

Capital Project Notes

Board of Education Meeting

November 27, 2017

Letter to Old Farms Road

- The “am appalled at how the school district has ignored the environmental concerns of the project...”
- “I do not believe that they (school district) have adequately studied the effects...”
- “My major interest in stopping this project are related to the major increase in real estate taxes ...”

NYS DEC website.

A. TYPE II ACTIONS-ACTIONS REQUIRING NO REVIEW

1. Are there actions that, once classified, require no further agency review under SEQR?

Yes, there are, and they are called "Type II." (See also the definition of "action" in the Decisions Subject to SEQR section of this Handbook). Actions that can be classified "Type II" actions under the SEQR regulations do not require any further SEQR review, not even an EAF.

The list of actions identified as Type II is found in 6 NYCRR Part 617.5

2. What is a Type II Action?

Type II actions do not have significant adverse impacts on the environment, or actions that have been statutorily exempted from SEQR review. They do not require preparation of an EAF, negative or positive declaration, or an EIS. Any action or class of actions listed as Type II in 617.5 requires no further processing under SEQR. There is no documentation requirement for these actions, although it is recommended that SEQR and meet the requirements for a Type II action.

The agency classifying the action must make sure that all aspects of the whole action are included when determining that an action is Type II.

have a significant adverse impact on the environment, an environmental impact statement must be prepared. Id.

A. THE PROPOSED GIFT IS A TYPE II ACTION

The Legislature and the Courts have determined that the construction of an athletic field is a Type II action, by definition. Type II actions are SEQRA exempt activities which do not have a significant impact on the environment and need not be preceded by the preparation of an environmental impact statement or any environmental assessment or review procedure.

The SEQRA implementing regulations set forth activities which have been pre-determined to have no significant effect on the environment. In discussing Type II actions, section 617.5 of Title 6 of the Codes, Rules and Regulations of the State of New York states:

Actions or classes of actions identified in subdivision (c) of this section are not subject to review under this Part. These actions have been determined not to have a significant impact on the environment or are otherwise precluded from environmental review under Environmental Conservation Law, article 8.



Matter of Groarke v. Board of Educ. of Rockville Ctr. Union Free School Dist.

Supreme Court of New York, Appellate Division, Second Department

June 16, 2009, Decided

2008-03318

Reporter

63 A.D.3d 935 *; 880 N.Y.S .2d 535 **; 2009 N.Y. App. Div. LEXIS 4986 ***; 2009 NY Slip Op 5129 ****

[****1] In the Matter of John Groarke et al., Appellants, v Board of Education of Rockville Centre Union Free School District, et al. Respondents. (Index No. 8528/07)

petition and dismissed the proceeding.

Ordered that the judgment is affirmed, with costs.

Core Terms

athletic field, upgrade

Headnotes/Syllabus

Headnotes

Environmental Conservation--Environmental Quality Review

Counsel: [***1] Certilman Balin Adler & Hyman, LLP, Hauppauge, N.Y. (John M. Wagner and Kevin P. Walsh of counsel), for appellants.

Ingerman Smith, LLP, Hauppauge, N.Y. (Joseph E. Madsen of counsel), for respondents.

Judges: FRED T. SANTUCCI, J.P., THOMAS A. DICKERSON, ARIEL E. BELEN, CHERYL E. CHAMBERS, JJ. SANTUCCI, J.P., DICKERSON, BELEN and CHAMBERS, JJ., concur.

Opinion

[*935] [**535]

In a proceeding pursuant to CPLR article 78 to review a resolution of the Board of Education of the Rockville Centre Union Free School District, which approved a proposal to upgrade the athletic field at South Side High School in the Rockville Centre School District pending development and the approval of contracts, the petitioners appeal from a judgment of the Supreme Court, Nassau County (Woodard, J.), entered February 26, 2008, which, inter alia, denied the

Contrary to the petitioners' contention, the Supreme Court [*936] properly determined that the proposal approved by the Board of Education of the Rockville Centre Union Free School District to upgrade the athletic field at South Side High School in the Rockville Centre School District by installing [***2] artificial turf, lighting, and bleachers, qualified as a Type II action under the State Environmental Quality Review Act (ECL art 8; hereinafter SEORA). Since the proposal clearly is for a "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site" (NYCRR 617.5 [c] [2]), it is a Type II action, which does not require environmental review under SEORA (see Matter of Committee to Stop Airport Expansion v Town Bd. of Town of E. Hampton, 2 AD3d 850, 769 NYS2d 400 [2003]; Matter of Levine v Town of Clarkstown, 307 AD2d 997, 763 NYS2d 661 [2003]; Matter of Crews v Village of Dobbs Ferry, 272 AD2d 540, 710 NYS2d 77 [2000]).

The appellants' remaining contention is without merit (see CPLR 5019 [a]). Santucci, J.P., Dickerson, Belen and Chambers, JJ., concur.

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JANUARY 2016 TAX RATES With

School 2015 Rates

HOMESTEAD PARCELS

County tax rate	3.603815
Town Tax Rate- homestead	4.859371
Arlington Fire Tax Rate	6.269096
Consolidation Light Homestead	0.2097630
Poughkeepsie Library Homestead	0.835180
Arlington School Homestead	23.771035
	39.5483

County tax rate	3.603815
Town Tax Rate- homestead	4.859371
Arlington Fire Tax Rate	6.269096
Consolidation Light Homestead	0.2097630
Poughkeepsie Library Homestead	0.835180
Spackenkill School- Homestead	22.47454
	38.2518

County tax rate	3.603815
Town Tax Rate- homestead	4.859371
Arlington Fire Tax Rate	6.269096
Consolidation Light Homestead	0.2097630
Poughkeepsie Library Homestead	0.835180
Wappingers Central School- homestead	16.528149
	32.3054

County tax rate	3.603815
Town Tax Rate- homestead	4.859371
New Hamburg Fire	1.517281
Consolidation Light Homestead	0.2097630
Poughkeepsie Library Homestead	0.835180
Wappingers Central School- homestead	16.528149
	27.5536

County tax rate	3.603815
Town Tax Rate- homestead	4.859371
Fairview Fire district	7.630267
Consolidation Light Homestead	0.2097630
Poughkeepsie Library Homestead	0.835180
HydePark School Dist	23.956141
	41.0945

NON HOMESTEAD PARCLES

County tax rate	3.603815
Town Tax Rate- non homestead	9.652283
Arlington Fire Tax Rate	6.269096
Consolidation Light non- Homestead	0.375265
Poughkeepsie Library non- Homestead	1.494221
Arlington School non Homestead	30.543242
	51.9379

County tax rate	3.603815
Town Tax Rate- non homestead	9.652283
Arlington Fire Tax Rate	6.269096
Consolidation Light non- Homestead	0.375265
Poughkeepsie Library non- Homestead	1.494221
Spackenkill School- Non Homestead	56.29175
	77.6864

County tax rate	3.603815
Town Tax Rate- non homestead	9.652283
Arlington Fire Tax Rate	6.269096
Consolidation Light non- Homestead	0.375265
Poughkeepsie Library non- Homestead	1.494221
Wappingers Central School Non Homestead	22.35530
	43.7500

County tax rate	3.603815
Town Tax Rate- non homestead	9.652283
New Hamburg Fire	1.517281
Consolidation Light non- Homestead	0.375265
Poughkeepsie Library non- Homestead	1.494221
Wappingers Central School Non Homestead	22.35530
	38.9982

County tax rate	3.603815
Town Tax Rate-Non homestead	9.652283
Fairview Fire district	7.630267
Consolidation Light NonHomestead	0.375265
Poughkeepsie Library NonHomestead	1.494221
HydePark School Dist	23.956141
	46.7120

School District Tax Rates - 2016

Homestead

- Arlington Schools –
23.771035
- Hyde Park Schools –
23.956141
- Spackenkill Schools –
22.47454
- Wappingers Schools –
16.528149

Non-Homestead

- Arlington Schools –
30.543242
- Hyde Park Schools –
23.956141
- Spackenkill Schools –
56.29175
- Wappingers Schools –
22.35530