

**Resolution  
of the Town Board of the Town of Cairo**

**Date:** August 20, 2015

**Resolution #:** \_\_\_\_\_

**Matter:** Enacting Local Law No. 5 of 2015 entitled "Zoning Law of the Town of Cairo"

Motion to adopt this resolution by: \_\_\_\_\_

Motion seconded by: \_\_\_\_\_

**WHEREAS:**

1. The Town Board of the Town of Cairo ("Town Board") adopted a Comprehensive Plan in or about 2004. In formulating the Comprehensive Plan, the Town was assisted by a certified professional planner and:
  - conducted a survey of town residents in [2002];
  - conducted a planning and visioning workshop [2003];
  - conducted background studies of land use, population and economic profiles, housing, community facilities, transportation, recreation and educational resources, public safety programs, and the environmental condition of the Town and analyzed the regional growth patterns [2003];
  - conducted interviews and focus group meetings with area business owners and managers;
  - obtained information and perspectives from the Town Board and the consulting planner; and
  - conducted public meetings.
2. The Town of Cairo Comprehensive Plan established the goal of eventually enacting a land use regulation program to protect the environment and rural character of the Town, enforce development patterns that are efficient and economically feasible, support the continued revitalization of Main Street and provide ample opportunity for appropriate commercial economic development (Town of Cairo Comprehensive Plan, p. 44).
3. Subsequent to the adoption of the Comprehensive Plan, and pursuant to the authority in Section 266(1) of the New York State (NYS) Town Law, the Cairo Town Board created a Zoning Commission to study whether a zoning law should be written for the Town, and to write such a law if one was determined to be appropriate.
4. As part of its work, the Town of Cairo Zoning Commission held a public hearing on April 26, 2011. During the course of that session of the public hearing, the Zoning Commission received comment from the citizens of Cairo and the public.
5. The Town of Cairo Zoning Commission determined that the writing of a proposed Zoning Law for the Town of Cairo was appropriate and, with the assistance of a professional planner, the Commission drafted a proposed Zoning Law and Zoning Map

and prepared a final report of the Zoning Commission, all of which were transmitted by the Zoning Commission to the Town of Cairo Town Board.

6. Following receipt of the final report of the Zoning Commission and the Zoning Commission's draft Zoning Law and Zoning Map, the Town Board conducted its own careful review of the Zoning Law and Map. This review extended over a period of years and included numerous public workshop meetings and public meetings with individual property owners.
7. In April of 2015 the Town Board created a final draft of the proposed Zoning Law and Zoning Districts Map.
8. On May 19, 2015, the Town Board referred the proposed Zoning Law to the Greene County Planning Board in accordance with the requirements of Section 239-l and m of the New York State General Municipal Law (GML).
9. On June 18, 2015, in response to the referral, the Greene County Planning Board recommended approval of the proposed Zoning Law including brief comments.
10. On July 6, 2015, the Town Board, with the assistance of a professional planner, began its environmental review of the proposed Zoning Law in accordance with the requirements of the State Environmental Quality Review Act (SEQRA). On that date, at a public meeting of the Town Board, the Town Board acted to:
  - A. declare itself to be lead agency for the environmental review under SEQRA;
  - B. classify the proposed action as a Type I action; and
  - C. as the only body with approval power over the proposed action, declared that it would conduct an uncoordinated review.
11. On that same date, further in accordance with the applicable SEQRA regulations, the Town Board prepared an Environmental Assessment Form (EAF) and thereafter duly considered the contents of the EAF. The Town Board reviewed Part 1 of the EAF which had been prepared for the Town Board by its planning consultant, and upon due review and deliberation, authorized the Town Supervisor to sign the EAF.
12. On July 30, 2015, the Town Board opened a duly noticed and published public hearing held at the Town of Cairo Town Hall. During the course of that session of the public hearing, the Town Board received comment from the citizens of Cairo and the public. The public hearing was continued to August 20, 2015.
13. On August 20, 2015, the Town Board held a duly noticed and published special meeting of the Town Board at 7:00 p.m. at the Town of Cairo Town Hall.
14. At its special meeting on August 20, 2015, the Town Board continued the public hearing and then voted to close the public hearing.

15. At its special meeting on August 20, 2015, after closing the public hearing, the Town Board, with the advice and assistance of its professional planning consultant, continued its environmental review of the proposed action. In doing so, the Town Board identified the relevant areas of environmental inquiry and took a “hard look” to determine whether the adoption of the proposed Zoning Law would have any significant potential adverse environmental impacts which would require further study and mitigation. The Town Board completed Parts 2 and 3 of the EAF and determined that the adoption of the proposed Zoning Law would not cause any significant potential adverse environmental impacts. In fact, it was noted that the adoption of the proposed Zoning Law would likely have a positive impact on the environment by providing protection of the Town environmental features and resources. The reasons and rationale in support of this determination are set forth in detail in Part 3 of the EAF, the content of which is incorporated by reference herein.
16. Hence, the Town Board has determined as a result of its hard look and findings set forth above to issue a Negative Declaration under SEQRA as its Determination of Significance, as part of this Resolution.
17. After due deliberation, the Town Board of the Town of Cairo determines that it is in the best interest of the Town to adopt the proposed Zoning Law and Map, and that the adoption of the proposed Zoning Law will help achieve the goals of the Town of Cairo Comprehensive Plan, protect the health, safety and general welfare of the citizens of the Town of Cairo, and will protect and preserve and enhance the lands and environmental resources within the Town.

**NOW, THEREFORE BE IT RESOLVED, as follows:**

- Section A. Pursuant to SEQRA, the Town of Cairo Town Board hereby declares that the adoption of the proposed Zoning Law and Zoning Districts Map, as described herein and as written, and for the reasons set forth above and in Part 3 of the SEQRA EAF, will not have any significant adverse environmental impacts, and consequently, the Town Board issues a Negative Declaration as its Determination of Significance.
- Section B. Further pursuant to SEQRA, the Town Board authorizes filing of the Negative Declaration (the completed Part 3 of the Full EAF) a copy of which is attached hereto, according to Part 617 of the SEQRA regulations, and further authorizes the Town Supervisor to execute same.
- Section C. Based upon the facts and discussion in the record, upon the purposes set forth and described as part of the Zoning Law, and upon the statements above in this Resolution, the Town Board hereby adopts said Local Law No. 5 of 2015 entitled “*Zoning Law of the Town of Cairo*”, and the Zoning District Map included as part of that law, copies of which are attached hereto and made a part hereof.
- Section D. Local Law No. 5 of 2015 entitled “*Zoning Law of the Town of Cairo*” shall be become effective on Tuesday, December 1, 2015.

Section E. We direct the Town Clerk do the following: (1) enter the adopted local law and this Resolution in the minutes of this meeting; (2) file a certified copy of the adopted local law in the Local Law Book of the Town of Cairo; and (3) file a copy of said adopted local law with the New York State Secretary of State within twenty (20) days of the date that this Resolution was passed.

The above Resolution was put to a Roll Call Vote as follows:

	In Favor	Against	Abstain	Absent
Vote:				
	Ted Banta			
	Douglas Ostrander			
	Tony Puorro			
	Mary Jo Cords			
	Daniel Joyce			

Result: Motion passes/defeated by the following margin:

**Whereupon**, this Resolution was declared adopted by the Town Board of the Town of Cairo

Dated: August 20, 2015

Filing: A copy of this resolution was filed in the office of the Town Clerk of the Town of Cairo on August \_\_\_\_, 2015.

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Tara A. Rumph, Town Clerk