

Draft Resolutions-Ancram Town Board Meeting – 7/19/2012

25. Cell tower law adoption

RESOLUTION OF THE TOWN BOARD FOR THE

Town of Ancram

In the Matter of the Adoption of the Town of Ancram Telecommunications Towers Law

WHEREAS, the Town of Ancram adopted a Comprehensive Plan in April 2010, 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' telecommunications and utility infrastructure, including cellular services in a manner that would be technically and aesthetically feasible, and to encourage co-location of services; and

WHEREAS, the Town of Ancram Town Board, after careful review, determined that the existing local law regulating telecommunication towers (Local Law #1 of 2011) was not adequate to meet the needs of the Town in order to meet the objectives of the Comprehensive Plan and to protect the environment and enhance the health, safety and welfare of the community and residents; and

WHEREAS, the Town of Ancram Zoning Review Committee prepared an updated draft law in accordance with the adopted Town of Ancram Comprehensive Plan; and

WHEREAS, the Town Board has reviewed the draft Telecommunications Towers Law, has provided written notice of a public hearing to the public and to adjacent municipalities pursuant to Town Law 264 (2)(c), and conducted a public hearing thereon; and

WHEREAS, the Town Board has referred the draft Telecommunications Towers Law to the Planning Board, and received written comments from them; 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; and

WHEREAS, the Town Board intends to rescind Local Law #1 of 2011 and replace it with this updated Telecommunications Towers law,

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 Local Law # 1 of 2012, herein referred to as the Town of Ancram Telecommunications Tower Law; and

THAT THE Town Board rescinds Local Law #1 of 2011; and

THAT THE Town Board shall file such local law along with a certified local law filling form according to requirements of and with the New York State Department of State; and

THAT THE Town Board shall publish a summary of the local law in the official newspaper of the Town and will place a copy of the entire law on a sign board near the Town Clerk's Office and on the Town's website.

Motion Made by:

Motion Seconded by:

Vote:

_____Yea

_____No

26. Lead Agency Declaration – Package 3, Zoning Revisions

Resolution of the Town of Ancram Town Board
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 is therefore not a coordinated review; 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 _____.

27. Public Hearing – Package 3, Zoning Revisions: Resolved that the Ancram Town Clerk post a public notice in the official Town newspapers announcing a public hearing to be held at 7 pm Monday, August 13, 2012 to solicit public comments concerning Package 3 of the proposed zoning revisions, which are available for inspection at the Ancram Town Hall and on the Town of Ancram web site.

28. Standard Work Day and Reporting Resolution: Be it resolved that the Town of Ancram establishes the following as standard work days for elected and appointed officials and will report the following days worked to the NYS and Local Employee's Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials, and be it further resolved that the standard work days for elected and appointed officials will be 7 hours per day, and for the Highway Superintendent and staff 8 hours a day.