

Draft Resolutions - 6/16/2011 Town Board Meeting

- 1. 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 Conservation Advisory Council and 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:

Action: Slott Land Deal

NEGATIVE DECLARATION - UNLISTED ACTION

DATE: JUNE 16, 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 storm water 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 storm water 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:

Roll call vote:

2. Approval of Land Transaction Contract: Resolved, that the Ancram Town Board authorizes the Town Supervisor to enter into an agreement with Dan Slott/Tucked in Farm to provide a right of way and easement over town garage land in exchange for .65 acres of land adjacent to the town garage pursuant to the detailed resolution below:

Resolution to approve a Land Transaction Contract:

WHEREAS, the Town of Ancram desires to acquire .65 acres of land adjacent to the town garage to expand the storage area available to the town highway department; and

WHEREAS, the .65 acres of land to be acquired is located at 32 Maple Lane, Ancramdale, NY, and bears the tax grid identifying number 220.00-1-18; and

WHEREAS, Dan Slott/Tucked in Farm has offered to give the Town this acreage in exchange for a permanent easement and right-of-way over the town garage site; and

WHEREAS, the land over which the easement and right-of-way would be granted is owned by the Town of Ancram and is located at 32 Maple Lane, Ancramdale, NY 12503 and bears the tax grid number 220.1-1-16; and

WHEREAS, the Town Board has been advised that the acquisition of the .65 acres of land is not subject to a permissive referendum; and

WHEREAS, the Town's acquisition of the .65 acres parcel will serve a public purpose in that it will provide much needed additional space for the Town Highway Department by expanding the on-site storage area available to the Highway Department; and

WHEREAS, the easement and right-of-way to be granted to Dan Slott/Tucked in Farm will be for the purpose of draining waters across the Town garage site lands and allowing ingress and egress for the purposes of maintaining the drainage culvert thereon; and

WHEREAS, granting this easement and right-of-way will not interfere with current or future town highway department operations; and

WHEREAS, the value of the land to be received by the Town represents fair and adequate consideration for the grant of the easement and right-of-way because, upon information and belief, the value of the land acquired exceeds the value of the right-of-way and easement to be granted by the Town; and

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

WHEREAS, the Town Board has determined that this action is an Unlisted Action pursuant to 6 NYCRR Part 617; and

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

WHEREAS, the Ancram Town Board issued a Negative Declaration as its Determination of Significance under SEQRA and authorized that Town Supervisor to file this Negative Declaration as required by 6 NYCRR Part 617; and

WHEREAS, the granting of the easement and right-of-way is subject to a permissive referendum pursuant to Section 64(2) of the New York State Town Law; and

WHEREAS, as required by the NYS Town Law, the Ancram Town Board properly published a notice of the proposed granting of the easement and right-of-way in the Town's official papers, has not received a petition requesting that the matter be brought before a referendum, and the time period in which to present such a petition under the NYS Town Law is now expired; and

WHEREAS, the Town now desires to enter into a contract with Dan Slott/Tucked in Farm to acquire the .65 acre parcel and to grant the easement and right-of-way, a copy of which contract is attached to this Resolution as Exhibit A; and

NOW, BASED UPON THE FOREGOING, THEREFORE BE IT RESOLVED BY THE TOWN OF ANCRAM TOWN BOARD AS FOLLOWS:

Section 1. The Ancram Town Supervisor is authorized on behalf of the Town of Ancram to enter into a contract which grants Dan Slott/Tucked in Farm a permanent easement and right of way over town garage lands in exchange for .65 acres of land adjacent to the town garage, subject to legal review.

Section 2. The Ancram Town Supervisor is authorized on behalf of the Town of Ancram to secure title insurance on the .65 acres to be deeded to the town for a value of \$35,000.

Section 3. Upon the respective parties fulfillment of any preconditions to completion of the transaction, and the procurement by the Town of title insurance on the parcel of property to be acquired, the Ancram Town Supervisor is authorized on behalf of the Town of Ancram to execute the grant of easement and right-of-way and also execute any other documents incidental and customary to the acquisition of title to the .65 acre parcel by the Town and the grant of the easement and right-of-way.

- 3. Code Enforcement Officer Salary Adjustment:** **Whereas** the salary for the Code Enforcement Officer/Building Inspector was set at \$18,000 for the 2009 budget, and **whereas** the compensation for the Code Enforcement Officer/Building Inspector was not changed to reflect this approved budget, **therefore it is resolved** that the Ancram Town Supervisor be authorized to pay the Code Enforcement Officer/Building Inspector the \$1000 of compensation for 2009 not previously paid.
- 4. Highway Generator:** **Whereas**, it is essential that the town garage continue to operate when power from the grid is cut, and **whereas**, the highway department provides fuel for the Fire Company vehicles, and **whereas** the highway superintendent has sought and received bids for installing an emergency generator at the Garage, **therefore it is resolved** that the Highway Superintendent be authorized to accept the lowest credible bid for the emergency generator and have it installed, at a cost not to exceed \$7500.
- 5. Public Hearing on Zoning Revisions:** Resolved, that the Ancram Town Board will hold a public hearing to review the first seven proposed amendments to the town's zoning law on July 18, 2011 at 7 p.m. at the Ancram Town Hall, 1416 County Route 7, Ancram NY 12502.