

**RESOLUTION NO. 39 OF 2013
TOWN OF CLAYTON
A RESOLUTION ADOPTING SEQR – NEGATIVE DECLARATION - NOTICE OF
DETERMINATION OF NON-SIGNIFICANCE, FOR AMENDMENT NO. 36 TO THE
CLAYTON ZONING ORDINANCE
JUNE 12, 2013**

Title: A resolution adopting SEQR – Negative Declaration – Notice of Determination of Non-Significance, for Amendment No. 36 to the Clayton Zoning Ordinance.

At a regular meeting of the Town Board of the Town of Clayton, held at the Town offices, 405 Riverside Drive, Clayton, New York, on June 12, 2013, at 5:00 p.m., prevailing time, there were:

PRESENT: Justin A. Taylor, Supervisor
George E. Kittle, Councilman
Lance Peterson, Councilman
Robert W. Cantwell III, Councilman
Christopher D. Matthews, Councilman

WHEREAS, the Town Board of the Town of Clayton has been considering certain amendments to the Town of Clayton Zoning Ordinance to make grammatical corrections and to clarify certain meanings and orientations (hereinafter referred to as the “Zoning Amendments” or the “Action”); and

WHEREAS, the Town Board has reviewed a long form or “full” Environmental Assessment Form as prepared by the Joint Planning Board for the purpose of assisting the Town Board in making a determination of significance with respect to the Zoning Amendments; that is, a determination of whether the enactment of the Zoning Amendments will have a significant adverse impact on the environment; and

WHEREAS, the Town Board has reviewed a draft Negative Declaration – Notice of Determination of Non-Significance prepared by counsel to the Town Board; and

WHEREAS, the Town Board has reviewed the criteria for determining significance of an action set forth at 6NYCRR §617.7(c); and

WHEREAS, having considered the action consisting of the adoption of the Zoning Amendments and the potential environmental impacts associated with such action;

NOW, THEREFORE, be it resolved by the Town Board of the Town of Clayton that the Town Board finds that the proposed action of enacting the Zoning Ordinance Amendments is subject to SEQRA; and

BE IT FURTHER RESOLVED, that the action constitutes a Type 1 action under SEQRA; and

BE IT FURTHER RESOLVED, that the Town Board is the only agency with jurisdiction by law to fund, approve or directly undertake this action; and therefore, coordinated review of the action under SEQRA is neither required nor necessary; and

BE IT FURTHER RESOLVED, that the Town Board, as lead agency, adopts the findings, conclusions and rationale relating to the probable environmental impacts of the action contained within the attached environmental assessment form and Negative Declaration – Notice of Determination of Non-Significance, and authorizes the Town Supervisor to execute the EAF and file the Negative Declaration – Notice of Non-Significance in accordance with the applicable provisions of law; and

BE IT FURTHER RESOLVED, that this Resolution shall take affect immediately.

A motion to adopt the foregoing Order was made by Councilmember George E. Kittle, and seconded by Councilmember Christopher D. Matthews, and upon a roll call vote of the Board was duly adopted as follows:

Supervisor Justin A. Taylor	Yes <u>X</u>	No <u> </u>
Councilman George E. Kittle	Yes <u>X</u>	No <u> </u>
Councilman Lance L. Peterson	Yes <u>X</u>	No <u> </u>
Councilman Chris Matthews	Yes <u>X</u>	No <u> </u>
Councilman Robert W. Cantwell III	Yes <u>X</u>	No <u> </u>

Yes 5 No 0 Absent 0 Abstain 0

Dated: June 12, 2013

Certification:

I, Kathleen E. LaClair, Town Clerk for the Town of Clayton, do hereby certify that the above resolution was adopted at a regular meeting of the Town Board of the Town of Clayton held on June 12, 2013 and it's on file and of record, and that said resolution had not been altered, amended or revoked and it's in full force and effect.

(SEAL)

Kathleen E. LaClair, Town Clerk