

Town of Milo
Special Meeting
January 23, 2016

Members Present: Leslie Church, Supervisor
Dale Hallings, Councilperson
James Harris, Councilperson
Arden Sorensen, Councilperson
Gene Spanneut, Councilperson

Others Present: Patricia L. Christensen, Town Clerk
Robert Foster, Town Attorney
Anthony Validzic, CEO
George Franz, Planner
Gwen Chamberlin, Chronicle Express
Marty Reynolds
Bill Laffin
Judy Wiltberger
Mark Morris

Supervisor Church opened the meeting with the pledge of allegiance at 10:00 AM at the Town of Milo Hall, 137 Main Street, Penn Yan, NY.

Proof of Notice having been furnished, the Public Hearing for the proposed Local Law to replace the present Zoning Laws in the Town of Milo was called to order at 10:00 AM.

Planner George Franz presented a power point presentation highlighting changes.

All person desiring to be heard, having been heard, the Hearing was closed at 11:15 PM.

Planner George Franz proceeded with Part 2 of the SEQR.

RESOLUTION #14 -16

TOWN BOARD RESOLUTION
TOWN OF MILO
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE
PURSUANT TO 6 NYCRR, PART 617
DETERMINATION OF NON-SIGNIFICANCE
NEGATIVE DECLARATION
ENACTMENT OF NEW ZONING LAWS TO
REPLACE THE PRESENT ZONING LAWS

At a special meeting of the Town Board of the Town of Milo, Yates County, New York, held at the Town of Milo Office, 137 Main Street, Penn Yan, New York on January 23, 2016 at 10 a.m. there were:

PRESENT: Leslie Church
Dale Hallings
James Harris
Arden Sorensen
Gene Spanneut

ABSENT: none

being all the members of the town board.

Mr. Dale Hallings offered the following Resolution and moved its adoption:

WHEREAS, the Town Board of the Town of Milo previously determined, pursuant to Resolution #60-15 dated October 19, 2015 that the proposed legislation to repeal in their entirety the present zoning laws of the Town of Milo and to replace the same with new zoning laws for the Town of Milo, is a Type 1 Action under the New York State Environmental Quality Review Act (SEQRA), and

WHEREAS, the Town Board of the Town of Milo has prepared and completed, with professional assistance, Part 1 of the Full Environmental Assessment Form and previously forwarded the same to the other Involved agencies, being the Yates County Planning Board and the Town of Milo Planning Board, together with its documentation that the Town of Milo intended to act as Lead agency for a coordinated review of this proposed action under the provisions of the New York State Environmental Quality Review Act (SEQRA) 6 NYCRR Part 617, and

WHEREAS, the Yates County Planning Board and the Town of Milo Planning Board have both filed their consents that the Town Board of the Town of Milo be designated as the Lead Agency, and

WHEREAS, a Statement of Findings and Determination of Non-Significance (a copy of which is attached) has been prepared with professional assistance, which provides an evaluation of the impacts of the proposed legislation and a statement of the reasons supporting the determination of non-significance, and

WHEREAS, an Environmental Assessment File containing the completed the Full Environmental Assessment Form and all related environmental correspondence is available for public examination at the office of the Town Clerk during regular office hours.

NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Milo is hereby designated the Lead Agency in accordance with 6 NYCRR, Part 617, in compliance with Article 8 of the New York State Environmental Conservation Law, for the purpose of the proposed legislation, and be it further

RESOLVED, the Town Board of the Town of Milo will now make its Determination of Significance, pursuant to 6 NYCRR, Part 617, § 617.7, and in conjunction therewith has completed Part 2 of the Full Environmental Assessment Form, as well as completing the Statement of Findings and Determination of Non-Significance (referred to hereinabove), and has determined that the proposed legislation will not result in any large and important impacts and, therefore, is one which will not have a significant impact on the environment, and be it further

RESOLVED, that the Supervisor of the Town of Milo is hereby authorized to sign the Full Environmental Assessment Form containing the Determination of Non-Significance, indicating the project will not have a significant impact on the environment; i.e. a Negative Declaration and distribute copies of the same to the Involved Agencies listed hereinafter, and be it further

RESOLVED, that the town clerk is directed to post a copy of the Negative Declaration in the town office and to file copies of this Resolution, appropriate notice and the statement of findings with the following Involved Agencies:

Yates County Planning Board
417 Liberty Street
Penn Yan, New York 14527

Town of Milo Planning Board
137 Main Street
Penn Yan, New York 14527

and be it further,

RESOLVED, that this Resolution and Appropriate Notice be deemed a Determination of Non-Significance in accordance with 6 NYCRR, Parts 617.6, 617.7 and 617.12 and the National Environmental Policy Act of 1969.

Seconded by Mr. James Harris and duly put to a vote with the following results:

AYES: Church, Hallings, Harris, Sorensen, Spanneut

NOES: none

ABSTENTIONS: none

DATED: January 23, 2016

Patricia L. Christensen
Patricia L. Christensen
Town Clerk
Town of Milo

S E A L

Muni Milo fld
LL , 2016 (new zoning)
Reso neg dec (Type 1)

RESOLUTION #15-16_____
RESOLUTION TO ENACT LOCAL LAW
CONCERNING ADOPTION OF NEW ZONING LAWS
TOWN BOARD
TOWN OF MILO

At a special meeting of the Town Board of the Town of Milo, Yates County, New York,
held at the Milo Town Office, 137 Main Street, Penn Yan, New York on January 23, 2016, at
10:00 a. m.. there were:

PRESENT: Leslie Church
Dale Hallings
James Harris
Arden Sorensen
Gene Spanneut

ABSENT: none

being all of the members of the town board.

Mrs. Leslie Church offered the following Resolution and moved its adoption:

WHEREAS, a proposed local law that would repeal the present zoning laws of the
Town of Milo and simultaneously enact new zoning laws to replace the present laws has
been presented to the Town Board of the Town of Milo for enactment, and

WHEREAS, pursuant to Resolution #60-15 dated October 19, 2015, the legislative
process was commenced to consider the enactment of this proposed new zoning legislation

and at the same time the process of an environmental review, pursuant to the New York State Environmental Quality Review Act (SEQR), was also commenced, and

WHEREAS, a Resolution was duly adopted on December 30, 2015 by the Town Board of the Town of Milo calling for a public hearing to be held by said town board on January 23, 2016, at 10 a.m. at the Milo Town Office, 137 Main Street, Penn Yan, New York, to hear all interested parties on a proposed local law that would repeal the present zoning laws of the Town of Milo and simultaneously enact new zoning laws to replace the present zoning laws, and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Milo and all other notices required by law to be given were properly served, posted or given, and

WHEREAS, said public hearing was duly held on January 23, 2016 at 10 a.m. at the Town of Milo Office, 137 Main Street, Penn Yan, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

WHEREAS, after the completion of said public hearing, the town board did complete its SEQR review process resulting in a Negative Declaration determination, and

WHEREAS, Town Board of the Town of Milo, after due deliberation, determines it is in the best interests of the Town of Milo to adopt said Local Law.

NOW, THEREFORE BE IT

RESOLVED, by the Town Board of the Town of Milo, Yates County, New York that said local law, the text of which is attached here as Schedule "A", that would repeal the present zoning laws of the Town of Milo and simultaneously enact new zoning laws to replace the present laws is hereby approved, and it is further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said local

law in the minutes of this meeting and in the Local Law Book of the Town of Milo, and to give due notice of the adoption of said Local Law to the Secretary of the State of New York.

Seconded by Arden Sorensen and duly put to a vote as follows:

AYES: Church, Hallings, Harris, Sorensen, Spanneut

NOES: none

ABSTENTIONS: none

This Resolution was thereupon adopted.

DATED: January 23, 2016

Patricia L. Christensen
Patricia L. Christensen
Town of Milo Clerk
Town of Milo

S E A L

Muni Milo fld
LL ,2016
26a reso adopt loc law (SEQR)

Local Law Filing

NEW YORK STATE
DEPARTMENT OF STATE

41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County

City

Town of Milo as follows:

~~Village~~

Local Law No. 1 of the year 2016

A local law that would repeal the present zoning laws of the Town of Milo and simultaneously enact new zoning laws to replace the present zoning laws.

Be it enacted by the _____ Town Board _____ of the

County

City

Schedule "A"

Town of Milo as follows:

TOWN OF MILO, NEW YORK
137 Main Street
Village of Milo, New York 14527
Telephone No.: 315-536-8911
Facsimile No.: 315-536-9760
Website: www.townofmilo.com

See Schedule A, which is attached hereto and made a part hereof.

CODE OF THE TOWN OF MILO

Chapter 140 *Zoning Law*

(If additional space is needed, attach pages the same size as this sheet, and number each.)

ADOPTED
1-23-2016

There being no further business to come before the Town Board of the Town of Milo, a **Motion** was made by Councilperson Hallings to adjourn, seconded by Councilperson Sorensen

Motion Carried: Ayes: Church, Hallings, Harris, Sorensen, Spanneut

Noes: none

Abstentions: none

Meeting adjourned at 11:40 AM.

Respectfully submitted,

Patricia L. Christensen
Town Clerk