

TOWN OF PLATTSBURGH
TOWN BOARD SEMI-MONTHLY MEETING
April 18, 2024

Resolution No. 024-106

Zoning Map Amendment SEQRA
Review & Determination 2024

TOWN ZONING MAP AMENDMENT- Consideration of a zoning amendment for parcels 245.-4-22.11, 245.-4-40.1, 245.-4-41, and 245.-4-16.2 located on Route 22, Salmon River Road, and Superior Drive, changing the existing zoning district of said parcels from Residential (R2) to Industrial (I); and

WHEREAS, at its regularly scheduled meeting on March 16, 2023 the Town Board of the Town of Plattsburgh (the “Town Board”) received and placed on file a zoning map amendment petition from Schluter Systems Inc. requesting an amendment of the existing zone classification of the previously said parcels from Residential (R2) to Industrial (I) (the “Zoning Amendment”); and

WHEREAS, pursuant to Article XIII, Section 13.3 of the Town of Plattsburgh Zoning Ordinance, all proposed zoning amendments originating by petition or by motion shall be referred to the Town of Plattsburgh Planning Board (the “Planning Board”) for a report and recommendation thereon; and

WHEREAS, the Planning Board did submit its report to the Town Board within forty five (45) days of receipt of such referral in accordance with the provisions of said Zoning Ordinance; and

WHEREAS, the Town board considered the Zoning Amendment and the recommendations contained in the report of the Planning Board and found merit in the consideration of a zoning map amendment; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and the regulations promulgated thereto at 6 NYCRR Part 617 (collectively referred to as “SEQRA”), the Town Board is required to conduct a review of the Zoning Amendment in order to determine if it presents a potential significant adverse environmental impact; and

WHEREAS, on August 17, 2023 via Resolution No. 023-185 the Town Board did declare the proposed amendment to be a Type I action for a zoning amendment that proposes to affect more than 25 acres, and declared the intent to act as Lead Agency for purposes of conducting a coordinated review of the Zoning Amendment pursuant to SEQRA; and

WHEREAS, consent for the Town Board to serve as Lead Agent was granted by New York State Department of Environmental Conservation and the Town of Plattsburgh Zoning Board of Appeals, 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, pursuant to Article XVII, Section 17.4 of the Town Zoning Ordinance and Section 264 and 265 of New York Town Law shall refer a full statement of the Zoning Amendment and map to the Clinton County Planning Board

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, and did, by a 7-0 vote on April 3, 2024, approve the General Municipal Law Section 239-m referral number 24-24 without comment; 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 April 11th, 2024 at 6:05 P.M. ; at which time the proposed Zoning Ordinance amendment and SEQRA materials were available;

NOW THEREFORE BE IT, RESOLVED, that the Town Board, in consideration of the following:

- Planning Board Report and Recommendations dated April 18, 2023
- The review of part 1 and the completion of parts 2 and 3 of the EAF Long Form (herein SEQRA documentation)
- Comments made at the public hearing on April 11th, 2024
- Written public comments submitted to the Town in absentia

- Staff Review and Recommendation dated April 16th, 2024
- Review of other related materials,

The Town Board hereby accordingly issues a **Negative Declaration** of environmental significance for the proposed zoning map amendment under the following conditions:

*Zoning map amendment shall be for **portions** of parcels 245.-4-22.11, 245.-4-40.1, 245.-4-41, and 245.-4-16.2 located on Route 22, Salmon River Road, and Superior Drive, changing the existing zoning district of said parcels from Residential (R2) to **I***) as depicted on the draft map titled “Parcels 245.-4-22.11, 245.-4-40.1, 245.-4-41, and 245.-4-16.2 To Be Considered for Zone Change From R2 to I*”; and*

A 100’ buffer of R2 zone shall remain along the north, south, and west boundaries as shown on the aforementioned map; and

*This specific proposed area of I- Industrial will be described as **I*** and will not include concrete and asphalt manufacturing in the list of allowed uses; 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 proposed zoning 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,

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

Motion:

Seconded by:

Discussion:

Yes **No** **Absent** **Carried** **Tabled**

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