

Proposed Resolutions – 4/15/2021

1) Appoint Trails Committee Chair - Resolved, that David Fedzcuk be appointed as chair of the Ancram Trails Committee..

2) Standard workday resolution – Resolved, that the Standard Workday Resolution form RS 2417-A covering Town Clerk/Tax Collector Monica Cleveland, Highway Superintendent James Miller and Assessor Rene Deleeuw be approved as presented, posted for 30 days on the Town website and in the Town Hall and submitted to the NYS Retirement System.

3) Building Department Hours – Resolved, that the ZEO/CEO and the Building Department clerk are authorized to increase their weekly hours from 12 to 18 to allow the timely processing of building permit applications, and be it further resolved that the compensation of the ZEO/CEO and Building Department clerk be increased proportionally.

4) Town Court Audit – Resolved, that the Financial Advisory Council of the Town of Ancram conducted an audit of the 2020 books and records of the Ancram Town Court and determined that the books and records of the Ancram Town court were in order and submitted a report of their audit findings to the Ancram town Board.

5) Local Law #1 of 2021 - Solar Law – Negative Declaration

RESOLUTION ____ of 2021

ANCRAM TOWN BOARD

NEGATIVE DECLARATION - TYPE I ACTION

Adoption of Updated Zoning to Regulate Solar Facilities

Date: April 15, 2021

WHEREAS:

- 1.** This resolution proposes new legislation in the form of a local law amending the Town of Ancram Zoning Law, previously adopted November 2020, and that replaces existing regulations related to solar energy facilities with new provisions designed to address current solar development patterns and pressures.
- 2.** The new provisions related to solar energy generation systems are 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 blueprint 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 has a limited provision related to the design and siting of solar energy facilities which do not reflect current solar developments. Since the adoption of those provisions (from the 2014 set of zoning amendments), the Town recognized there is a need for the Zoning Law to address current land uses related to solar use.
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.
6. This proposed Zoning Law is the result of hours of work over by the Town including a comprehensive GIS analysis of Ancram's natural resource base to identify environmentally sensitive locations that may also be locations that could accommodate solar development. The object of the analysis was to provide the Town with a tool that they could use to comprehensive plan for solar development appropriate to the specific conditions in Ancram.
7. Pursuant to New York State Municipal Home Rule Law § 20, Local Law No. 1 of 2021 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.
8. 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. 1 of 2021, a "Local Law Amending Miscellaneous Provisions of the Town of Ancram Zoning Law previously adopted on November 20, 2014, and as amended since in November 2020."
9. The Town Board directed 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 referral to the County was made in conformity with the applicable provisions of New York State General Municipal Law § 239-m and the County determined that adoption of this Local Law would not have any county-wide implications and thus approved the local law.
10. Town Board directed 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, and the Planning Board delivered in writing, its approval.
11. In accordance with New York State Municipal Home Rule Law § 20(5), the Town Board scheduled and held a properly noticed Public Hearing on the Proposed Local Law via

Zoom and allowed for written public input after the hearing.

- 12.** Adoption of the updated zoning law has been determined to be a Type I action, pursuant to the New York State Environmental Quality Review Act (SEQR) 6 NYCRR Part 617.4, and
- 13.** The proposed action will not require permits and approvals from any other local, regional, or State agencies prior to adoption, and a coordinated SEQRA review is not required; and
- 14.** The Town Board carefully reviewed Parts I, II, and III of the Full Environmental Assessment Form and took the required hard look on the above-described action according to SEQRA, 6 NYCRR Part 617 as part of the required adoption procedures; and
- 15.** The Town Board, after consideration of the Full Environmental Assessment Form Part III finds that:

After review of Parts I and II of the FEAF, the Town has not identified any significant, adverse environmental impacts that would result from adopting Local Law 1 of 2021 related to regulation of solar energy facilities. The adoption of the law itself has no adverse environmental impacts. Application of the law would serve to benefit the environment should any solar energy facilities be proposed and would implement and be consistent with the Town's adopted Comprehensive Plan. The law will amend Town zoning to allow for small-scale use of solar generation for homes, individual businesses, and farms as a permitted use. Community-scale solar energy facilities are also allowed via a special use permit, and utility-scale facilities are prohibited because of the large potential for significant adverse impacts that are associated with them. Community-scale and utility-scale facilities are prohibited in Ancram's Scenic Corridor Overlay Zone to protect the inherent scenic values in that part of Town.

The law also establishes design and siting requirement for all solar energy facilities that are built. These requirements will serve to minimize impacts of solar development on stormwater runoff; glare; adjacent neighbors (through setbacks); wildlife; and community character. It minimizes impacts through use of screening and buffering, and through careful siting of the facility that protects the many unique natural resources found in Ancram. The Law also promotes use of pollinator friendly vegetation, promotes agrivoltaic dual uses on the property to allow for agriculture, decreases light pollution, and mitigates impacts on wildlife travel corridors.

In comparison to the no action alternative of not adopting this law, the proposed regulations will greatly improve the Town's ability to review and control adverse impacts that may be associated with otherwise unregulated and poor planning and siting of solar

facilities that would occur without such regulations. At the same time, allowance of both small-scale and community-scale (10 acres or less in size) facilities will allow Ancram to contribute to the global effort to promote renewable energy and reduce carbon footprints. The law itself is mitigation of potential significant adverse impacts and is thus a benefit to the environment. To guide Ancram in the development of these regulations, the Town conducted a comprehensive natural resource evaluation via GIS and its Natural Resource Conservation Plan, to clearly identify important sensitive environmental areas in Ancram that should not be considered for solar use due to potential adverse impacts. In so doing, the law was drafted specifically to site solar facilities in a manner that avoids these areas and to protect the environment.

In its planning and GIS analysis, the Town determined that utility-scale solar energy systems greater than 10 acres and having a generating capacity of < 20 megawatts would have significant adverse impacts and thus such scaled facilities are prohibited. The proposed law also addresses utility-scale facilities that are 20 megawatts and greater in size. Through this law, the Town establishes that these very large facilities are incompatible with the Town's Comprehensive Plan and the Town's environment and are also prohibited. The Town does recognize the role of the NYS Section 94-c regulations in siting and permitting large-scale renewable energy projects, and in the case that a >20 megawatt facility were to be proposed and then reviewed by New York State, the proposed law establishes significant siting and design standards and expectations to be applied and that will serve to minimize the specific adverse impacts critical to protecting Ancram's environment.

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

1. That the Town Supervisor is authorized to execute and sign the Full Environmental Assessment Form.
2. That the Town of Ancram Town Board hereby declares that adoption of the proposed solar regulations as described herein, will not have any potential significant adverse environmental impact; and
3. That the Town Board hereby makes a negative declaration regarding SEQR 6NYCRR Part 617 and authorizes filing of such negative declaration (Part III of the FEAF); and
4. That the Town Board directs the Town Clerk to file a notice in the Environmental Notice Bulletin according to SEQRA, 6 NYCRR Part 617 as required; and

WHEREUPON this Resolution was declared adopted by the Town Board of the Town of Ancram:

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 _____ of 2021 by Monica R. B. Cleveland, Town Clerk of the Town of Ancram.

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

Annexed Documents:

Exhibit A: SEQR FEAF Part I, 2 and 3

6) Local Law #1 of 2021 - Solar Law – Adoption Resolution

Resolution of the Town of Ancram Town Board

Adopting Local Law No. 1 of 2021, a “Local Law Amending the Town of Ancram Zoning Law with Regard to the Regulation of Solar Energy Generation Systems”

Resolution date: April 15, 2021

Whereas:

1. This resolution proposes new legislation in the form of a local law amending the Town of Ancram Zoning Law, previously adopted November 2020, and that replaces existing regulations related to solar energy facilities with new provisions designed to address current solar development patterns and pressures.
2. The new provisions related to solar energy generation systems are 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 blueprint 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 has a limited provision related to the design and siting of solar energy facilities which do not reflect current solar developments. Since the adoption of those provisions (from the 2014 set of zoning amendments), the Town recognized there is a need for the Zoning Law to address current land uses related to solar use.
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.
6. This proposed Zoning Law is the result of hours of work over by the Town including a comprehensive GIS analysis of Ancram's natural resource base to identify environmentally sensitive locations that may also be locations that could accommodate solar development. The object of the analysis was to provide the Town with a tool that they could use to comprehensive plan for solar development appropriate to the specific conditions in Ancram.
7. The Town Board reviewed the Environmental Assessment Form (EAF), Part 1, Part 2 and Part 3 pursuant to the State Environmental Quality Review Act (SEQRA).
8. The Town Board determined that no significant adverse environmental impacts would result from adoption of Local Law #1 of 2021 and issued a Negative Declaration pursuant to 6 NYCRR Part 617.
9. Pursuant to New York State Municipal Home Rule Law § 20, Local Law No. 1 of 2021 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.
10. 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. 1 of 2021, a "Local Law Amending Miscellaneous Provisions of the Town of

Ancram Zoning Law previously adopted on November 20, 2014, and as amended since in November 2020.”

11. The Town Board directed 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 referral to the County was made in conformity with the applicable provisions of New York State General Municipal Law § 239-m and the County determined that adoption of this Local Law would not have any county-wide implications and thus approved the local law.
12. Town Board directed 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, and the Planning Board delivered in writing, its approval.
13. In accordance with New York State Municipal Home Rule Law § 20(5), the Town Board scheduled and held a properly noticed Public Hearing on the Proposed Local Law via Zoom and allowed for written public input subsequent to the hearing. The Town Board also posted a copy of the proposed Local Law on the Town’s web site, and made 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.
14. Public comments were reviewed by the Town of Ancram Zoning Revision Committee and the Town Board and subsequently, the Town Board prepared a final version of the proposed zoning amendments, attached as Amendment A to this resolution.

NOW THEREFORE, BE IT RESOLVED,

- Section A. That the Town Board hereby adopts Local Law # 1 of 2021.
- Section B. That the Town Board instructs the Town Clerk to file the ENB form as required by 6NYCRR Part 617.
- Section C. That the Town Board directs the Town Clerk to inform the Columbia County Planning Office of its decision on such form as may be prescribed by the Columbia County Planning Office.
- Section D. That the Town Board directs the Town Clerk to file Local Law #1, as adopted by the Town Board, with the New York State Department of State immediately.
- Section E. That the Town Board shall enter this law into the minutes of the Town Board and shall publish a summary or abstract of it once in the official newspaper of the Town.
- Section F. That the Town Board instructs the Town Clerk to maintain a file in her office in the Town Hall to contain all parts of this law and instructs the Town Clerk to ensure that all parts of the law 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.

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 15th day of April of 2021 by Monica R. B. Cleveland, Town Clerk of the Town of Ancram.

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

Annexed Documents:

Exhibit A: Proposed Local Law No. 1 of 2021, a proposed "Local Law Amending the Town of Ancram Zoning Law with Regard to the Regulation of Solar Energy Generating Systems."