

TOWN OF PLATTSBURGH
TOWN BOARD ORGANIZATIONAL MEETING
January 6, 2022

Resolution NO. 22-021

Former County Airport (3 Parcels)- Zoning
Map & Ordinance Amendment & SEQRA
Review 2022

WHEREAS, after thorough consideration and deliberation, the Town Board proposes to make the following amendment to the Town Zoning Map & Ordinance:

1. That the Town Board act to amend the Town zoning map for portions of tax map parcel 220.-1-3.1-1 as shown on the Planning Board approved subdivision sketch plan on October 19, 2021. Specifically changing the area of proposed lots B, D, & G from AD-TB/AD-MU to SD, and as more clearly shown on the attached “Planning Board Map Amendment Recommendation”; and
2. The Town Board act to amend portions of the Zoning Ordinance relative to the Special District. Specifically, it is recommended that front yard parking be allowed at the discretion of the Planning Board upon the provision of adequate screening and landscaping by the applicant. It is further recommended that the landscaping requirement of the Special District be amended to allow uses (parking) other than greenspace and landscaping; and
3. The Special District be amended to allow site lighting with a maximum height of 35 feet, similar to that allowed in other districts of the Town; and
4. That the Town Board schedule a public hearing on the above ***Zoning Ordinance and Zoning Map*** amendments in accordance with ***Zoning Ordinance*** Article XVII Amendments Section 17.4A; and
5. That the Town Board refer this zoning map amendment petition to the Clinton County Planning Board in accordance with GML 239m and Town Zoning Ordinance Article XVII Section 17.4B; and
6. That the Town Board comply with the provisions of Article 8 of the Environmental Conservation Law Part 617 NYCRR (SEQRA) prior to rendering it’s decision; and
7. ; and

WHEREAS, the Town Board previously adopted Resolution No. 021-56 at its regular meeting held September 2, 2021 and pursuant to Zoning Ordinance Article XVII §17.3 referred their Motion to the Planning Board of the Town of Plattsburgh for a report and recommendation in accordance with said section; and

WHEREAS, the Town Board is in receipt of the Planning Board Findings and Recommendations Report, adopted at a meeting held on November 16, 2021, in accordance with Zoning Ordinance Sections 17.2 & 17.3 and which said Resolution found, based on a Findings and Recommendations Report of the Planning Board, dated November 10, 2021, that the Town Board consider the following:

1. That the Town Board act to amend the Town zoning map for portions of tax map parcel 220.-1-3.1-1 as shown on the Planning Board approved subdivision sketch plan on October 19, 2021. Specifically changing the area of proposed lots B, D, & G from AD-TB/AD-MU to SD, and as more clearly shown on the attached “Planning Board Map Amendment Recommendation”; and
2. The Town Board act to amend portions of the Zoning Ordinance relative to the Special District. Specifically, it is recommended that front yard parking be allowed at the discretion of the Planning Board upon the provision of adequate screening and landscaping by the applicant. It is further recommended that the landscaping requirement of the Special District be amended to allow uses (parking) other than greenspace and landscaping; and
3. The Special District be amended to allow site lighting with a maximum height of 35 feet, similar to that allowed in other districts of the Town; and
4. The Town Board decline to amend the Special District to allow front yard loading docks/service areas; and
5. The Town Board decline to amend the Special District, increasing the maximum building height from 40 to 60ft; and
6. That the Town Board schedule a public hearing on the above ***Zoning Ordinance and Zoning Map*** amendments in accordance with ***Zoning Ordinance*** Article XVII Amendments Section 17.4A; and
7. That the Town Board refer this zoning map amendment petition to the Clinton County Planning Board in accordance with GML 239m and Town Zoning Ordinance Article XVII Section 17.4B; and
8. That the Town Board comply with the provisions of Article 8 of the Environmental Conservation Law Part 617 NYCRR (SEQRA) prior to rendering its decision; and
9. ; and

WHEREAS, the Clinton County Planning Board was provided a copy of the proposed Zoning Map amendment and Findings and Recommendations Report of the Planning Board, dated November 10, 2021, and did, by a 7-0 vote on December 1, 2021, Approve the General Municipal Law Section 239-m referral with comments provided. Said comments were reviewed, considered and placed on file; and

WHEREAS, the Town Board duly called for a public hearing for the consideration of the aforesaid amendment and gave due notice thereof as required by law; and

WHEREAS, said public hearing was held by this Town Board at the Town Hall at 151 Banker Road, Plattsburgh, New York, on the 16th day of December, 2021 at 6:05 P.M. of said day; at which time the proposed Zoning Ordinance amendment, Findings and Recommendations Report of the Planning Board, dated November 10, 2021 and proposed SEQR materials were available; and

WHEREAS, said Part 617 of the Environmental Conservation Law provides for an involved agency to review any action for the purpose of determining the effect of said action on the environment; and

WHEREAS, said 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 Board is considered an involved agency in accordance with State Laws for the purpose of assessing the effect of these zoning ordinance and map amendments 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, the Town Board has previously declared the zoning map amendments to be a Type I Action and a coordinated review was conducted; and

WHEREAS, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination; and

WHEREAS, after review and discussion of the Planning Board's Findings and Recommendations Report, it is the opinion of the members of the Town Board that the best interests of the Town of Plattsburgh will be served by the adoption of certain said amendments;

NOW THEREFORE BE IT, RESOLVED, that the Town Board, in consideration of the Planning Board report and recommendations, comments made at the public hearing on the Zoning Ordinance amendments, the review of part 1 and the completion of parts 2 and 3 of the EAF Long Form (herein SEQR documentation), and the review of related materials, accordingly issues a negative declaration under SEQRA for the proposed zoning ordinance and map amendments, determining that said amendments will NOT have a significant effect on the environment, and the preparation of a DEIS is NOT required; and said declaration is hereby referenced and incorporated herein and shown as the attached SEQR documentation; and, be it further

RESOLVED, that the Town Board of the Town of Plattsburgh does hereby authorize and direct the Supervisor to complete and have prepared and to execute a "Notice

of No Significant Environmental Impact” (NEGATIVE DECLARATION) for this zoning ordinance map amendment and, be it further

RESOLVED, that the “Notice of No Significant Environmental Impact” (NEGATIVE DECLARATION), and all related material shall be maintained on file at the Town Offices of the Town Board and available for Public Inspection, and, the reasons for the decision are stated in the attached negative declaration, and be it further

RESOLVED, that the Zoning Ordinance of the Town of Plattsburgh be amended as follows:

1. Within the Special District (SD), front yard parking shall be allowed at the discretion of the Planning Board upon the provision of adequate screening and landscaping by the applicant; and
2. The landscaping requirement of the Special District be amended to allow auxiliary uses (such as parking, but not structures) other than greenspace and landscaping in the front yard. These uses should be mitigated by additional landscaping; and
3. The Special District be amended to allow site lighting with a maximum height of 35 feet, similar to that allowed in other districts of the Town; and be it further

RESOLVED, that the Zoning Map of the Town of Plattsburgh be amended as follows:

1. Town zoning map for portions of tax map parcel 220.-1-3.1-1 as shown on the Planning Board approved subdivision sketch plan on October 19, 2021, specifically changing the area of proposed lots B, D, & G from AD-TB/AD-MU to SD, and as more clearly shown on the “Planning Board Map Amendment Recommendation” contained in the Report of the Planning Board dated November 10, 2021; and be it further

RESOLVED, that said amendments be entered in the minutes of the meeting of the Town Board of the Town of Plattsburgh, held on the 6th day of January, 2022; and be it further

RESOLVED, in accordance with section 264 and 265 of Town Law, a copy, summary or abstract of the amendments (exclusive of any map) shall be published in the PRESS REPUBLICAN, a newspaper published in the town and that affidavits of publication thereof shall be later filed with the Town Clerk; and be it further

RESOLVED, that the amendments shall be effective as provided by and in accordance with section 265 of the Town Law; and be it further

RESOLVED, that a copy of this Resolution be given to the Town Clerk, Zoning Department and Planning Department.

Motion: Charles A. Kostyk

Seconded by: Barbara E. Hebert

Discussion: Yes

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				x	

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