

Draft Resolutions for the 5/19/2011 Town Board Meeting

1. **Ag Plan negative declaration for EAF: Resolved**, that the Ancram Town Board makes a negative declaration regarding the EAF related to the adoption of the Agriculture and Farmland Protection Plan pursuant to the detailed resolution to this effect below:

RESOLUTION ANCRAM TOWN BOARD

Action: Adoption of Ancram Agriculture and Farmland Protection Plan as an Addendum to the April 2010 Town Comprehensive Plan

NEGATIVE DECLARATION - TYPE I ACTION

DATE: _____, 2011

WHEREAS, the Town Board has duly appointed a Farmland Protection Plan Committee (Committee) to draft a strategic plan designed to implement the April 2010 Comprehensive Plan and outline methods to promote and protect farmland in the Town of Ancram; and

WHEREAS, the Town Board of the Town of Ancram desired that this strategic plan related to agriculture be formally incorporated into the Town's Comprehensive Plan; and

WHEREAS, the Town Board must follow the procedures of Town Law 272-a for making amendments to an adopted comprehensive plan; and

WHEREAS, the Farmland Protection Plan Committee has drafted this agricultural plan and has held multiple public workshops and one public hearing pursuant to Town Law 272-a; and

WHEREAS, the Farmland Protection Committee has submitted a draft Agriculture and Farmland Protection Plan to the Town Board of the Town of Ancram for their consideration on March 17, 2011; and

WHEREAS, the proposed action has been determined to be a Type I action, pursuant to the New York State Environmental Quality Review Act (SEQR) 6 NYCRR Part 617.4, and

WHEREAS, the Agriculture and Farmland Protection Plan includes the long-term

vision, goals, objectives and strategies to promote and enhance agricultural activities in the Town; and

WHEREAS, the Town Board has submitted the Draft Agriculture and Farmland Protection Plan to the Columbia County Planning Board as required by NYS General Municipal Law 239-m and the proposed action does not require any other permits or approvals from other State and Federal agencies prior to adoption; and

WHEREAS, the Town Board declared itself Lead Agency and conducted an environmental assessment according to SEQRA, 6 NYCRR Part 617; and

WHEREAS, the Town Board, after consideration of the Full Environmental Assessment Form Part I and Part II finds that

The adoption of the Agriculture and Farmland Protection Plan, as described in this Negative Declaration, will have no adverse environmental impacts as per 617.7 of 6 NYCRR Part 617 (SEQRA).

In order to reach that determination, the Board identified the relevant areas of environmental concern and compared the proposed action (the Adoption of the Plan as an addendum to the June 2009 Comprehensive Plan) against the criteria listed in 617.7 (c) (1) (i – xii). The Board also considered the potential long-term, short-term, direct, indirect and cumulative impacts as per 617.7 (2) and has also assessed the likely consequence of the action in connection with the criteria of 617.7 (3) (i-vii).

In making this decision, the Board has conducted an independent review and analysis and considered the following documents: the full Environmental Assessment Form (EAF) dated April 15, 2011, and the Town of Ancram Comprehensive Plan dated June 2009. The Town Board also drew on its own experience and expertise of the Town's contemporary and historical planning objectives and knowledge of the Town's short and long term needs and goals. The Town Board was assisted in its review by a professional planner, Nan Stolzenburg, AICP, of the firm of Community Planning and Environmental Associates. Based on this assessment and review the Board has determined that no adverse environmental impacts will occur as a result of the adoption of the Agriculture and Farmland Protection Plan.

The Town Board finds that adoption of the proposed Plan will have only beneficial impacts on the environment because farms and farmland play such important roles in maintaining a clean environment, the Town's rural character, open space, wildlife habitats, quality of life, and the economy of the region. Preservation of farmland results in avoiding the deleterious effects of conversion of land to non-farm uses. In reaching its determination, the Town Board identified the following relevant areas of environmental concern and analyzed these concerns as follows:

i. Traffic. Preservation of farms will reduce future non-farm residential and commercial traffic that would be generated. Traffic congestion will be avoided and the scenic and rural character of the Town's roads will be protected and preserved.

ii. Waste Disposal and Pollution. The adoption of Plan will not result in any increase in the production of solid waste, wastewater or pollutants or contaminants in the Town. The adoption of the Plan will avoid the production of wastes, contaminants, or other hazards to human health often associated with residential and commercial development and thus risks to the environment will be reduced from those sources of pollution.

iii. Land Use. The adoption of the Plan will maintain the current land use pattern, which is desired by the residents of the Town of Ancram. It will not result in land being committed to industrial uses, and thus no adverse environmental impacts to land use will occur. The adoption of the Plan will create beneficial impacts because lands will remain available for farmland, low density residential, small business, recreational, and open space uses as currently exists.

iv. Protected Water Resources and Surface Water Resources. There are protected water bodies in the Town including streams and wetlands. The adoption of this Plan itself will not have any adverse environmental impacts on these resources. Continued use of agricultural activities that do not follow best management practices however could impact wetlands and streams directly or their water quality if nutrients and chemicals are not managed properly. However, the Plan also includes recommendations on helping farmers responsibly operate their farms. Further, farm operators participate in SWCD, NRCS, and DEC requirements and programs to prevent water pollution from farm activities.

v. Groundwater Resources. All Town of Ancram residents depend on groundwater resources as their source for potable water. Safe potable water is essential to maintaining public health. The adoption of the Plan itself will not adversely affect groundwater resources. Continued agricultural uses may require use of groundwater for irrigation, and improper management of nutrients or chemicals could affect groundwater. However, the Plan also includes recommendations on helping farmers responsibly operate their farms. Further, farm operators participate in SWCD, NRCS, and DEC requirements and programs to prevent water pollution from farm activities.

vi. Noise. The adoption of the Plan will not create any noise above current ambient levels. Farming currently takes place throughout the Town and does contribute noise to the landscape. However, continuation of this intensity of farm use will not change ambient noise levels. The Town is committed to farm uses and thus the Plan recommends adoption of a local right-to-farm law to ensure

that normal farm practices are allowed and not considered nuisances. Ancram is a rural, agricultural community and the residents want to keep it that way.

vii. Solid Waste. The adoption of the Plan will not result in the creation of any solid waste and continued farm activities will not result in any significant increase in solid waste generated within the Town.

viii. Flora, Fauna, Vegetation and Habitat. The adoption of the Plan will not result in any habitat disruption, removal of vegetation, fragmentation of forests, reduction of critical farmlands, or removal of critical habitats or species due to large scale industrial uses or residential uses. Open lands contained on farmland will continue to contribute to the biodiversity of the region.

ix. Aesthetic Resources. The adoption of the Plan will not cause any different or adverse changes in the community character, or to the quality of the many significant historic resources in Town.

x. Energy Usage. The adoption of the Plan will not cause any change in the quantity or type of energy needs in the Town.

xi. Cumulative Impacts. There will be no adverse long-term, short-term, direct, indirect, or cumulative impacts arising from the adoption of this Plan. The cumulative impacts that might result from conversion of farmland to residential or commercial use would cause many adverse environmental impacts, and maintenance of active farms will prevent or reduce those impacts.

NOW THEREFORE BE IT RESOLVED, that the Town of Ancram Town Board hereby declares that adoption of the Town of Ancram Agriculture and Farmland Protection Plan as an addendum to the April 2010 Comprehensive Plan described herein, will not have any significant negative environmental impacts; and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes filing of this negative declaration, according to SEQRA, 6 NYCRR Part 617; and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to sign the Full Environmental Assessment Form.

WHEREUPON, this Resolution was declared adopted by the Town Board of the Town of Ancram:

The motion was moved by _____.

The motion was seconded by _____.

- 2. Adopt Agriculture & Farmland Protection Plan as Addendum to the Comprehensive Plan:** Resolved, that the Ancram Town Board adopts the Agriculture and Farmland Protection Plan pursuant to the detailed resolution to this effect below:

**RESOLUTION OF THE TOWN BOARD OF THE
Town of Ancram**

In the Matter of the Adoption of the Town of Ancram Agriculture and Farmland
Protection Plan as an Addendum to the April 2010
Town of Ancram Comprehensive Plan

WHEREAS, a Comprehensive Plan is a statutorily recognized instrument under Town Law §272-a for the immediate and long-range protection, enhancement, growth and development in a Town; and

WHEREAS, a properly crafted comprehensive plan assists with the protection of the health, safety and general welfare of the citizens of the Town; and

WHEREAS, the Town of Ancram Town Board adopted a Comprehensive Plan in April 2010 that presented a plan related to the Towns' growth and development, protect the environment and enhance the health, safety and welfare of the community and residents; and

WHEREAS, the Town of Ancram Comprehensive Plan emphasized agriculture as a critical land use to promote and protect; and

WHEREAS, the Town of Ancram received funding from the New York State Department of Agriculture and Markets to develop a town-level agriculture and farmland protection plan; and

WHEREAS, the Town retained the services of a professional planning consultant to assist with and prepare the Agriculture and Farmland Protection Plan and appointed an ad hoc committee to draft the Plan for the Town Board; and

WHEREAS, the Town of Ancram desires to include this Agriculture and Farmland Protection Plan as a formal part of the adopted Town Comprehensive Plan; and

WHEREAS, the Town engaged in an extensive public outreach effort that included outreach to the farm community, a farmland owner/operator survey,

public workshops, open meetings, and discussion about the proposed plan with the Town Planning Board, ZBA, and Conservation Advisory Council over a two-year period; and

WHEREAS, one public hearing was held by the Farmland Protection Committee as per Town Law §272-a on ; and

WHEREAS, as a result of the public input and the efforts of the Farmland Protection Plan Committee, a Draft Agriculture and Farmland Protection Plan was prepared, and on March 17, 2011 was submitted for Town Board consideration; and

WHEREAS, the Town Board has reviewed the draft Agriculture and Farmland Protection Plan and conducted a public hearing thereon on April 17, 2011; and

WHEREAS, the Town Board of the Town of Ancram has caused to be prepared a Long Environmental Assessment Form (EAF) pursuant to the mandates of the State Environmental Quality Review Act (ECL Article 8 and 6 NYCRR Part 617); and

WHEREAS, the Town Board has duly considered the contents of the EAF and completed Parts 1 and 2 thereof; and

WHEREAS, the Town Board has identified the relevant areas of environmental inquiry and taken a hard look at them; and

WHEREAS, the Town Board has issued a negative declaration under SEQRA thereby complying with the mandates of the State Environmental Quality Review Act; and

WHEREAS, the Town Board has completed requirements of NYS General Municipal Law 239-m by forwarding a copy of the draft plan to the Columbia County Planning Department and waiting 30 days for their response;

**NOW THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE
TOWN BOARD OF THE TOWN OF ANCRAM, COLUMBIA COUNTY, NEW YORK:**

THAT THE Town Board of the Town of Ancram hereby determines that the Town of Ancram Agriculture and Farmland Protection Plan, attached hereto and made a part hereof, is hereby adopted as an addendum to the Comprehensive Plan of the Town of Ancram, and

THAT THE Town Board shall file a final copy of this with the Town of Ancram Town Clerk and with the Columbia County Planning Department as required in 272-a.

Motion Made by:

Motion Seconded by:

Vote:

_____Yea

_____No

- 3. Speed limit reductions:** Whereas the speed limit on Dam Road and Poole Hill Roads is 55 miles per hour, and whereas Dam and Poole Hill Roads are a narrow and winding country roads, and whereas residents of both roads have requested the speed limits on both roads be reduced to 35 mph, therefore it is resolved that am Town Board authorizes the Town Supervisor and Town Clerk to request of the County and State that the speed limits on Dam Road and Poole Hill Road be lowered from 55 mph to 35 mph. ‘
- 4. Approve Salt Shed Construction:** Whereas the town does not have a salt shed to store its sand and salt, and whereas having the salt and sand under shelter will reduce waste and protect the environment, **therefore it is resolved** that the Highway Superintendent be authorized to convert the old Milk Factory building to a salt shed prior to the end of 2011 at a cost not to exceed \$50,000, funds for which will be re-allocated from currently budgeted line items, or from the funds balance.
- 5. Summer Program For Kids:** Whereas Mrs. Ruth Thomas has developed a proposal for a summer kids program in Ancram, and whereas she has secured the approval of the County Board of Health for this program, and whereas she has worked with the Ancram Youth Commission to reach agreement on the program and the budget for this summer kids program, and whereas she has identified and plans to hire qualified adult and teen-age supervisors for this kids camp, **Therefore it is resolved** that the Ancram Town Board approves the establishment of a summer program for kids as proposed by Mrs. Thomas and authorizes the Town Supervisor to provide “start up” funding for the summer program in an amount not to exceed \$2500, which shall be repaid by the summer program if possible by the end of the summer.
- 6. Distribute Ramp Grant Funds:** Whereas the Town of Ancram had applied for a grant for \$5817 from the State of NY to pay for the installation of a handicapped ramp at the Ancramdale polling place, and whereas the ramp was originally

funded by a contribution from the Town of Ancram of \$2500, and donations from Neighbors Helping Neighbors and the Presbyterian Church, and whereas it is now possible to repay the contributors who funded the ramp project, Therefore it is resolved that the Town Supervisor be authorized to return to the Town the \$2500 the town contributed to this effort, pay the Presbyterian Church the approximately \$1100 it incurred for building the ramp, and to return to Neighbors Helping Neighbors the balance of approximately \$2217.

- 7. Lead Agency Declaration on Slott Land Deal:** Resolved that the Ancram Town Board declares itself the lead agency in the matter of a land transfer to the town from a town resident and the grant of easement to this same resident as outlined in the detailed resolution below:

Lead Agency for Slott Land Contract: Resolution of the Town of Ancram Town Board

Intent to be Lead Agency and Identification as an Unlisted Action

Action: Slott Land Deal

Date: _____, 2011

WHEREAS, the Town of Ancram desires to enter into a land agreement in which it will receive .65 acres of land adjacent to the Town garage in exchange for granting a right of way across garage land and an easement over a town-owned railroad bed; and

WHEREAS, the Town Board has reviewed the New York State Environmental Quality Review Act (SEQR) 6 NYCRR Part 617 and has determined that the action is subject to SEQRA; and

WHEREAS, the proposed action will not require permits and approvals from any other local, regional and State agencies prior to adoption of the plan; and

WHEREAS, the Town Board has determined that proposed action is an Unlisted action, pursuant to the New York State Environmental Quality Review Act (SEQR) 6 NYCRR Part 617.

NOW THEREFORE BE IT RESOLVED, pursuant to the applicable standards of SEQRA 6 NYCRR Part 617, the Town of Ancram Town Board concludes that it is the appropriate agency to serve as, and declares itself lead agency for the environmental review of the proposed Unlisted action; and

BE IT FURTHER RESOLVED, that the Town of Ancram Town Board hereby authorizes development and circulation of a copy of the Short Environmental Assessment Form pursuant to the requirements set forth in SEQR 6 NYCRR Part 617.

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to sign the Short Environmental Assessment Form.

WHEREUPON, this Resolution was declared adopted by the Town Board of the Town of Ancram:

The motion was moved by _____.

The motion was seconded by _____.

- 8. Slott Land Transaction Negative Declaration:** Whereas the Ancram Town Board has declared itself the lead agency in terms of SEQRA review of the proposed land transaction with Dan Slott, and whereas the Ancram Town Board has reviewed a short form EAF related to this transaction and determined there are minimal significant negative environmental impacts related to this transaction, therefore it is resolved that the Ancram Town Board make a negative declaration pursuant to the formal resolution below:

**Negative Declaration for Slott
Short form EAF**

**RESOLUTION
ANCRAM TOWN BOARD**

Action: Slott Land Deal

NEGATIVE DECLARATION - UNLISTED ACTION

DATE: _____, 2011

WHEREAS, the Town Board has determined that this action is subject to SEQRA 6NYCRR Part 617; and

WHEREAS, the Town Board has determined that this action is an Unlisted Action

pursuant to 6NYCRR Part 617; and

WHEREAS, the Town Board declared itself Lead Agency and conducted an environmental assessment according to SEQRA, 6 NYCRR Part 617; and

WHEREAS, the Town Board, after consideration of the Short Environmental Assessment Form, and analysis of the site, topographic map, aerial photograph, water features map, and roads/parcel boundary finds that authorization of the Slott Land Deal will have only minor adverse impacts on the environment. The determination that no significant adverse environmental impact will occur is supported by the following:

The Town Board has identified the relevant areas of environmental concern and compared the proposed action against the criteria listed in 617.7 (c) (1) (i – xii). The Board also considered the potential long-term, short-term, direct, indirect and cumulative impacts as per 617.7 (2) and has also assessed the likely consequence of the action in connection with the criteria of 617.7 (3) (i-vii).

The Town Board has identified the following relevant areas of environmental concern and analyzed these concerns as follows:

- i. Land Use. Approval of the Slott Land Deal will maintain the current land use pattern in that area (Town of Ancram Highway Garage facility), and not introduce a divergent or new land use in the area of Ancramdale.
- iv. Protected Water Resources and Surface Water Resources. There are protected wetlands and surface waters adjacent to the parcel included in this action. Removal of vegetation and grading will take place. However, the actual land disturbance activities will be well outside the 100' required wetland buffer. Further a series of catch basins and stormwater detention ponds are already on site to service the existing highway facility. Grading of this .65 acre site will be done in a manner that causes stormwater runoff to flow into these catch basins and detention ponds and not into the wetland. The topography of the land is such that there is a hill between the garage facility and the wetland that will further ensure that runoff does not flow into the wetland. All sand and salt will be stored inside. A vegetated buffer (trees and mid-story shrubs) will remain between the cleared area and the wetland.
- vi. Noise. The approval of this land deal will not create any additional noise above current ambient levels as the Highway Department is already there at that location.
- vii. Solid Waste. The approval of this land deal will not result in the creation of any additional solid waste and continued activities from the Highway Department will not result in any significant increase in solid waste generated within the Town.

viii. Flora, Fauna, Vegetation and Habitat. The approval of this land deal and subsequent removal of .65 acres of forested land will result in the loss of habitat in that small area. However, forested lands similar to what is being removed will continue to remain undisturbed.

ix. Aesthetic Resources. The approval of this land deal will not cause any different or adverse changes in the community character as this is a continuation of an existing land use (highway garage).

NOW THEREFORE BE IT RESOLVED, that the Town of Ancram Town Board hereby declares that approval of the Slott Land Deal will not have any significant adverse environmental impacts; and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes filing of this negative declaration, according to SEQRA, 6 NYCRR Part 617; and

WHEREUPON, this Resolution was declared adopted by the Town Board of the Town of Ancram:

The motion was moved by _____.

The motion was seconded by _____.