

TOWN OF PLATTSBURGH
TOWN BOARD SEMI-MONTHLY MEETING
May 17, 2023

Resolution No. 023-121

**Receive Draft Zoning Amendments, Type
the SEQRA Action, Notice Public
Hearing, Refer Plan to Involved Agencies**

WHEREAS, the Town of Plattsburgh's Zoning Ordinance provides that amendments to Ordinances may be initiated by the Town Board upon its own motion or through the appointment of a committee for the purpose of amending said ordinance, and

WHEREAS, a committee, duly authorized by the Town Board, comprised of one Town Councilor, one Planning Board Member, one Zoning Board of Appeals member, and Town staff (herein referred to as the "committee") was established in July 2022 to make recommendations for changes, additions or modifications to the Town Zoning Ordinance and map; and

WHEREAS, after review and discussion of the Committee's draft amendments, the Town Board desires to distribute the May 2023 draft amendments to the Town Zoning Ordinance an map to the appropriate agencies in accordance with Article XIII, Section 13.3 and 13.4 of the Town Zoning Ordinance and Section 264 and 265 of New York Town Law as follows:

1. Town Planning Board and Zoning Board; and
2. Clinton County Planning Board; and
3. Adjacent municipalities
4. Regional State Park Commission; and,

WHEREAS, New York State Law and the Town's Zoning Ordinance requires that a public hearing on proposed amendments be held to consider the advisability of amendment to the Town of Plattsburgh Zoning Ordinance; and

WHEREAS, Part 617 of the Environmental Conservation Law - "State Environmental Quality Review Act", Section 8-0113 (SEQRA herein) provides for the review of any "ACTION" to determine the effect of said Action on the environment, along with any related administrative procedures for the implementation, authorization or approval of said Action; and

WHEREAS, Part 617.12 (b)-(2) of SEQRA, provides that "the adoption of changes in the allowable uses within any zoning districts affecting 25 or more acres," mandates the proposed amendments to said Zoning Ordinance and said Zone Map Amendment be defined as a TYPE I ACTION which requires specific acts by the Town of Plattsburgh prior to the adoption or rejection of said proposed amendments; and

WHEREAS, determination of the effect of said action on the environment will be necessary to determine whether a Draft Environmental Impact Statement (DEIS) is required; and

WHEREAS, the Town of Plattsburgh Town Board is identified as an involved agency in accordance with SEQRA for the purpose of assessing the effect of this Zoning Ordinance Amendment on the environment and whether or not said effect is significant enough to warrant the preparation of a Draft Environmental Impact Statement (DEIS); and

WHEREAS, a coordinated review will be conducted, and the Town of Plattsburgh Planning Board shall request to be designated lead Agency; and

WHEREAS, the Town Board of Town of Plattsburgh, as the project sponsor, is required to review and use the EAF to determine the significance of said proposed amendments; now, therefore be it

RESOLVED, the Town Board does hereby determine that the proposed zoning changes, map amendments, highway specifications, and storm-water specifications are a TYPE I ACTION and a coordinated review under SEQRA will be conducted, and, be it further

RESOLVED, the Town of Plattsburgh Town Board shall notify all involved or interested agencies of the proposed zoning ordinance & map amendments, and request to be designated lead Agency; and be it further

RESOLVED, that the Town of Plattsburgh Town Board does hereby receive and place on file the Draft May 2023 amended Zoning Ordinance, Map, SEQRA Part I Long Form EAF and supplemental analysis report; and, it is further

RESOLVED, that the Town Board shall hold a public hearing in relation to the proposed amendment to the Zoning Ordinance at the Town Hall, at 151 Banker Road, Plattsburgh, New York 12901 on the June 1, 2023 at 6:05 o'clock P.M., [Eastern Daylight Savings Time]; and, be it further

RESOLVED, that pursuant to the provisions of Article XIII, Section 13.3 and 13.4 of the Town Zoning Ordinance, the Town Clerk shall cause a notice of the time and place of said public hearing to be published in The Press Republican, a paper of general circulation in the Town of Plattsburgh, at least once, 10 days before June 1, 2023 with such notice also being posted in the Town Hall and given to necessary adjoining municipalities and the Clinton County Planning Board and such other agencies and parties as required by law; and, be it further

RESOLVED, that notice of said Public Hearing and a copy of the draft June 2023 amendments to the Zoning Ordinance shall also be posted on the Town's Website; and, be it further

RESOLVED, the proposed zoning amendments, map amendments, and design specifications shall be entered into the meeting minutes as per NY Town Law § 265; and be it further

RESOLVED, that a copy of this Resolution and attachments be given to the Town Clerk, Planning and Zoning Departments the adjacent municipalities and Clinton County Planning Board and other interested agencies.

Motion:

Seconded by:

Discussion:

| <u>Yes</u> | <u>No</u> | <u>Absent</u> | <u>Carried</u> | <u>Tabled</u> |
|-------------------|------------------|----------------------|-----------------------|----------------------|
|-------------------|------------------|----------------------|-----------------------|----------------------|

| | | | | |
|---------------------------|--|--|--|--|
| Thomas E. Wood | | | | |
| Barbara E. Hebert | | | | |
| Charles A. Kostyk | | | | |
| Dana M. Isabella | | | | |
| Michael S. Cashman | | | | |