

**TOWN BOARD OF THE TOWN OF PINE PLAINS
RESOLUTION COMMENCING REVIEW OF PROPOSED ZONING LAW**

WHEREAS, the Town Board of the Town of Pine Plains adopted an updated Comprehensive Plan in November of 2003; and

WHEREAS, in 2005, the Town Board, by resolution, created a Zoning Commission to recommend to the Town the boundaries of the various original zoning districts for the Town, and appropriate land use regulations to be enforced therein; and

WHEREAS, the Zoning Commission, after the conduct of public hearings and meetings, issued its final report to the Town Board on July 19, 2007 in the form of a Proposed Draft Zoning Law; and

WHEREAS, the Town Board, thereafter, utilized the services of its planning, engineering and legal consultants to, where necessary and appropriate, review, edit, modify, amend and supplement the Proposed Draft Zoning Law as reported to the Town Board by the Zoning Commission; and

WHEREAS, the Town Board's consultants presented to the Town Board, on February 19, 2009, an Amended Final Draft Zoning Law which has been edited, modified, amended and supplemented in accordance with the directives of the Town Board; and

WHEREAS, the Town Board has determined that the Amended Final Draft Zoning Law is now ready for public review and commencement of the Local Law adoption process:

NOW, THEREFORE, BE IT RESOLVED:

1. That the Town Board hereby commences the process for the review and adoption of the Town of Pine Plains Zoning Law.
2. That the proposed adoption of the Zoning Law constitutes an “action” subject to SEQRA.
3. That the proposed adoption of the Zoning Law constitutes a Type I Action pursuant to §617.4(b)(1) of SEQRA.
4. That the Town Board is the only involved agency in this action, and the Town Board is hereby designated as Lead Agency with regard to the SEQRA Review of the Zoning Law.
5. That the Town Board hereby adopts the Positive SEQRA Declaration, a copy of which is annexed hereto, in which it has determined that the proposed adoption of the Zoning Law is a Type I Action under SEQRA and may include the potential for at least one significant environmental impact and that “Scoping” shall not be conducted in the SEQRA Review of the Zoning Law.
6. That the Town Board hereby waives the requirement for preparation of a Full Environmental Assessment Form pursuant to §617.6(a)(4) (“EAF”) in conjunction with the SEQRA Review of this action.
7. That the Town Board will be preparing a Draft Generic Environmental Impact Statement (“DGEIS”) in conjunction with its SEQRA Review of the Zoning Law.
8. That the Town’s consultants are hereby directed to prepare a DGEIS and submit the same to the Town Board for its review for purposes of determining if the DGEIS is complete for purposes of commencing public review of the same.

9. That upon acceptance of the DGEIS by the Town Board, the Town Board shall schedule a joint public hearing on the adoption of the Zoning Law and on the DGEIS.

10. That the proposed Zoning Law and the Positive Declaration shall be posted on the Town's official web site, and copies of these documents shall also be made available for public review and inspection at the Pine Plains Free Library at 7806 S. Main Street, Pine Plains, NY 12567, and at the Town Hall, 3284 Route 199, Pine Plains, NY 12567 during regular business hours.

11. That the proposed Zoning Law is hereby referred to the Town of Pine Plains Planning Board for its review and comment.

12. That the Town Board shall refer the proposed Zoning Law to Dutchess County Department of Planning and Development, together with a copy of the Positive Declaration and, after the DGEIS is accepted by the Town Board as complete and ready for public review, the DGEIS shall also be referred to the Dutchess County Department of Planning and Development, all in satisfaction of the referral requirements of §239-m of the General Municipal Law.

13. That the Town Clerk is hereby directed to forward the Positive Declaration to all interested agencies, as listed on the Positive Declaration, and to the Environmental Notice Bulletin.

The above resolution was offered by *Doreen Gardner* and seconded by *George Keeler* and was duly put to a vote on roll call which resulted as follows:

Supervisor Pulver Voted ____Aye____

Councilperson Gardener Voted ____Aye____

Councilperson Butler Voted ____Aye____

Councilperson Couse Voted ____Aye____

Councilperson Keeler Voted ____Aye____

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED ON
FEBRUARY 19, 2009.

_____/S/_____
JUDY S. HARPP, TOWN CLERK