

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The proposed action consists of the adoption of a Local Law by the Town Board of the Town of Pendleton, which is the sole SEQRA involved agency and therefore the lead agency. The Town Board proposes the legislative adoption of amendments to Chapter 247 (Zoning) of the Town Code, including amendments to the title of Chapter 247, Article IX, and the addition of a new § 247-72A governing Battery Energy Storage Systems ("BESS"), for the purpose of establishing uniform zoning, siting, safety, and permitting standards applicable to such systems within the Town. The proposed Local Law constitutes a purely legislative action. It does not authorize, approve, or involve any specific development project, land disturbance, or construction activity, nor does it grant any site-specific approvals. The Local Law establishes regulatory standards and procedures applicable to future BESS proposals, including definitions, zoning district applicability, permitting requirements, safety standards, and decommissioning obligations. The adoption of the Local Law will not, by itself, result in any direct physical changes to the environment. The proposed action does not create any new permitted principal or accessory land uses, does not increase permitted zoning or subdivision densities, and does not alter any existing zoning district boundaries.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Town Board of the Town of Pendleton _____ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: TOWN OF PENDELTON BESS LAW

Name of Lead Agency: TOWN OF PENDELTON

Name of Responsible Officer in Lead Agency: JOEL MAERTEN

Title of Responsible Officer: SUPERVISOR

Signature of Responsible Officer in Lead Agency:

Date: December 22, 2025

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: Town of Pendleton Town Board, Joel Maerten, Supervisor

Address: 6570 Campbell Blvd., Lockport, NY 14094

Telephone Number: (716) 625-8833

E-mail: jmaerten@pendletonny.us

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

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