

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

### **Introducing Local Law No. 2 of 2020, a proposed “Local Law Amending Miscellaneous Provisions of the Town of Ancram Zoning Law previously adopted on November 20, 2014, and as amended since, and Adding New Provisions.”**

Resolution date: August 20, 2020

#### **Whereas:**

1. This resolution proposes new legislation in the form of a local law amending miscellaneous provisions of the Town of Ancram Zoning Law, previously adopted on November 20, 2014 and as amended since, and that also adds several new provisions.
2. The new Zoning Law 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. In 2019, pursuant to the authority granted in New York State Town Law § 272-a, the Town of Ancram adopted an updated Comprehensive Plan. That Plan sets forth Ancram’s vision for its future, and the blue print for how the Town should grow and how Ancram should preserve the characteristics and qualities of the Town so valued by Town residents. The Comprehensive Plan consists of materials, written and/or graphic, including, but not limited to, maps, charts, elements, appendices and other descriptive material. Section 272-a(11) of the Town Law requires, in relevant part, that all town land use regulations must be in accordance with an adopted Comprehensive Plan.
4. It is our intention to adopt a Zoning Law which brings Ancram’s zoning law into accord with the 2019 Comprehensive Plan. Our existing Town Zoning Law was adopted in 2014 and amended several times since then to address issues as they have arisen. Since the adoption of the updated Comprehensive Plan, the Town recognized there is a need for the Zoning Law to address current land uses not previously facing the Town including short-term rentals, special event venues, and the spreading of biosolids on farmlands.
5. In addition to, and in confluence with the implementation of the goals of the Town’s Comprehensive Plan, it is also the purpose of the proposed Zoning Law to exercise our Town’s right to protect our citizens by controlling the use of land so as to broadly protect the public health, safety and general welfare and to carry out locally established goals and objectives in accordance with a comprehensive plan designed to preserve and protect, for the benefit of the town as a whole, the basically rural-agricultural character of the Town.
5. This proposed Zoning Law is the result of hours of work over at least a year by the Town’s Zoning Review Committee (ZRC). Throughout that time, the ZRC has been working with the benefit of professional assistance from Nan Stolzenburg, AICP, of Community Planning and Environmental Associates.
6. Looking ahead to the introduction of this proposed law, the Town Board directed 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). The Town's planning consultant has prepared the EAF Part 1 and presented it to the Town Board for its review and consideration.

7. Pursuant to New York State Municipal Home Rule Law § 20, Local Law No. 2 of 2020 proposing updates to the Zoning Law for the Town of Ancram 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. 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 a revised Proposed Local Law No. 2 of 2020, a "Local Law Amending Miscellaneous Provisions of the Town of Ancram Zoning Law previously adopted on November 20, 2014, and as amended since, and Adding New Provisions." A copy of the proposed Local Law 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 Environmental Assessment Form (EAF) Part 1 for the proposed action which is dated August 20, 2020 and has been prepared at our request by the Town's planning consultant. A copy of the EAF Part 1 is attached here to as Exhibit B.

Section E. The Town Board hereby directs that the proposed Local Law 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 Local Law be referred to the Town of Ancram Planning Board in accordance with Town of Ancram Zoning Law Article XII(B) for its review and for an advisory opinion. 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.

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. via Zoom. The Town Board

directs the Town Clerk to provide a link to the Zoom meeting at least 7 days prior to the hearing date.

Section H. 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 directs the Town Clerk to cause publication notice of the public hearing in the Town’s official newspaper in accordance with the requirements of Town of Ancram Zoning Law Article XII(C)(1) not less than ten (10) calendar days prior to the Public Hearing, and to provide written notice of the hearing to any required Municipal County, Regional, Metropolitan, State or Federal Agency in the manner prescribed by law pursuant to Ancram Zoning Law Article XII(C)(2).

Section I. 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, 1416 County Route 7, Ancram NY 12502.

Section J. 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:

And Seconded by:

Roll Call Vote of Resolution:	Aye	Nay	Absent/Abstain
Arthur Bassin, Supervisor	_____	_____	_____
Hugh Clark	_____	_____	_____
David Boice	_____	_____	_____
Madeline Israel	_____	_____	_____
Bonnie Hundt	_____	_____	_____

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

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Monica R. B. Cleveland, Town Clerk of the Town of Ancram

Annexed Documents:

Exhibit A: Proposed Local Law No. 2 of 2020, a proposed “Local Law Amending Miscellaneous Provisions of the Town of Ancram Zoning Law previously adopted on November 20, 2014, and as amended since, and Adding New Provisions.”

Exhibit B. SEQRA Environmental Assessment Form, Part 1, as prepared by Nan Stolzenburg, AICP, of Community Planning & Environmental Associates.