

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 Actions

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

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

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.
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

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.