

Resolution #135, 2016

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF LUMBERLAND SETTING A
TIME AND PLACE FOR A PUBLIC HEARING WITH RESPECT TO
PROPOSED LOCAL LAW 4 OF 2016 ENTITLED
“AMENDMENT OF ZONING CODE”

WHEREAS, the Town Board of the Town of Lumberland is considering the amending the zoning code within Town of Lumberland to include a lot in the Mohican Lake Overlay District which was unintentionally omitted when the Town adopted its zoning code in 2012, and said action, if approved, would appear to constitute a Type I action under the New York State Environmental Quality Review Regulations (6 NYCRR part 617); and

WHEREAS, the Town Board of the Town of Lumberland has declared itself lead agency with respect to the proposed action; and

WHEREAS, a copy of the proposed Local Law, Part 1 of the Environmental Assessment Form and a copy of the Resolution declaring the Town Board of the Town of Lumberland lead agency was sent by the Town Clerk to the Town of Lumberland Planning Board, Town of Lumberland Zoning Board of Appeals, Building and Code Inspector of the Town of Lumberland, Sullivan County Department of Planning, N.Y. State Commissioner of Agriculture and Markets, N.Y. State Commissioner of Environmental Conservation, and N.Y. State Office of Parks, Recreation and Historic Preservation; and

WHEREAS, a long form Environmental Assessment Form (EAF) has been completed with respect to said project; and

WHEREAS, no involved agencies have objected to the Town’s proposed lead agency status after having been informed of same, although the time has not yet expired for objections to be received; and

WHEREAS, subject to receiving no objections to the Town Board’s assumption of Lead Agency status, the Town Board of the Town of Lumberland wishes to set a time and place for a public hearing with respect to proposed Local Law 4 of 2016 entitled Amendment of Zoning Code, so that the public may be heard and so that the environmental impact of the proposed action can be considered; and

WHEREAS, the Town Board of the Town of Lumberland has also determined that the proposed action is subject to review by the Sullivan County Division of Planning and Environmental Management for pursuant to General Municipal Law 239-m.

NOW, THEREFORE, it is hereby

RESOLVED that, subject to receiving no objections to the Town Board’s assumption of Lead Agency status, a public hearing shall be held by the Town Board of the Town of

Lumberland with respect to the aforesaid proposed Local Law at 7:15 p.m., on Wednesday, November 2, 2016, at the Municipal Building, 1054 Proctor Road, Glen Spey, N.Y.

RESOLVED, that the environmental significance of said proposed Local Law will be reviewed by the Town Board of the Town of Lumberland incident to and as a part of said public hearing; and it is further

RESOLVED, that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law; and it is further

RESOLVED, that the Town Board of the Town of Lumberland hereby refers the adoption of the proposed Local Law 4 of 2016 entitled "Amendment of Zoning Code", to the Sullivan County Division of Planning and Environmental Management for 30-day review pursuant to General Municipal Law 239-m; and it is further

RESOLVED, that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given at least 10 days prior to said hearing to the clerks of any neighboring municipalities (including the county), the clerk of any parkway authorities within the Town of Lumberland and the executive director of any housing authorities within the Town of Lumberland, pursuant to Town Law §264.

MOTION BY: Councilman Joseph Carr

SECOND BY: Councilman James Akt

VOTE: 5-0

BY ORDER OF THE TOWN BOARD OF THE TOWN OF LUMBERLAND, NY.

Dated: October 12, 2016

Virginia Horn, Town Clerk