

RESOLUTION NO. 142022

**EMINENT DOMAIN PROCEDURE LAW SECTION 204
DETERMINATION AND FINDINGS
VILLAGE BOARD OF COXSACKIE
AMERICAN VALVE PROPERTY**

December 12, 2022

WHEREAS, the former American Valve Site, consisting of approximately 15.635 acres, is located at 170 Mansion Street, in the Village of Coxsackie, (the “Property”) has been abandoned for at least two decades, and consists of unimproved land subject to a prior environmental remediation; and

WHEREAS, The Village Board of Coxsackie (the "Village Board") is seeking to acquire an approximate 5.796 acre portion of the Property (the “Acquisition Parcel”) for the public purpose of the installation of a dog park and related complimentary municipal uses (collectively, the “Project”). This use will address the growing demand for public spaces within the Village of Coxsackie and will generally benefit the Village and Village residents; and

WHEREAS, the Project is motivated by several key factors and public need considerations, including:

- The public’s desire and need to build a facility.
- The increasing need to improve accessibility and availability of public amenities.
- The revitalization of an underutilized parcel in the Village; and

WHEREAS, the Property is listed on the New York State Department of Environmental Conservation Registry of Inactive Hazardous Waste Disposal Sites (the “Registry”) as Site

Number 420002 with a classification of “4”, indicating that the site is properly closed, but needs continued management; and

WHEREAS, by Order on Consent and Administrative Settlement CO-20160617-115 dated as of August 5th, 2016, NYSDEC has “delisted” the Acquisition Parcel, such that it is no longer listed on the Registry; and

WHEREAS, in furtherance of the Project, on September 12, 2022, the Village Board held a duly noticed public hearing pursuant to section 204 of the Eminent Domain Procedure Law of the State of New York (the "EDPL"), which hearing was continued to October 11, 2022; and

WHEREAS, the Village Board, as SEQRA Lead Agency, has completed a Short Environmental Assessment Form and determined that the Project will not result in any significant adverse environmental impact.

NOW THEREFORE, Pursuant to Section 204(B)(1) of the EDPL and having given due consideration to public comment made at the public hearings, the Village Board makes the following Determination and Findings with respect to the Project.


BE IT FURTHER RESOLVED, that this resolution shall take place immediately.

Roll Call Vote

Mayor Mark R. Evans	YES
Trustee Donald Daoust	YES
Trustee Stephen Hanse	YES
Trustee Katlyn Irwin	YES
Trustee Rebecca Vermilyea	ABSENT

I, the undersigned Clerk of the Village of Coxsackie do hereby certify that the above is a resolution duly adopted by the Village Board of Trustees on December 12, 2022.

SEAL


Nikki Berezna, Clerk

DETERMINATION AND FINDINGS

I. THE PUBLIC USE, BENEFIT OR PURPOSE TO BE SERVED BY THE PROPOSED PUBLIC PROJECT

The public will benefit from the installation of a dog park and related complimentary municipal uses, as such amenity in this setting is not currently available. Further, the Project will implement this beneficial use at a long-abandoned parcel, with little prospect for other development, thereby further enhancing the net benefit to the residents of the Village. The Project will advance the goals and objectives of the Village's Comprehensive Plan.

II. THE APPROXIMATE LOCATION FOR THE PROPOSED PUBLIC PROJECT AND THE REASONS FOR THE SELECTION OF THIS LOCATION.

The Acquisition Parcel is ideally suited and situated to host the Project. It is of particular importance that the Project will utilize a remediated former industrial site that has been abandoned for over 20 years.

III. THE GENERAL EFFECT OF THE PROPOSED PROJECT ON THE ENVIRONMENT AND RESIDENTS OF THE LOCALITY.

The Project is classified as an Unlisted action under SEQRA, and the Village Board is the lead agency. The Village Board completed the Short Environmental Assessment Form and concluded there will be no significant adverse environmental impacts from the Project. The addition of publicly accessible land, on a remediated vacant former industrial parcel, will be a benefit to all residents of the Village. The Village Board notes that the Acquisition Parcel has been "de-listed" by the NYSDEC, and is no longer on the Registry of Inactive Hazardous Waste Disposal Sites.

IV. OTHER FACTORS THAT THE VILLAGE BOARD CONSIDERS RELEVANT

The Village Board incorporates by reference all of the findings set forth in the Introduction and Background section above. The Village Board finds there will be no adverse impact to the public interest.