

**RESOLUTION NO. 41 OF 2015  
TOWN BOARD OF THE TOWN OF CLAYTON  
A RESOLUTION TO ACCEPT THE SEQRA AND DECLARE A NEGATIVE  
DECLARATION FOR THE ROUTE 12 SEWER EXTENSION.  
JUNE 10, 2015**

**Title:** A resolution to accept the SEQRA and declare a Negative Declaration for the Route 12 Sewer Extension.

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 10, 2015, at 6:00 p.m. there were:

**PRESENT:**

Justin A. Taylor, Supervisor  
Lance Peterson, Councilmember  
Robert W. Cantwell III, Councilmember  
Christopher D. Matthews, Councilmember  
Mary Zovistoski, Councilmember

**WHEREAS**, the Town of Clayton has entertained a petition to extend the boundaries of the Town of Clayton Route 12 Sewer District in said Town, and

**WHEREAS**, the extension of the NYS Route 12 Sewer District pursuant to said petition is subject to compliance with the provisions of the State Environmentally Quality Review Act and the regulations promulgated thereunder at 6 NYCRR, Part 617 ("SEQRA"), and

**WHEREAS**, at a regular meeting of this Board held on May 13, 2015, Part I of a long form Environmental Assessment Form ("EAF:) was duly accepted for filing by this Board, a Resolution was duly adopted by which this Board declared itself lead agency, and directing the Town Attorney to circulate Part I of the EAF to the involved agencies identified in Part I of the EAF, and

**WHEREAS**, by letters dated April 27, 2015, the Town Attorney forwarded a copy of Part I of the EAF to the involved agencies as identified by this Board, and

**WHEREAS**, this Board has either received the consent of each of the other identified involved agencies that this Board act as the lead agency for this project, or at least 30 days have passed since notification was provided and no objections to this Board serving as lead agency have been received, and

**WHEREAS**, pursuant to 6 NYCRR Part 617, this Board has reviewed Part II of the EAF to determine whether the project will have a significant effect on the environment, and

**WHEREAS**, pursuant to Article VIII of the Environmental Conservation Law and the regulations adopted pursuant thereto by the Department of Environmental Conservation, to wit: 6 NYCRR Part 617, this Board has determined that the action will not have a significant affect on the environment, and will not cause a significant impact on the environment, and therefore, the preparation of an environmental impact statement is not required.

**NOW, THEREFORE**, be it resolved by the Town Board of the Town of Clayton as follows:

1. Based upon the examination of the EAF and the criteria set forth in 6 NYCRR Part 617, the Board makes the following findings.

A. The proposed action constitutes a Type I action pursuant to 6 NYCRR Part 617 and this Board has previously determined that a coordinated review is appropriate.

B. This Board has either received the concurrence from the other involved agencies that this Board act as lead agency for this project or more than 30 days has lapsed since notification of lead agency status was provided to such agencies.

C. No potentially significant adverse impacts on the environment are noted on the EAF, none are identified by any of the involved agencies, and none are known to this Board.

D. There will be no substantial adverse change in existing air or water quality.

E. There will be no hazard created to human health.

F. There will be no substantial change in the use or the intensity of the use on the land.

G. There will not be created a material conflict with the community's current plans or goals as officially adopted.

H. None of the criteria listed in 6 NYCRR Section 617.11 will be present in the proposed project and no similar criteria will be present which will adversely impact on the environment.

2. The Notice of Determination of Non-Significance attached hereto is hereby adopted and accepted by this Board as its Negative Declaration in connection with this Project.

3. The Town Clerk for the Town of Clayton is hereby directed to file in the Town Clerk's Office in a file readily accessible to the public, the Negative Declaration attached hereto.

4. The Clerk is directed to cause the Negative Declaration to be served on each of the other involved agencies.

5. The Clerk is directed to cause to be published the Negative Declaration in the Environmental Notice Bulletin.

6. All subsequent notices concerning this project shall note that this Board has issued a negative declaration.

7. This Resolution shall take effect immediately.

The question of the adoption was introduced by Mary Zovistoski, Councilmember, and seconded by Robert W. Cantwell III, Councilmember, and was duly put to a vote on roll call, which resulted as follows:

Justin a. Taylor, Supervisor	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Lance Peterson, Councilmember	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Robert W, Cantwell III, Councilmember	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Christopher D. Matthews, Councilmember	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Mary Zovistoski, Councilmember	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

**Dated:** June 10, 2015

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**Kathleen E. LaClair, Town Clerk**

**(Seal)**