

**Resolution of the Town of Ancram Town Board**

**Introducing Local Law No. 1 of 2020,**

**A Local Law amending Article V of the Town of Ancram Zoning Law to incorporate the supplementary regulations for the Town's Scenic Corridor Overlay Zoning District from Local Law No. 1 of 2003 and repealing Local Law No. 1 of 2003.**

Resolution date: Thursday, January 16, 2020

**Whereas:**

1. This resolution introduces a proposed amendment to Article V of the Town of Ancram Zoning Law (the "Zoning Law"). When adopted, this amendment will: (a) essentially transfer from Local Law No. 1 of 2003 to Article V of the Zoning Law the supplementary regulations for the Town's Scenic Corridor Overlay District; and (b) upon such transfer and amendment of Zoning Law Article V, Local Law No. 1 of 2003 will then be repealed.
2. The amendment is proposed in the form of a Local Law pursuant to the authority and power granted to the Town Board and the Town by Articles 2 and 3 of the New York State Municipal Home Rule Law and by Article 2 of the New York State Statute of Local Governments.
3. Subsequent to the adoption of the 2010 Town of Ancram Comprehensive Plan, the Town Board of the Town of Ancram updated and adopted a new Zoning Law on November 20, 2014. The 2014 Zoning Law included establishment and definition of a zoning district called the Scenic Corridor Overlay Zone, which was previously established by Town of Ancram Local Law 1 of 2003.
4. The purpose of the amendment proposed in this resolution is to incorporate into the Town's Zoning Law adopted on November 20, 2014 the provisions of Local Law No. 1 of 2003 which local law established supplementary regulations for a zoning district called the Scenic Corridor Overlay Zone ("SCOZ"). Those supplementary regulations were not incorporated into the Town's Zoning Law when it was adopted in 2014. The Town Board now wishes to incorporate those regulations into the Zoning Law. The addition of those supplementary regulations to the Town's Zoning Law will make the scope of the 2014 Zoning Law more complete and will serve the ease and convenience of our citizens and others reading our Zoning Law by making the SCOZ supplementary regulations easier to find and will improve their context by melding them with the body of the Zoning Law.
5. Once the provisions of Local Law No. 1 of 2003 are transferred to Article V of the 2014 Zoning Law, there will no longer be a need for Local Law No. 1 of 2003 and so it will be repealed.
6. This proposed amendment makes no substantive changes to the content of the supplementary regulations which apply to the Town's SCOZ.
7. The only changes that have been made to the SCOZ supplementary regulations as they are presently set forth in Local Law No. 1 of 2003 are the format and section numbering changes that are necessary to meld those regulations with format and numbering system in Article V of the 2014 Zoning Law.

8. In anticipation of the introduction of this amendment, we directed Nan Stolzenburg, AICP, the Town's planning consultant, to prepare for the Town Board's review an Environmental Assessment Form (EAF), Part 1, pursuant to the State Environmental Quality Review Act (SEQRA). Ms. Stolzenburg has prepared the EAF Part 1 and presented it to the Town Board for our review and consideration. A copy of the EAF Part 1 is attached as Exhibit B.
- 9 Pursuant to New York State Municipal Home Rule Law § 20, "Local Law No. 1 of 2020, A Local Law amending Article V of the Town of Ancram Zoning Law to incorporate the supplementary regulations for the Town's Scenic Corridor Overlay Zoning District from Local Law No. 1 of 2003 and repealing Local Law No. 1 of 2003" was received by each member of the Town Board prior to this meeting via email and that proposed Local Law shall be deemed to be on the desk of each member of the Town Board as of tonight's Town Board meeting.

**NOW THEREFORE, BE IT RESOLVED,**

- Section A. For the reasons set forth in this Resolution, and pursuant to New York State Municipal Home Rule Law § 20 and Article XII of the Town of Ancram Zoning Law, the Town Board hereby introduces Town of Ancram "Local Law No. 1 of 2020, A Local Law amending Article V of the Town of Ancram Zoning Law to incorporate the supplementary regulations for the Town's Scenic Corridor Overlay Zoning District from Local Law No. 1 of 2003 and repealing Local Law No. 1 of 2003." A copy of the proposed Local Law No. 1 of 2020 is attached as Exhibit A to this Resolution.
- Section B. Pursuant to provisions of SEQRA the Town Board hereby determines to classify the adoption of the proposed new Zoning Law (the "proposed action" in SEQRA parlance) as a Type I action [see, New York State Environmental Conservation Law (ECL), Article 8; 6 New York Code of Rules & Regulations (NYCRR), Part 617.4(b)(2)].
- Section C. Further pursuant to SEQRA, the Town Board further determines that it will be the only agency with approval authority over the proposed action. Accordingly, the Town Board hereby declares itself to be the Lead Agency for the conduct of the environmental review of the proposed action under SEQRA. The Town Board further identifies the Town of Ancram Planning Board and the Columbia County Planning Board as interested agencies.
- Section D. The Town Board hereby accepts the SEQRA EAF Part 1 for the proposed action which has been prepared by the Town's planning consultant. A copy of SEQRA EAF Part 1 is attached as Exhibit B to this Resolution.
- Section E. The Town Board hereby directs that the proposed amendment be referred to the Columbia County Planning Board for its review and for an advisory opinion pursuant to Section 239-m of the New York State General Municipal Law. The Town Board directs the Town Clerk to make the referral in conformity with the applicable provisions of New York State General Municipal Law § 239-m.

Section F. Town Board hereby directs that the proposed Zoning Law be referred to the Town of Ancram Planning Board for its review and for an advisory opinion pursuant to Town of Ancram Zoning Law Article XII entitled "Amendments," and subsection B entitled "Advisory Report by Planning Board." The Planning Board shall deliver its response to this referral to the Town Board within forty-five (45) days of the date of this referral. The Town Board directs the Town Clerk to make the referral in Zoning Law Article XII (B).

Section G. In accordance New York State Municipal Home Rule Law § 20(5), the Town Board hereby schedules a Public Hearing on said Proposed Local Law for \_\_\_\_\_, 2020, at \_\_\_\_\_ p.m. at to be held at the Town of Ancram Town Hall, located at 1416 County Route 7, Ancram NY 12502. The Town Board directs the Town Clerk to provide notice to the public of the public hearing in accordance with the requirements for same set forth in the New York State Municipal Home Rule Law, and Town of Ancram Zoning Law Article XII(C) and directs the Town Clerk to cause publication of the annexed legal notice in the Town's official newspaper not less than ten (10) calendar days prior to the Public Hearing.

Section H. The Town Board also directs the Town Clerk to post a copy of the proposed Local Law on the Town's web site, and to make a paper copy of the proposed Local Law available for review by the public at the Town of Ancram Town Hall, located at 1416 County Route 7, Ancram NY 12502, and the Roeliff Jansen Community Library, located at 9091 Route 22, Hillsdale NY 12529.

Section I. The Town Board hereby directs the Town's Planning consultant to prepare for the Town Board's review at a later date a SEQRA EAF Part 2 for the Town Board's review and consideration.

On a motion by: Hugh Clark

And Seconded by: Arthur Bassin

Roll Call Vote of Resolution:	In Favor	Against	Abstain	Absent
Arthur Bassin, Supervisor	_____	_____	_____	_____
Hugh Clark	_____	_____	_____	_____
David Boice	_____	_____	_____	_____
Madeleine Israel	_____	_____	_____	_____
Bonnie Hundt	_____	_____	_____	_____

This resolution was filed in the office of the Town of Ancram Town Clerk on the \_\_\_\_ of January, 2020 by Monica Cleveland, Town Clerk of the Town of Ancram.

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Monica Cleveland, Town Clerk of the Town of Ancram

Annexed Documents:

- Exhibit A: Local Law No. 1 of 2020, A Local Law amending Article V of the Town of Ancram Zoning Law to incorporate the supplementary regulations for the Town's Scenic Corridor Overlay Zoning District from Local Law No. 1 of 2003 and repealing Local Law No. 1 of 2003.
- Exhibit B. SEQRA Environmental Assessment Form, Part 1, as prepared by Nan Stolzenburg, AICP, of Community Planning & Environmental Associates.