

Proposed Resolutions – 11/18/2021

1) County Environmental Management Council - Resolved, that the Ancram Town Board reappoints Colleen Lutz to a two-year term on the Columbia County Environmental Management Council beginning January 1, 2022.

2) ASHP & Electric Upgrade RFPs – Resolved, that the Ancram Town Board approves the proposed RFPs for the installation of two Bosch air source heat pumps at the Ancram Town Hall and the and the necessary electrical upgrades to support these ASHPs, subject to a review and approval of the RFPs by the Climate Smart Community Task Force.

3) Public Hearing on a local law authorizing increases in elected official's salaries – Whereas, the 2022 proposed salaries for certain elected officials in the 2022 Final Budget are higher than the amounts disclosed in the notice of public hearing on 2022 the Preliminary Budget, and **whereas** the Ancram Town Board must adopt a local law to authorize these proposed increases, and **whereas** these proposed salary increases are approximately 3% or \$5,000 higher in aggregate than originally disclosed in the Preliminary Budget public notice, **therefore it is resolved**, that the Ancram Town Board will hold a public hearing at 7 pm on December 16, 2021 to solicit public comment on the proposed 2022 salaries of certain elected officials.

4) Technology Committee – Resolved, that Philip Hack is appointed as Chair of the Ancram Technology Committee..

5) Adoption of 2022 Final Budget - Resolved, that the Ancram Town Board adopts the 2022 Town Budget with a Town tax levy of \$714,420, a reduction of \$37,136 from the 2021 Town tax levy, and a Lighting District tax levy of \$4,500, a reduction of \$500 from the 2021 Lighting District tax levy.

6) 2022 Health Insurance Plans – Resolved, that the Ancram Town Board authorizes the Town Supervisor to enter into an agreement with CDPHP to provide the HDEPO and HDHMO Bronze 424 or Bronze 428 health insurance plans to eligible Ancram employees and their families, and **be it further resolved** that the Town of Ancram will pay 100% of the premiums for these policies for eligible employees and their families, and **be it further resolved** that the Town of Ancram will contribute \$750 to each employees' HAS in January 2022, **and be it further resolved** that the Town of Ancram will reimburse all eligible employees for out of pocket medical expenses incurred by the employee and covered family members in excess of \$1500 until the policy deductible has been reached and the health insurance policy covers medical expenses.

7) NEGATIVE DECLARATION - TYPE I ACTION - Adoption of Local Law Establishing a Local Type I List (Local Law No. 3 of 2021)

WHEREAS:

1. Proposed new legislation in the form of a local law establishing a Local Type I List pursuant to 6 NYCRR Part 617 has been introduced and reviewed.
2. The new provisions related to a Local Type I List 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 local law which brings Ancram's land use regulations into accord with the 2019 Comprehensive Plan. In so doing, the Town developed a local Type I List to enhance environmental review for certain actions deemed to have such intensity, scale, or operation that are more likely to result in adverse environmental impacts.
5. In addition to, and in support of the implementation of the goals of the Town's Comprehensive Plan, it is also the purpose of the proposed Type I List Local Law to exercise our Town's right to protect our citizens by ensuring new uses of land are protective of the public health, safety and general welfare, and that are consistent with locally established goals and objectives in accordance with our comprehensive plan. Ancram's Plan is 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 Local Law is the result of hours of work and consideration by the Town's CAC and ZRC, and planning consultant.
7. Adoption of the Local Law No. 3 of 2021 establishing a Local Type I list 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
8. 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

9. 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
10. The Town Board, after consideration of the Full Environmental Assessment Form Part III finds that:
11. The Town has not identified any significant, adverse environmental impacts that would result from adopting Local Law No. 3 of 2021 related to establishment of a Local Type I List. The Town Board has reviewed Part I and II and has determined that there are no identified potential moderate to large adverse environmental impacts associated with adopting a Local Type I list for the Town of Ancram. This action implements policies established in the 2019 Town of Ancram Comprehensive Plan. Protection of the environment and maintenance of the rural character of the Town are paramount policies of the Town and this local law is established to further environmental review and protections when certain land uses are proposed in the Town. Adoption of this Local Type I list will allow for further environmental protection by requiring use of the Full Environmental Assessment Form for uses determined locally to be Type I actions. A local Type I list elevates the environmental review of certain future actions and is intended to result in further avoidance of adverse impacts or identification of additional mitigation measures.

The action of adopting a local law by itself will not result in any physical change to the environment. Future development in the Town may adversely impact the environment and it is specifically to avoid or mitigate those impacts that the Town has developed this Type I list. The Town recognizes that some development will take place in the future. Those future actions may impact the environment and such potential impacts will be evaluated at the time of an application for subdivision, special use permit, or site plan review approval for these uses as a Type I action. Through an enhanced SEQR process, the Town will be further enabled to decrease the duration, magnitude, size and extent of any adverse impacts that may occur in the future in order to meet the Town's environmental, character, and quality of life vision, goals, and policies.

As the local Type I Law is fundamentally designed to limit adverse impacts related to certain land uses, the Town Board has concluded that there will be no adverse impact to adopting the Type I law.

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 Local Law No. 3 of 2021 establishing a Local Type I List 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

**8) Resolution of the Town of Ancram Town Board Adopting Local Law No. 3 of 2021, a Local Law
 Creating a Local Type I List for the Town of Ancram**

Whereas:

1. This resolution proposes a new local law to create a Local Type I List for the Town of Ancram (LL No. 3 of 2021).
2. The Local Type I List (LL 3 of 2021) 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. The Type I List local law (LL3 of 2021) is proposed to further implement the 2019 Town of Ancram Comprehensive Plan that established the need and direction for further protecting the unique environment in the Town, and to further the vision and goals established by the Community.
4. The Town's Zoning Revisions Committee (ZRC) thoroughly discussed all proposed language for this local law in coordination with the Town's Conservation Advisory Council, Town Planner, and Town Attorney.
5. Adoption of this local law is a discretionary action subject to SEQR. The Town Board has reviewed the Environmental Assessment Form (EAF), Part 1, Part 2, and Part 3 pursuant to the State Environmental Quality Review Act (SEQRA).
6. As a result of the SEQR process, the Town Board determined that no significant adverse environmental impacts would result from adoption of the LL3 of 2021, and in fact, adoption of this local law would further environmental protection in the Town of Ancram.
7. Pursuant to New York State Municipal Home Rule Law § 20, Local Law No. 3 of 2021, as described herein, the final copy of this proposed local law has been received by each member of the Town Board as required.
8. 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.
9. In accordance 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 and allowed for written public input. 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.
10. Public comments were reviewed by 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 No. 3 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 if 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 No. 3, 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: Hugh Clark

And seconded by: _____

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

Exhibit A: Local Law No. 3 of 2021, a “Local Law Creating a Local Type I List for the Town of Ancram.”

New York State Department of State
 Division of Corporations, State Records and Uniform Commercial Code
 One Commerce Plaza, 99 Washington Avenue
 Albany, NY 12231-0001
www.dos.ny.gov

Local Law Filing

Town of Ancram Local Law No. 3 of 2021

A Local Law creating a local Type I list for the Town of Ancram.

Be it Enacted by the Town Board of the Town of Ancram, Columbia County, New York, as follows:

I. Title

This Local Law shall be known as the Town of Ancram Environmental Quality Review Law Type I List” or “The Town of Ancram Type I List.”

II. Enactment

This Local Law is adopted and enacted pursuant to the authority of Articles 2 and 3 of the New York

State Municipal Home Rule Law, Article 2 of the New York State Statute of Local Government, the New York State Environmental Quality Review Act, and Part 617.14 of the State Environmental Quality Review (SEQR) Regulations. Where provisions are not specifically included in this chapter, SEQR regulations apply.

III. Purpose

The purpose of this Local Law is to identify for lead and involved agencies under SEQR, project sponsors, and the public, those actions and projects that are more likely to require the preparation of an Environmental Impact Statement (EIS) than Unlisted Actions. Through Ancram's Comprehensive Planning Process and ongoing land use regulatory review, the Town has identified specific actions that the Town has determined to be uses that have a scale, intensity, or some characteristic that requires coordinated review and additional environmental scrutiny in order to fully comply with and properly conduct environmental reviews for projects and actions pursuant to SEQR. The Town of Ancram Type I actions identified in this law shall be in addition to those established in Part 617.4 of the SEQR Regulations (6 NYCRR Part 617.4).

IV. Definitions

A. As used in this Local Law, the following terms shall have the meanings indicated:

ENVIRONMENTAL ASSESSMENT FORM (EAF) - a form used by an agency to assist it in determining the environmental significance of actions. A properly completed EAF must contain enough information to describe the proposed action, its location, its purpose, and its potential impacts on the environment.

ENVIRONMENTAL IMPACT STATEMENT (EIS) —a written “draft” or “final” document prepared in accordance with sections 617.9 of Part 617 of the State Environmental Quality Review Regulations

STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQR) — Article 8 of the Environmental Conservation Law, which is Chapter 43-b of the Consolidated Laws of the State of New York.

STATE ENVIRONMENTAL QUALITY REVIEW REGULATIONS (PART 617) — Part 617 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR 617).

TYPE I ACTION - an action or class of actions identified in both this Law and in 6 NYCRR Part 617.4 as projects that are more likely to require the preparation of an EIS than Unlisted Actions.

B. All other terms used in this Local Law that are defined in SEQR and/or in the SEQR Regulations (6 NYCRR Part 617) shall have the same definition and meanings in SEQR and the SEQR Regulations. All other terms used in this Local Law that are defined in the Town of Ancram Zoning Law, the Town of Ancram Land Subdivision Regulations, or in any other Town of Ancram Law shall have the meanings attributed to them in those laws.

V. Applicability

All agencies, boards, departments, offices, other bodies or officers of the Town of Ancram must comply with the State Environmental Quality Review Act (SEQR), Part 617, and this Local Law, to the extent applicable, prior to carrying out, approving, or funding any action, other than an exempt, excluded or Type II action.

VI. Local Type I Action

A. For the purposes of this chapter, Type I actions include all those given in Part 617.4 of the State Environmental Quality Review Act Regulations (6 NYCRR 617.4).

B. In addition, the following list of actions and thresholds shall be considered Type I actions for all SEQR processes for the Town of Ancram.

Local Type I Action¹
<i>Residential Uses:</i>
A subdivision of 20 or more lots
20 or more single family dwelling units or more on a single parcel
<i>Residential Accessory Uses:</i>
Private Aircraft Hangar
Private Airfield
Private Bridge
Private Golf Course of 5 or more acres in size
<i>Residential Commercial Uses:</i>
Hotel
Inn
Lodge
Motel
When two or more buildings containing multi-family dwelling units, including Senior Citizen Housing, are proposed as a single project
Manufactured Home Park
<i>Agriculture-Related Commercial Uses:</i>
Slaughterhouse (Not on Farm)
Tannery (Not on Farm)
<i>Business Uses:</i>
Auto Body Repair/Paint Shop
Camp, Campground
Car Wash
When one or more commercial uses are proposed on 10 or more acres as a single project
Dry Cleaners--Cleaning Facility
Fair/Circus Permanent Facility
Establishment of a Floating Business District as per the Town of Ancram Zoning Law
Gasoline Filling Station
Golf, 9- or 18-Hole Course
Water extraction for off-premise use that averages 50,000 gallons per day annually
Laboratory—Animal Research Facility
Laundry—Commercial or Self-Service Laundromat
Self-Storage Facility
Septic Sanitation Service
Shopping Center (Multi-Business Structure)
Storage Batteries Associated with Community-Scale Solar Energy System when located on different parcel than solar system.

¹ All uses included in this Local Type I list are as used and defined in the Town of Ancram Zoning Law.

Transmission Towers
<i>Industrial Uses:</i>
Concrete Production/Distribution
Manufacture of industrial concrete products (e.g. culverts) in large-sale facilities. Not a Type I Action for an artisan who crafts individual concrete items (e.g. statues, birdbaths) upon request or at low volume for sale or consignment.
Foundry (Large: Manufacturing Heavy Duty Products)
Fuel and Oil Bulk Storage/Distribution
Furniture Manufacturing Facility. Not a Type I action for an artisan who handcrafts individual items of furniture upon request or at low volume for sale or consignment.
Large gravel mines that extract more than 1000 tons/750 cubic yards in 12 consecutive months).
Private Bridge (in I-1 District)
Recycling/Transfer Facility (Large)
Transmission Facilities (e.g. substation)
Solar Energy Equipment Manufacture
Wind Energy Equipment Manufacture

VII. Severability

The invalidity of any part or provision (e.g., word, section, clause, paragraph, sentence) of this Local Law shall not affect the validity of any other part of this Local Law which can be given effect in the absence of the invalid part or provision.

VIII. Effective Date

This Local Law shall take effect immediately upon the filing with the Office of the Secretary of State of the State of New York, in accordance with the applicable provisions of law, and specifically Article 3, Section 27 of the New York State Municipal Home Rule Law.

9) Resolution of the Town of Ancram Town Board Adopting a Policy on Petitions for Zoning Amendments

Whereas:

1. This resolution introduces a policy intended to guide Town Board decision-making related to petitions for zoning amendments and to guide potential petitioners as they prepare for such petitions.
2. This zoning amendment policy seeks to: establish a fair, objective policy for Town Board consideration of petitions to amend the Town Zoning Law; to establish a single policy and procedure that will apply equally to all parties asking for the Town Board to amend the Town Zoning Law and which will allow for amendments to the Zoning Law by petition; to establish a process that will ensure that any amendments to the Zoning Law adopted pursuant to a petition will be legally valid and meet the applicable standards in New York State law; to ensure that the Town Board does not waste municipal time and money resources in the consideration of proposals which cannot meet applicable standards; to ensure that the Town is not unduly burdened by the municipal expenses which must be incurred in

connection with the amendment review and adoption process; and to inform potential petitioners at the outset about the legal requirements and procedures necessary to accomplish the adoption of a valid amendment to the Zoning Law.

3. Article 12 of the Town of Ancram Zoning Law establishes general procedures for addressing zoning petitions. This Article, however, does not elaborate on information the Town Board needs in order to fully evaluate the petition, conduct SEQR appropriately, and make a fully informed decision.

4. A policy related to petitions for zoning amendments is needed to ensure that proposed amendments will benefit the Town and community as a whole, promote the general welfare, and preclude piecemeal or spot zoning

5. A policy related to petitions for zoning amendments will ensure that such amendments to the Zoning Law are consistent with the goals and strategies of the Town of Ancram Comprehensive Plan.

6. The Town desires to provide petitioners with both a clear process and a detailed list of information needed for full consideration of a zoning petition.

7. The full text of the Policy Statement on Petitions for Zoning Amendments is appended to this resolution as Attachment A.

NOW THEREFORE, BE IT RESOLVED,

Section A. For the reasons set forth in this Resolution the Town Board hereby adopts the Policy Statement on Petitions for Zoning Amendments.

Section B. That the Town Board shall not initiate any review of a petition for a zoning amendment unless such petition is in writing and contains all information required by this Policy.

Section C. That the Board hereby authorizes the Town Clerk to post this policy on the Town of Ancram Website and to forward a copy of this policy to the Chair of the Town Planning Board, Chair of the Town Zoning Board of Appeals, and to the Town Building Department.

Section D. That the Board hereby requires the Town Clerk and the Town of Ancram Building Department to present this policy to all potential zoning amendment petitioners prior to accepting any such petition.

On a motion by: _____ And Seconded by: _____

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 ____, 2021 by Monica Cleveland, Town Clerk of the Town of Ancram.

Attachment A: Town Board Policy Statement on Petitions for Zoning Amendments is as follows:

Town of Ancram Town Board Policy Statement on Petitions for Zoning Amendments

1. Purposes of this Policy: This policy seeks to achieve the following purposes for the Town of Ancram:

- to establish a fair, objective policy for Town Board consideration of petitions to amend the Town Zoning Law;
- to establish a single policy and detailed procedures coordinated with Article XII of the Town Zoning Law that will apply equally to all parties asking for the Town Board to amend the Town Zoning Law by petition; • to establish a process that will ensure that any amendments to the Zoning Law adopted pursuant to a petition will be legally valid and meet the applicable standards in New York State law;
- to ensure that the Town Board does not waste municipal time and money resources in the consideration of proposals which cannot meet applicable standards;
- to ensure that the Town is not unduly burdened by the municipal expenses which must be incurred in connection with the amendment review and adoption process; and
- to inform potential petitioners at the outset about the legal requirements and procedures necessary to accomplish the adoption of a valid amendment to the Zoning Law.

2. Reasons for this Policy: New York State Law prohibits piecemeal or spot zoning. In general terms, spot zoning occurs when an area of property is rezoned solely for the benefit of a property owner or group of property owners with no significant benefit to the community as a whole. In order to be legally valid, amendments to the Zoning Law made at the request of a petitioner must be shown to be consistent with the goals and strategies of the Town Comprehensive Plan and, in addition to benefitting the party(s) seeking the amendment, the amendment must benefit the Town of Ancram as a whole and promote the general welfare of the community. This State law standard must be met in order for an amendment to be valid and to withstand any legal challenge. Under state law, in evaluating whether the standard is met, the Town Board must consider the Town Comprehensive Plan and also look at certain factors including:

- the size of the properties to be rezoned (the smaller the area of land to be rezoned, the more difficult it may be to establish community benefit);
- the benefit to the party(s) asking for the amendment;
- the benefit to the community as a whole;
- the character of the uses permitted by the proposed amendment (how consistent are they with the Town Comprehensive Plan); and
- the character of the surrounding neighborhood and the potential negative and positive impacts of the amendment on character of the surrounding area.

The requirements of this policy and the procedures established in this policy have not been selected at random. They are designed to assure that petitioners understand the standards which must be met and to ensure that the Town Board is provided with the information it needs in order to properly evaluate petitions for amendment.

3. Important Considerations for the Petitioner(s): Any amendment to the Zoning Law is a legislative act. The Town Board is under no legal obligation to adopt, or even consider, requests to amend the Zoning Law. As a Petitioner, you must agree to enter into this process with the awareness that the Town Board may not grant the amendment you seek. This process will require you to incur expenses. Any expenses you incur, including escrow contributions, will be your sole responsibility whether your petition is granted or not. In order to avoid incurring unnecessary expense, before drafting a petition, you should carefully review the legal and substantive standards which must be met, as they are described in this Policy Statement. It may be advisable for you to consult with a community planning professional and/or land use attorney before making an application to learn more about the strength of your case.

4. Requirements: Petitions which do not comply with the following requirements will not be accepted. All petitions must be in writing and contain the information as follows:

a. Name and address of petitioning party(s) and the addresses and tax grid identifying numbers of all property owned by the petitioning party(s) in the Town of Ancram.

b. Identification of the Zoning District(s) to be affected by the proposed amendment and an itemized list of all properties to which the proposed amendment would apply and which would benefit therefrom, including the names of property owners, property addresses and tax grid identifying numbers.

c. Identification of all Zoning Districts contiguous to any Zoning District to be impacted by the proposed amendment.

d. List of uses currently allowed under the existing Zoning Law as per Article III, both permitted by right and as authorized by special use permit, in any Zoning District to be impacted by the proposed amendment.

e. A report containing narrative statements which provide the following information:

1. The changes to the Zoning Law sought by the proposed amendment.

2. The reasons for which the amendment is sought and how the proposed amendment will benefit the properties affected.

3. A detailed description of how the proposed amendment complies with the goals and strategies of the Town of Ancram Comprehensive Plan containing citations to the appropriate sections of the Comprehensive Plan.

4. A detailed description of how the proposed amendment will benefit the Town and community as a whole and promote its general welfare.

5. The size, location and character of the parcel or parcels benefitted by the proposed amendment.

6. A detailed description of the character of the land uses which surround the properties benefitted by the proposed amendment.

7. If the petition seeks to add a new use currently not allowed as per Article III or a use currently allowed in Ancram, but not in the particular location desired by the petitioner(s), a detailed

statement describing the character of such new use to be permitted by the proposed amendment.

8. If the petition seeks to change a current requirement of this zoning law, but not a use, a detailed statement describing how an alteration of the requirement complies with the purposes stated in Article I (D) of this zoning law, and those district purposes stated in Article II of this zoning law.

9. Identification of any property or structure within an area to be rezoned which is on the State or Federal Register of Historic Places.

10. Identification of all special districts, protections, or designations within which an area to be rezoned is located.

11. Identification and location of all significant habitats as identified on the Town of Ancram Significant Habitats map which are in an area to be rezoned.

12. Identification of any other significant environmental or natural resources located within an area to be rezoned.

f. A Full Environmental Assessment Form (FEAF), Part 1.

g. In addition to the foregoing, the petition must comply with the disclosure requirements of Section 809 of the NYS General Municipal Law. That section requires disclosure of the name, residence and nature and extent of interest of any officer or employee of the state or the Town of Ancram who may have an interest in, or benefit by, the amendment of the Zoning Law pursuant to the petitioner.

h. A draft proposed amendment to the Town Zoning Law sufficient in both form and content to meet the requirements for a Local Law under the NYS Municipal Home Rule Law to accomplish both the proposed amendment to the Zoning Law and any amendments to the Town Zoning Map.

5. Processing of a Zoning Petition. The decision whether to accept a zoning petition and move it forward for formal consideration is a decision which lies in the sole discretion of the Town Board. If the Town Board decides to accept the petition for further consideration, the steps below will be followed:

a. Agreement to Establish Escrow. An escrow account shall be established by the Town Board sufficient to reimburse the Town for all reasonable out-of-pocket costs incurred by the Town in connection with its review and consideration of the proposed amendment, its SEQRA review, and the adoption of the amendment to the Zoning Law. All escrow deposits shall be governed by the provisions of LL#1 of 2004.

b. Referral to the Planning Board. Any petition accepted by the Town Board for review shall be referred to the Planning Board. The Planning Board will report its recommendations, accompanied by a full statement of the reasons for such recommendations, prior to a public hearing held by the Town Board.

c. Subsequent to the recommendation by the Planning Board, the Town Board will then decide whether to continue the process. If the Planning Board fails to report within a period of 45 days from the date of receipt of notice or such longer time as may have been agreed upon by it and the Town Board, the Town Board may act without the Planning Board's report.

d. If the Town Board chooses to continue the process, the Town Board will conduct a public hearing and will also obtain the advice of its attorneys on the form and content of the amendment.

e. The Town Board will also conduct an environmental review as required by the State Environmental Quality Review Act (SEQRA). The Town Board will refer the proposed amendment to the Columbia County Planning Department as required by Section 239-m of the New York State General Municipal Law.

f. As per Town of Ancram Zoning Law, petitioners should be aware that if a protest against the proposed amendment is presented to the Town Board in accordance with Article XII (Protest by Owners), then the Town Board shall not pass the zoning amendment except by the favorable vote of at least $\frac{3}{4}$ of the Town Board.

10) Resolution of the Town of Ancram Town Board Introducing Local Law No. 4 of 2021, a proposed “Local Law Amending Miscellaneous Provisions of the Town of Ancram Zoning Law.”

Whereas: 1. This resolution introduces a proposed new local law (LL No. 4 of 2021) that amends various sections of the Town of Ancram Zoning Law (the “Zoning Law”).

2. The zoning amendments 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. The zoning law amendments in this local law are proposed to further implement the 2019 Town of Ancram Comprehensive Plan that established the need and direction for further protecting the unique environment in the Town, and to further the vision and goals established by the Community.

4. The Town’s Zoning Review Committee (ZRC) thoroughly discussed all proposed language in coordination with the Town’s Conservation Advisory Council, Town Planner, and Town Attorney.

5. Adoption of this local law is a discretionary action subject to SEQR.

In anticipation of the introduction of these amendments, the Town Board 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) for adoption.

Ms. Stolzenburg has prepared a separate EAF Part 1 for the proposed local law and presented it to the Town Board for our review and consideration.

A copy of the EAF Part 1 is attached as Exhibit B.

Pursuant to New York State Municipal Home Rule Law § 20, Local Law No. 4 of 2021 as described herein was received by each member of the Town Board prior to this meeting via email, and the 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 § 20 and Article XII of the Town of Ancram Zoning Law, the Town Board hereby introduces Town of

Ancram “Local Law No. 4 of 2021, Local Law Amending Miscellaneous Provisions of the Town of Ancram Zoning Law.

Section B. Pursuant to provisions of SEQRA the Town Board hereby determines to classify the adoption of the proposed new local 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 LL No 4 of 2021 for the proposed actions which have been prepared by the Town’s planning consultant.

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. The Town Board hereby directs that the proposed amendments to the Zoning Law (LL No. 4 of 2021) 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 with New York State Municipal Home Rule Law § 20(5), the Town Board hereby schedules a Public Hearing on _____, 2021, at _____ p.m. at to be held at the Town of Ancram Town Hall, located at 1416 County Route 7, Ancram NY 12502 to hear public comments on the proposed local law. 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 a legal notice in the Town’s official newspaper not less than ten (10) calendar days prior to the Public Hearing.³

Section H. The Town Board also directs the Town Clerk to send said public hearing notice to all adjacent municipalities not less than then (10) calendar days prior to the Public Hearing. 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, located at 1416 County Route 7, Ancram NY 12502, and the Roeliff Jansen Community Library, located at 9091 Route 22, Hillsdale NY 12529. 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: Hugh Clark and Seconded by: _____

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 ____, 2021 by Monica Cleveland, Town Clerk of the Town of Ancram.

Exhibit A: Proposed Local Law No 4. of 2021, a proposed "Local Law Amending Miscellaneous Provisions of the Town of Ancram Zoning Law."

Exhibit B. SEQRA Environmental Assessment Form, Part 1 for LL No. 4 of 2021, as prepared for the Town Board by Nan Stolzenburg, AICP, of Community Planning & Environmental Associates.