**TOWN OF PLATTSBURGH**

**TOWN BOARD WORK SESSION MEETING**

**August 26, 2020**

#### Resolution No. 021-149 Lead Agent and SEQRA – UNLISTED

#### ACTION Sharron Avenue

WHEREAS, This action is taken pursuant to 6 N.Y.C.R.R. Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law of the State of New York (“SEQRA”), with regard to the following Project.

**RESOLUTION CLASSIFYING A CERTAIN PROJECT AS AN UNLISTED ACTION PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT, DECLARING THE TOWN LEAD AGENCY FOR PURPOSES OF AN UNCOORDINATED REVIEW THEREUNDER AND DETERMINING THAT THE ACTION WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT**

**WHEREAS**, on April 20, 2021, in furtherance of that certain Plattsburgh Compact between the City of Plattsburgh (the “City) and the Town of Plattsburgh (the “Town”) and Settlement Agreement between the City and the Town, the City, at the request of Mayor Christopher C. Rosenquest, requested the annexation of land located on Sharron Avenue, situated within the Town of Plattsburgh (the “Town”) into the City (the “Sharron Avenue Annexation”); and

**WHEREAS**, the parcel to be annexed is described as follows: an approximately 2.8 acre parcel on Sharron Avenue, situated in the Town of Plattsburgh, identified therein as Clinton County Tax Map Parcel No. 233.7-1-14 (the “Property”); and

**WHEREAS**, as the Property is uninhabited and wholly owned by the City, the request for annexation is made pursuant to Section 706 of the New York General Municipal Law; and

**WHEREAS,** pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as ***"SEQRA"),*** the Town is required to make a determination with respect to the environmental impact of any "action" (as defined by SEQRA) to be taken by the Town and the determination on the request for the Sharron Avenue Annexation constitutes such an action; and

**WHEREAS,** to aid the Town in determining whether the action described above may have a significant adverse impact upon the environment, an Environmental Assessment Form (the ***"EAF")*** was prepared by the City, a copy of which is on file at the office of the Town; and

**WHEREAS,** the Town has examined and reviewed the EAF in order to classify the action and make a determination as to the potential significance of the action pursuant to SEQRA; and

NOW THEREFORE BE IT RESOLVED THAT the Town adopts the following resolution with regard to consideration of the potential significant adverse environmental impacts of the Sharron Avenue Annexation pursuant to SEQRA:

(1) Based upon an examination of the materials provided by the City in furtherance of the Sharron Avenue Annexation, the representations of the City therein, the criteria contained in 6 NYCRR §617.7(c), the Town’s knowledge of the area surrounding the area to be annexed and such further investigation of the Sharron Avenue Annexation and its environmental effects as the Town has deemed appropriate, the Town makes the following findings and determinations pursuant to SEQRA:

1. The action constitutes an "Unlisted Action" (as said quoted term is defined in SEQRA);
2. The Town declares itself "Lead Agency" (as said quoted term is defined in SEQRA) with respect to an uncoordinated review pursuant to SEQRA;
3. (c) The action will not have a significant adverse effect on the environment, and the Town and hereby issues a negative declaration pursuant to SEQRA, attached hereto as Exhibit "A", which shall be filed in the office of the Town in a file that is readily accessible to the public.
4. A copy of this Resolution, together with the attachments hereto, shall be placed on file in the office of the Town where the same shall be available for public inspection during business hours.
5. This Resolution shall take effect immediately. The Town Clerk is hereby authorized and directed to distribute copies of this Resolution and do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.
6. The Town hereby authorizes Town representatives to take all further actions deemed necessary and appropriate to fulfill the Town’s responsibilities under SEQRA.

**Motion to waive the reading and go straight to vote**; Barbara E. Hebert

**Seconded:** Charles A. Kostyk

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Yea** | **Nay** | **Absent** | **Abstain** |
| Michael S. Cashman | [ x ] | [ ] | [ ] | [ ] |
| Barbara E. Hebert | [ x ] | [ ] | [ ] | [ ] |
| Charles A. Kostyk | [ x ] | [ ] | [ ] | [ ] |
| Meg Bobbin | [ ] | [ ] | [ x ] | [ ] |
| Tom Wood | [ x ] | [ ] | [ ] | [ ] |

The Resolution was thereupon duly adopted this 26th day of August, 2021.

EXHIBIT A