Village Hall: 50 Main Street, Brewster, NY 10509
Minutes

Mayor Schoenig motioned to open the Special Meeting, Deputy Mayor Piccini 2nd all in favor 4 to 0. Trustee Stockburger absent

VILLAGE OF BREWSTER
County of Putnam, State of New York

RESOLUTION No. 083111-1

**RESOLUTION OF CONDITIONED NEGATIVE DECLARATION OF SIGNIFICANCE FOR THE
TONETTA BROOK TRIBUTARY RETROFIT PROJECT**

INTRODUCED BY: MAYOR SCHOENIG

SECONDED BY: TRUSTEE BOISSONNAULT

DATE OF CONSIDERATION/ADOPTION: August 31, 2011

WHEREAS, the Village of Brewster (hereinafter the "Village") is one of several EOH Municipal Separate Storm Sewer Systems (MS4s) required to meet the Enhanced Phosphorous Removal Strategies detailed in NYS SPDES General Permit GP-0-10-002 Part IX.A.5.b.; and

WHEREAS, under the EOH MS4 Stormwater Retrofit Program, the Village is required to remove a total of 9.2 kg/year Total Phosphorous (TP) by respective permit expiration date in 2013; and

WHEREAS, the Village has identified two (2) stormwater retrofit projects with a NYSDEC approved TP load reduction capacity of 83.6 kg/year, in aggregate; and

WHEREAS, one of the projects of the Village of Brewster to meet the Enhanced Phosphorous Removal Strategies detailed in NYS SPDES General Permit GP-0-10-002 Part IX.A.5.b., is known as the "Tonetta Brook Tributary" retrofit (hereinafter referred to as the "project"), which will treat stormwater runoff from a ±28.5 acre section of the Village in an extended detention basin to be located on the former NYCDEP wastewater treatment plant site on Railroad Avenue, in which stormwater runoff will be directed to the proposed extended detention basin through a modified stormwater conveyance system, and the NYSDEC approved TP load reduction for the Tonetta Brook Tributary retrofit project is 15.8 kg/year with an estimated construction cost of \$1.52 million; and

WHEREAS, the Village made a declaration of Lead Agency with respect to the project on August 17, 2011; and

WHEREAS, in accordance with Article 8 of the Environmental Conservation Law (the State Environmental Quality Review Act) and 6 NYCRR Part 617 of the implementing regulations, the proposed action has been determined to be an UNLISTED Action; and

WHEREAS, the Board of Trustees of the Village of Brewster has reviewed the Environmental Assessment Form submitted for the project, and has completed a coordinated review of the project; and

WHEREAS, the Board of Trustees of the Village of Brewster has compared the proposed action with the Criteria for Determining Significance in 6 NYCRR 617.7(c) and determined that the proposed action will not have a significant adverse impact on the environment; and

WHEREAS, the Board of Trustees of the Village of Brewster has considered all reasonably related long-term, short-term, direct, indirect and cumulative environmental effects associated with the proposed action, including other simultaneous or subsequent actions;

NOW, THEREFORE, BE IT RESOLVED that pursuant to 6 NYCRR Part 617.7, the Board of Trustees of the Village of Brewster hereby issues a NEGATIVE SEQRA Determination of Significance; and

BE IT FURTHER RESOLVED, that this determination of significance is conditioned upon the determination of the NYCDEP as to the appropriate remedial measures to be taken at the subject site of the project to alleviate the contamination at the site, as the approval of the NYCDEP of same will be required, in conjunction with the Village, in order to implement the project; and

BE IT FURTHER RESOLVED that this determination of significance is subject to the notice requirements of 6 NYCRR part 617.7(d)(1)(iv), and this Resolution shall be published in accordance therewith, in order to provide a public comment period of at least thirty (30) days.

Mayor Schoenig: **AYE** Deputy Mayor/ Trustee Piccini: **AYE**

Trustee Stockburger: **ABSENT** Trustee Bryde: **AYE**

Trustee Boissonnault: **AYE**

VOTE: RESOLUTION CARRIED BY A VOTE OF 4 TO 0.

STATE OF NEW YORK)

) ss.:

COUNTY OF PUTNAM)

I, PETER BREWSTER HANSEN, Village Clerk of the Village of Brewster, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Board of Trustees of the Village of Brewster at a meeting of said Board on August 31, 2011.

DATED: August 31, 2011

PETER BREWSTER HANSEN, Village Clerk

Deputy Mayor Piccini offers Resolution No. 083111-2 to open a 30 day public comment period for the intent to issue this conditional negative declaration and publish both these notices in the Environmental Notice Bulletin, Trustee Bryde 2nd all in favor 4 to 0.

Mayor Schoenig motions to adjourn, Deputy Mayor Piccini 2nd all in favor 4 to 0. Trustee Stockburger absent.