

Draft Resolutions - 7/21/2011 Town Board Meeting

1. **Zoning revisions lead agency declaration: Resolved**, that the Ancram Town Board declares itself to be lead agency in the matter of the SEQRA review of seven proposed zoning amendments presented to the Town Board by the Zoning Revisions Committee at the May town board meeting, pursuant to the following detailed resolution:

Intent to be Lead Agency and Identification as a Type I Action

Action: Zoning Ordinance Amendments

WHEREAS, the Town of Ancram adopted a Comprehensive Plan in 2010 pursuant to Town Law 272-a; and

WHEREAS, the Town Board appointed a Zoning Review Committee and tasked them to draft amendments to the Town of Ancram Zoning Ordinance consistent with the adopted Comprehensive Plan, and

WHEREAS, the Zoning Review Committee developed such language with the aid of consultants and legal counsel, and subsequently submitted such language to the Town Board for review and adoption; 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 a Type I 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 Type I Action; and

BE IT FURTHER RESOLVED, that the Town of Ancram Town Board hereby authorizes development and circulation of a copy of the Full 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 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. Zoning revisions SEQRA negative declaration:** Resolved that the Ancram Town Board makes a negative declaration in the matter of the SEQRA review of the seven zoning amendments presented to the Town Board by the Zoning Revisions Committee pursuant to the detailed resolution below:

NEGATIVE DECLARATION - TYPE I ACTION

WHEREAS, the Town Board of the Town of Ancram (“Town Board”) duly appointed a Zoning Review Committee to implement, in part, the Town Comprehensive Plan through zoning ordinance amendments; and

WHEREAS, the Zoning Review Committee developed a set of proposed amendments to address the recommended strategies of the adopted Comprehensive Plan and subsequently submitted them to the Town Board; and

WHEREAS, the Town Board will submit the proposed Zoning Ordinance amendments 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 proposed amendments:

Addresses primarily the administration and procedures of the zoning ordinance;

Updates the scope of the zoning ordinance to ensure that there is consistency between land use regulatory purposes and the Town of Ancram Comprehensive Plan;

Brings the zoning ordinance into conformance with the time frames and procedures of New York State Town Law;

Clarifies the membership, roles, procedures, time frames, and administration of the Zoning Board of Appeals, and of the Planning Board;

Updates the procedures used for future amendments of the Zoning Ordinance;

Updates the Zoning Ordinance section on interpretation and applicability;

Updates the definition section to ensure clarity in use and administration of the Zoning Ordinance; and

Renumbers several existing, and new sections of the Zoning Ordinance to maintain an organized flow and sequence of the sections.

NOW THEREFORE BE IT RESOLVED, that the Town of Ancram Town Board hereby declares that adoption of the Zoning Ordinance Amendments described herein, will not have any significant negative environmental impacts; and

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

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to execute 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 _____.

- 3. **Zoning revisions amendment related to publishing notice of amendments:**
Resolved, that the requirement to publish an entire zoning amendment in the official Town newspaper of record be amended pursuant to the detailed resolution below to require only a summary of any zoning amendment be so published:

RESOLUTION OF THE TOWN BOARD FOR THE
Town of Ancram

In the Matter of the Adoption of the
Town of Ancram Zoning Law Amendment (**Section X – Amendments**)

WHEREAS, the Town of Ancram adopted a Comprehensive Plan, which 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, The Town of Ancram Comprehensive Plan encourages the Town to improve its zoning ordinance to be more effective and efficient; and

WHEREAS, the Town of Ancram Town Board, created the Ancram Zoning Revisions Committee to draft changes to the Ancram Zoning Ordinance as recommended in the Town of Ancram Comprehensive Plan; and

WHEREAS, the Ancram Zoning Revisions Committee after careful review, prepared a draft amendment to the Zoning Ordinance in accordance with the adopted Town of Ancram Comprehensive Plan with the assistance of a professional planner and attorney; and

WHEREAS, the Town Board has reviewed the draft amendment to Section X (Amendments) of the Zoning Ordinance, submitted it to the Town of Ancram Planning Board, Zoning Board of Appeals, and Conservation Advisory Council for advisory opinions, and conducted a public hearing thereon; 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 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; and

WHEREAS, the proposed amendment (labeled Section X) replaces Section IX of the Zoning Ordinance and substitutes a new number designation; and

WHEREAS, In that same section, now renumbered, old Section IX, Sub-Section F entitled "Publication and Posting" shall be deleted in its entirety and substituting in lieu a new Sub-Section F entitled "Publication and Posting".

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

THAT THE Town Board of the Town of Ancram hereby rescinds section IX of the Zoning Ordinance and adopts the amendment to the Town of Ancram Zoning Ordinance (Section X: Amendments); and

THAT THE Town Board shall enter this amendment in the minutes of the Town Board and publish all parts of this amendment in the official newspaper of the Town; and

THAT THE Town Board instructs the Town Clerk of the Town of Ancram to maintain a sign board near her office in the Town Hall with the word "Town Clerk's Office" at the top and all parts of this amendment on the space below; and

THAT THE Town Board ensure that all parts of this amendment be posted on the Town's website; and

THAT THE Town Board cause affidavits of the publication and posting of the amendments be filed with the Town Clerk.

Motion Made by:

Motion Seconded by:

Vote:

_____ Yea

_____ No

4. **Other Zoning revisions amendments: Resolved**, that the six amendments outlined in the detailed resolution below be adopted:

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

In the Matter of the Adoption of the

Town of Ancram Zoning Law Amendment (Section IX – Planning Board; Section XII – Definitions; Section XI – Interpretation and Application; Section VIII – Zoning Board of Appeals; Section VI – Administration and Enforcement; and Section I – Title, Scope and Purpose)

WHEREAS, the Town of Ancram adopted a Comprehensive Plan, which 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, The Town of Ancram Comprehensive Plan encourages the Town to improve its zoning ordinance to be more effective and efficient; and

WHEREAS, the Town of Ancram Town Board, created the Ancram Zoning Revisions Committee to draft changes to the Ancram Zoning Ordinance as recommended in the Town of Ancram Comprehensive Plan; and

WHEREAS, the Ancram Zoning Revisions Committee after careful review, prepared these draft amendments to the Zoning Ordinance in accordance with the adopted Town of Ancram Comprehensive Plan with the assistance of a professional planner and attorney; and

WHEREAS, the Town Board has reviewed the draft amendments to (Section IX – Planning Board; Section XII – Definitions; Section XI – Interpretation and Application; Section VIII – Zoning Board of Appeals; Section VI – Administration and Enforcement; and Section I – Title, Scope and Purpose) of the Zoning Ordinance, submitted it to the Town of Ancram Planning Board, Zoning Board of Appeals, and Conservation Advisory Council for advisory opinions, and conducted a public hearing thereon; 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 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 ANCRAM, COLUMBIA COUNTY, NEW YORK:

THAT THE Town Board of the Town of Ancram hereby adopts the Town of Ancram amendments to the Zoning Ordinance (Section IX – Planning Board; Section

XII – Definitions; Section XI – Interpretation and Application; Section VIII – Zoning Board of Appeals; Section VI – Administration and Enforcement; and Section I – Title, Scope and Purpose); and

THAT THE Town Board shall enter these amendments into the minutes of the Town Board and shall publish a summary or abstract of these amendments once in the official newspaper of the Town; and

THAT THE Town Board instructs the Town Clerk of the Town of Ancram to maintain a file in her office in the Town Hall to contain all parts of these amendments; and

THAT THE Town Board ensure that all parts of these amendments be posted on the Town’s website; and

THAT THE Town Board cause affidavits of the publication and posting of the amendments be filed with the Town Clerk.

Motion Made by:

Motion Seconded by:

Vote:

_____Yea

_____No

5. **Salt shed budget:** Resolved that the budget for the conversion of the Milk Factory building at the Ancram Highway Garage to a Salt shed be increased by \$15,000 to \$65,000 to permit the installation of a new roof.