



TOWN OF CAIRO

Public Hearing

September 25, 2013 @ 5:00PM

Location: Town Hall, Meeting/Court Room, Cairo

Reason/Proposal: Public Hearing held-pursuant to Section 266 of the NY State Town Law-for the enactment of a local law implementing the Town of Cairo's first Zoning Law.

Purpose and Intent of Public Hearing:

- To accept comment concerning the enactment of the proposed Zoning Law-Final Draft dated 8/12/13

Town Clerk: Notice of Hearing

- PLEASE TAKE NOTICE that the Town Board of the Town of Cairo shall hold a public hearing on September 25, 2013 at 5:00 pm at the Town Hall, 512 Main Street, Cairo NY 12413, concerning the enactment of a local law implementing the Town of Cairo's first zoning law. All those interested will be heard.

Copies of the proposed local law and maps are available in the Town Clerk's office.

By order of the Town Clerk,

Tara Rumph

August 19, 2013

Additional Notices:

- o Outdoor Town Hall bulletin board
- o Town Hall doors
- o Town Website
 - Proposed Zoning Law-Draft dated 8/12/13: clear & compared copies posted on site
 - Zoning Map
 - Feedback Form

Moderator: Review of Public Hearing Procedure:

- Speakers must sign-in and will be called by the Moderator-John F. Lyons to speak. Speakers must stand at the podium, speak into the microphone, and identify themselves-stating their full name and where they reside. Speakers must direct their comments to the Town Board, and state clearly & briefly what they are in favor of or against in the proposal.
 - o For comments to be processed & addressed by the Town Board, they must be submitted in writing using the Feedback Form provided & downloadable on the Town's website.
- Speakers may not transfer time to another speaker. Speakers will be held to a 5 minute time frame. Speak clearly, intelligently, and responsibly. Avoid redundancy & repetition(note the irony ☺).
- The Town Board may choose only to listen and not comment.
- First & foremost, be courteous & respectful. Refrain from derogatory comments & rhetoric, profanity will not be tolerated.

SEQRA: Tal Rappleyea & Town Board

617.20
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

THIS AREA FOR LEAD AGENCY USE ONLY

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project:



Part 1



Part 2



Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- ☒ A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore **a negative declaration will be prepared.**
- ☐ B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore **a CONDITIONED negative declaration will be prepared.***
- ☐ C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore **a positive declaration will be prepared.**

*A Conditioned Negative Declaration is only valid for Unlisted Actions

Enactment of Town of Cairo first zoning law

Name of Action

Cairo Town Board

Name of Lead Agency

Ted Banta, III

Supervisor

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

8/15/13

Date

PART 1--PROJECT INFORMATION

Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

Name of Action Enactment of Town of Cairo first zoning law

Location of Action (include Street Address, Municipality and County)

Town Hall, Main Street, Cairo, Ny 12413

Name of Applicant/Sponsor Cairo Town Board

Address Main Street, PO Box 728

City / PO Cairo State Ny Zip Code 12413

Business Telephone (518) 622-2060

Name of Owner (if different) _____

Address _____

City / PO _____ State _____ Zip Code _____

Business Telephone _____

Description of Action:

Enactment of Town of Cairo first zoning law consistent with the duly adopted Town Comprehensive Plan

Please Complete Each Question--Indicate N.A. if not applicable

A. SITE DESCRIPTION

Physical setting of overall project, both developed and undeveloped areas.

1. Present Land Use: ☒ Urban ☒ Industrial ☒ Commercial ☒ Residential (suburban) ☒ Rural (non-farm)
☒ Forest ☒ Agriculture ☒ Other _____

2. Total acreage of project area: town-wide acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	_____ acres	_____ acres
Forested	_____ acres	_____ acres
Agricultural (Includes orchards, cropland, pasture, etc.)	_____ acres	_____ acres
Wetland (Freshwater or tidal as per Articles 24,25 of ECL)	_____ acres	_____ acres
Water Surface Area	_____ acres	_____ acres
Unvegetated (Rock, earth or fill)	_____ acres	_____ acres
Roads, buildings and other paved surfaces	_____ acres	_____ acres
Other (Indicate type) _____	_____ acres	_____ acres

3. What is predominant soil type(s) on project site? multiple

- a. Soil drainage: ☒ Well drained _____ % of site ☒ Moderately well drained _____ % of site.
☒ Poorly drained _____ % of site

- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? _____ acres (see 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? ☒ Yes ☐ No

- a. What is depth to bedrock varying (in feet)

5. Approximate percentage of proposed project site with slopes:

☒ 0-10% _____ % ☒ 10- 15% _____ % ☒ 15% or greater _____ %

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places? ☒ Yes ☐ No

7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? ☒ Yes ☐ No

8. What is the depth of the water table? varying (in feet)

9. Is site located over a primary, principal, or sole source aquifer? ☒ Yes ☐ No

10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? ☒ Yes ☐ No

11. Does project site contain any species of plant or animal life that is identified as threatened or endangered? ☐ Yes ☒ No

According to:

Comprehensive Plan

Identify each species:

12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations?)

☒ Yes ☐ No

Describe:

Catskill Mountains

13. Is the project site presently used by the community or neighborhood as an open space or recreation area?

☒ Yes ☐ No

If yes, explain:

Portions of the Town are used for various recreational activities

14. Does the present site include scenic views known to be important to the community? ☒ Yes ☐ No

15. Streams within or contiguous to project area:

several including the Shinglekill, Catskill Creek and others

a. Name of Stream and name of River to which it is tributary

Hudson River

16. Lakes, ponds, wetland areas within or contiguous to project area:

several

b. Size (in acres):

17. Is the site served by existing public utilities? ☒ Yes ☐ No
- a. If YES, does sufficient capacity exist to allow connection? ☒ Yes ☐ No
- b. If YES, will improvements be necessary to allow connection? ☒ Yes ☐ No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☒ Yes ☐ No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? ☐ Yes ☒ No
20. Has the site ever been used for the disposal of solid or hazardous wastes? ☐ Yes ☒ No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate).

- a. Total contiguous acreage owned or controlled by project sponsor: town-wide acres.
- b. Project acreage to be developed: n/a acres initially; n/a acres ultimately.
- c. Project acreage to remain undeveloped: n/a acres.
- d. Length of project, in miles: n/a (if appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed. n/a %
- f. Number of off-street parking spaces existing n/a; proposed n/a
- g. Maximum vehicular trips generated per hour: n/a (upon completion of project)?
- h. If residential: Number and type of housing units:

	One Family	Two Family	Multiple Family	Condominium
Initially	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
Ultimately	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>

- i. Dimensions (in feet) of largest proposed structure: n/a height; n/a width; n/a length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? n/a ft.
2. How much natural material (i.e. rock, earth, etc.) will be removed from the site? n/a tons/cubic yards.
3. Will disturbed areas be reclaimed ☐ Yes ☐ No ☒ N/A

- a. If yes, for what intended purpose is the site being reclaimed?

- b. Will topsoil be stockpiled for reclamation? ☐ Yes ☒ No
- c. Will upper subsoil be stockpiled for reclamation? ☐ Yes ☒ No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? n/a acres.

5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?

☐ Yes ☒ No

6. If single phase project: Anticipated period of construction: n/a months, (including demolition)

7. If multi-phased:

a. Total number of phases anticipated n/a (number)

b. Anticipated date of commencement phase 1: _____ month _____ year, (including demolition)

c. Approximate completion date of final phase: _____ month _____ year.

d. Is phase 1 functionally dependent on subsequent phases? ☐ Yes ☐ No

8. Will blasting occur during construction? ☐ Yes ☒ No

9. Number of jobs generated: during construction n/a ; after project is complete _____

10. Number of jobs eliminated by this project n/a .

11. Will project require relocation of any projects or facilities? ☐ Yes ☒ No

If yes, explain:

12. Is surface liquid waste disposal involved? ☐ Yes ☒ No

a. If yes, indicate type of waste (sewage, industrial, etc) and amount _____

b. Name of water body into which effluent will be discharged _____

13. Is subsurface liquid waste disposal involved? ☐ Yes ☒ No Type _____

14. Will surface area of an existing water body increase or decrease by proposal? ☐ Yes ☒ No

If yes, explain:

15. Is project or any portion of project located in a 100 year flood plain? ☒ Yes ☐ No

16. Will the project generate solid waste? ☐ Yes ☒ No

a. If yes, what is the amount per month? _____ tons

b. If yes, will an existing solid waste facility be used? ☐ Yes ☐ No

c. If yes, give name _____ ; location _____

d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? ☐ Yes ☐ No

e. If yes, explain:

17. Will the project involve the disposal of solid waste? ☐ Yes ☒ No

a. If yes, what is the anticipated rate of disposal? _____ tons/month.

b. If yes, what is the anticipated site life? _____ years.

18. Will project use herbicides or pesticides? ☐ Yes ☒ No

19. Will project routinely produce odors (more than one hour per day)? ☐ Yes ☒ No

20. Will project produce operating noise exceeding the local ambient noise levels? ☐ Yes ☒ No

21. Will project result in an increase in energy use? ☐ Yes ☒ No

If yes, indicate type(s)

22. If water supply is from wells, indicate pumping capacity _____ n/a gallons/minute.

23. Total anticipated water usage per day _____ gallons/day.

24. Does project involve Local, State or Federal funding? ☒ Yes ☐ No

If yes, explain:

Town funds have been and will be expended to complete the zoning commission process and the zoning law enactment process

25. Approvals Required:

		Type	Submittal Date
City, Town, Village Board	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>local law adoption</u>	<u>9/25/13</u>
City, Town, Village Planning Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
City, Town Zoning Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
City, County Health Department	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Other Local Agencies	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>Greene County Planning</u>	<u>8/12/13</u>
Other Regional Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
State Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Federal Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? ☒ Yes ☐ No

If Yes, indicate decision required:

<input type="checkbox"/> Zoning amendment	<input type="checkbox"/> Zoning variance	<input type="checkbox"/> New/revision of master plan	<input type="checkbox"/> Subdivision
<input type="checkbox"/> Site plan	<input type="checkbox"/> Special use permit	<input type="checkbox"/> Resource management plan	<input checked="" type="checkbox"/> Other

2. What is the zoning classification(s) of the site?

None presently, but multipel following enactment

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

n/a

4. What is the proposed zoning of the site?

n/a

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

See Comprehensive Plan attached

6. Is the proposed action consistent with the recommended uses in adopted local land use plans?

☒

Yes

☐

No

7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?

See Comprehensive Plan attached

8. Is the proposed action compatible with adjoining/surrounding land uses with a ¼ mile?

☒

Yes

☐

No

9. If the proposed action is the subdivision of land, how many lots are proposed? n/a

a. What is the minimum lot size proposed? _____

10. Will proposed action require any authorization(s) for the formation of sewer or water districts? ☐ Yes ☒ No

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)?

☐ Yes ☒ No

a. If yes, is existing capacity sufficient to handle projected demand? ☐ Yes ☐ No

12. Will the proposed action result in the generation of traffic significantly above present levels? ☐ Yes ☒ No

a. If yes, is the existing road network adequate to handle the additional traffic. ☐ Yes ☐ No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name Cairo Town Baord Date _____

Signature Ted Banta, III

Title Supervisor

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

PART 2 - PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

- In completing the form the reviewer should be guided by the question: Have my responses and determinations been **reasonable**? The reviewer is not expected to be an expert environmental analyst.
- The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

- a. Answer each of the 20 questions in PART 2. Answer **Yes** if there will be **any** impact.
- b. **Maybe** answers should be considered as **Yes** answers.
- c. If answering **Yes** to a question then check the appropriate box(column 1 or 2)to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- d. Identifying that an Impact will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- e. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- f. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

Impact on Land

1. Will the Proposed Action result in a physical change to the project site?

NO ☐ YES ☐

Examples that would apply to column 2

- | | | | | |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction on land where the depth to the water table is less than 3 feet. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction of paved parking area for 1,000 or more vehicles. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction that will continue for more than 1 year or involve more than one phase or stage. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Construction or expansion of a sanitary landfill.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Construction in a designated floodway.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

The Town is relying upon the duly adopted Comprehensive Plan as the Environmental Impact Statement in accordance with the DEC regulations. Thus all responses herein are consistent therewith

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.)

☒ NO ☐ YES

- Specific land forms: ☐ ☐ ☐ Yes ☐ No

Impact on Water

3. Will Proposed Action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)

☐ NO ☒ YES

Examples that would apply to column 2

- | | | | |
|--|-------------------------------------|--------------------------|--|
| • Developable area of site contains a protected water body. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Dredging more than 100 cubic yards of material from channel of a protected stream. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Extension of utility distribution facilities through a protected water body. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction in a designated freshwater or tidal wetland. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

The zoning law is designed to protect the water bodies throughout the town

4. Will Proposed Action affect any non-protected existing or new body of water?

☒ NO ☐ YES

Examples that would apply to column 2

- | | | | |
|--|--------------------------|--------------------------|--|
| • A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction of a body of water that exceeds 10 acres of surface area. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

5. Will Proposed Action affect surface or groundwater quality or quantity?

☐ NO ☒ YES

Examples that would apply to column 2

- | | | | | |
|--|-------------------------------------|--------------------------|------------------------------|-----------------------------|
| • Proposed Action will require a discharge permit. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction or operation causing any contamination of a water supply system. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will adversely affect groundwater. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action would use water in excess of 20,000 gallons per day. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will allow residential uses in areas without water and/or sewer services. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

The proposed law is designed to protect against potential negative impacts set forth above

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

6. Will Proposed Action alter drainage flow or patterns, or surface water runoff?

☒ NO ☐ YES

Examples that would apply to column 2

- | | | | |
|--|--------------------------|--------------------------|--|
| • Proposed Action would change flood water flows | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action may cause substantial erosion. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action is incompatible with existing drainage patterns. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will allow development in a designated floodway. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

IMPACT ON AIR

7. Will Proposed Action affect air quality?

☒ NO ☐ YES

Examples that would apply to column 2

- | | | | |
|---|--------------------------|--------------------------|--|
| • Proposed Action will induce 1,000 or more vehicle trips in any given hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will result in the incineration of more than 1 ton of refuse per hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will allow an increase in the amount of land committed to industrial use. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will allow an increase in the density of industrial development within existing industrial areas. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

IMPACT ON PLANTS AND ANIMALS

8. Will Proposed Action affect any threatened or endangered species?

☒ NO ☐ YES

Examples that would apply to column 2

- | | | | |
|---|--------------------------|--------------------------|--|
| • Reduction of one or more species listed on the New York or Federal list, using the site, over or near the site, or found on the site. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
|---|--------------------------|--------------------------|--|

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Removal of any portion of a critical or significant wildlife habitat.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Application of pesticide or herbicide more than twice a year, other than for agricultural purposes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

9. Will Proposed Action substantially affect non-threatened or non-endangered species?

☒ NO ☐ YES

Examples that would apply to column 2

- | | 1
Small to
Moderate
Impact | 2
Potential
Large
Impact | 3
Can Impact Be
Mitigated by
Project Change |
|--|-------------------------------------|-----------------------------------|--|
| • Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

IMPACT ON AGRICULTURAL LAND RESOURCES

10. Will Proposed Action affect agricultural land resources?

☐ NO ☒ YES

Examples that would apply to column 2

- | | 1
Small to
Moderate
Impact | 2
Potential
Large
Impact | 3
Can Impact Be
Mitigated by
Project Change |
|--|-------------------------------------|-----------------------------------|--|
| • The Proposed Action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction activity would excavate or compact the soil profile of agricultural land. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • The Proposed Action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• The Proposed Action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<div style="border: 1px solid black; padding: 5px;"> The law is designed to protect and enhance agricultural uses within the town </div>			

IMPACT ON AESTHETIC RESOURCES

11. Will Proposed Action affect aesthetic resources? (If necessary, use the Visual EAF Addendum in Section 617.20, Appendix B.)

☒ NO ☐ YES

Examples that would apply to column 2

- | | 1
Small to
Moderate
Impact | 2
Potential
Large
Impact | 3
Can Impact Be
Mitigated by
Project Change |
|---|-------------------------------------|-----------------------------------|--|
| • Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Project components that will result in the elimination or significant screening of scenic views known to be important to the area. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. Will Proposed Action impact any site or structure of historic, prehistoric or paleontological importance?

☒ NO ☐ YES

Examples that would apply to column 2

- | | 1
Small to
Moderate
Impact | 2
Potential
Large
Impact | 3
Can Impact Be
Mitigated by
Project Change |
|---|-------------------------------------|-----------------------------------|--|
| • Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Any impact to an archaeological site or fossil bed located within the project site. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

1
Small to
Moderate
Impact

2
Potential
Large
Impact

3
Can Impact Be
Mitigated by
Project Change

- Other impacts:

☐
☐
☐

Yes

☐

No

IMPACT ON OPEN SPACE AND RECREATION

13. Will proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?

☒

NO

☐

YES

Examples that would apply to column 2

- The permanent foreclosure of a future recreational opportunity.
- A major reduction of an open space important to the community.
- Other impacts:

☐
☐
☐

Yes

☐

No

☐
☐
☐

Yes

☐

No

☐
☐
☐

Yes

☐

No

IMPACT ON CRITICAL ENVIRONMENTAL AREAS

14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6NYCRR 617.14(g)?

☒

NO

☐

YES

List the environmental characteristics that caused the designation of the CEA.

Examples that would apply to column 2

- Proposed Action to locate within the CEA?
- Proposed Action will result in a reduction in the quantity of the resource?
- Proposed Action will result in a reduction in the quality of the resource?
- Proposed Action will impact the use, function or enjoyment of the resource?
- Other impacts:

☐
☐
☐

Yes

☐

No

☐
☐
☐

Yes

☐

No

☐
☐
☐

Yes

☐

No

☐
☐
☐

Yes

☐

No

☐
☐
☐

Yes

☐

No

1
Small to
Moderate
Impact

2
Potential
Large
Impact

3
Can Impact Be
Mitigated by
Project Change

IMPACT ON TRANSPORTATION

15. Will there be an effect to existing transportation systems?

☒ NO ☐ YES

Examples that would apply to column 2

- Alteration of present patterns of movement of people and/or goods.
- Proposed Action will result in major traffic problems.
- Other impacts:

☐
☐
☐

Yes

☐

No

☐
☐
☐

Yes

☐

No

☐
☐
☐

Yes

☐

No

IMPACT ON ENERGY

16. Will Proposed Action affect the community's sources of fuel or energy supply?

☒ NO ☐ YES

Examples that would apply to column 2

- Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality.
- Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.
- Other impacts:

☐
☐
☐

Yes

☐

No

☐
☐
☐

Yes

☐

No

☐
☐
☐

Yes

☐

No

NOISE AND ODOR IMPACT

17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action?

☒ NO ☐ YES

Examples that would apply to column 2

- Blasting within 1,500 feet of a hospital, school or other sensitive facility.
- Odors will occur routinely (more than one hour per day).
- Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.
- Proposed Action will remove natural barriers that would act as a noise screen.
- Other impacts:

☐
☐
☐

Yes

☐

No

☐
☐
☐

Yes

☐

No

☐
☐
☐

Yes

☐

No

☐
☐
☐

Yes

☐

No

☐
☐
☐

Yes

☐

No

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

IMPACT ON PUBLIC HEALTH

18. Will Proposed Action affect public health and safety?

☒ NO ☐ YES

- | | | | |
|--|-------------------------------------|--------------------------|--|
| • Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Storage facilities for one million or more gallons of liquefied natural gas or other flammable liquids. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

See the Town Comprehensive Plan

IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

19. Will Proposed Action affect the character of the existing community?

☒ NO ☐ YES

Examples that would apply to column 2

- | | | | |
|---|--------------------------|--------------------------|--|
| • The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will conflict with officially adopted plans or goals. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will cause a change in the density of land use. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Development will create a demand for additional community services (e.g. schools, police and fire, etc.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Proposed Action will set an important precedent for future projects.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action will create or eliminate employment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

The enactment shall protect and promote the appropriate growth of the Town in accordance with the Comprehensive Plan

20. Is there, or is there likely to be, public controversy related to potential adverse environment impacts?

☒ NO
☐ YES

If Any Action in Part 2 Is Identified as a Potential Large Impact or If you Cannot Determine the Magnitude of Impact, Proceed to Part 3

Part 3 - EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions (If you need more space, attach additional sheets)

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is **important**.

To answer the question of importance, consider:

- The probability of the impact occurring
- The duration of the impact
- Its irreversibility, including permanently lost resources of value
- Whether the impact can or will be controlled
- The regional consequence of the impact
- Its potential divergence from local needs and goals
- Whether known objections to the project relate to this impact.

The Town is relying upon the duly adopted Comprehensive Plan which formed the basis of the proposed zoning law. The zoning law is consistent with the said Comprehensive Plan and thus it is utilized as the Environmental Impact Statement herein.

GREENE COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT, TOURISM & PLANNING

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411 Main Street
Catskill, New York 12414



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Warren Hart, Director

COUNTY PLANNING BOARD REPORT ON PLANNING AND ZONING REFERRAL

Municipality T Cairo
Referral ID 13-18
Date Received August 13, 2013

Response to Town ☒ Village of ☐ of Cairo Referring
Agency Town Board

Date: September 19, 2013

In accordance with Section 239 of the NYS General Municipal Law, the Greene County Planning Board reviewed the following referral at its meeting of 9/18/2013.

Name of Case: New Zoning Law

COUNTY PLANNING BOARD ACTION

- ☐ NO JURISDICTION
☐ 30-DAY EXTENSION REQUESTED (see comments)
☐ LOCAL DECISION - NO COUNTY IMPACT
☐ LOCAL DECISION WITH COMMENT
☒ APPROVAL WITH COMMENT (see comments)
☐ APPROVAL WITH MODIFICATIONS (see comments)
☐ DISAPPROVAL
☐ INCOMPLETE - ADDITIONAL INFORMATION NEEDED FOR REVIEW
☐ OTHER

Planning Board Comments: Please see attached.


County Planning Board Secretary

If the County Planning Board disapproved the proposal, or approved with modifications, the referring agency shall not act contrary to the recommendation except by a vote of a majority plus one of all the members and after the adoption of a resolution setting forth the reasons for such contrary action. Within seven days after taking final action, the referring agency shall file a notice of the final action with the County Planning board. The Greene County Planning Board's Notice of Final Action Form is provided for this purpose. A copy is attached.

- Att: (1) Copy of original Planning and Zoning Referral Form
(2) Staff Review (if any)
(3) Notice of Final Action Form

13-18 Town of Cairo: Approve with Comments:

1. These zoning regulations have been developed to reflect goals and objectives of the Town of Cairo Comprehensive Plan. The Town of Cairo is to be commended for its efforts to develop these zoning regulations.

2. Some comments:

Fixed ✓

Page 11: Section III. A Continuation of Existing Nonconforming Buildings and Uses: Should consider changing wording from "Any existing use" to "Any existing lawful use" and include criteria to determine that an existing use is being lawfully operated (Has a building permit been issued?, Certificate of Occupancy? Are there sale tax and/or business tax records?, license to operate?, etc.)

Rhetorical

- Pages 16-22 Table 1. Schedule of Uses: Question: Why are restaurants, retail uses, small offices, and service businesses listed as special uses in the Main Street district? Why not list as permitted?

Rhetorical
maybe amend
SPR in future

- On page 23 Section IV. E Other Uses Requiring Site Plan Approval: Note: It's generally not good form to have one law providing for provisions to another law. Better to amend the SPR law (Local Law #4) if the town desires to add uses to be subject to SPR (or at least cross reference the two). The Town might also consider incorporating the Site Plan Review law into the new law. Note also: the provision "include, but are not limited to" is unclear. Would be better to be specific on what the Town intends to review.

Rhetorical

- Pages 26-28 Section V. B. Regulation of Lot Dimensions: Note: Minimum Lot sizes in MS Main Street district for commercial are much higher than many existing uses and likely too high for many uses that would be desired in this district.

Rhetorical

- Page 34-35 Section VII. A. General Performance Standards: Says "All state and federal laws, rules, and regulations are to be met". Then says in Section VII. A. 9. that the ZBA "may issue variances to the above standards". Note: the Town cannot authorize the ZBA to vary state or federal law.

Fixed Add LCHZ
of 2008

Page 37 Section VII. G. Flood Plains refers to Local Law #3 of 1989. Is this the most current law?

Rhetorical -

- Page 38 Section VIII. A. 5.: The town should consider whether the dimensional requirements specified here could be problematic for many uses that might be desired in the Main Street Commercial District.

Rhetorical

Fixed ✓

- Page 38 Section VIII. A. 7.: What portion of the forested area is the town requiring to be permanently maintained?

Rhetorical its a
"may" "

- Page 39 Section VIII. A. 8. Typo: "medicate waste" should be "medical waste"

- Page 39 Section VIII. B. a Agricultural Buffers: This is an odd requirement that basically says since you are locating near a farm operation you are required to screen yourself from it so you will not be bothered by it.

Coming when we
do Subd.

- Page 40 Section VIII. B. d: This belongs in the town's subdivision regulation (or at least should be cross referenced)

Rhetorical

- Page 49 Section X Manufactured Home Parks: Why would the Town want to site Manufacture Home Parks in the Industrial district?

Fixed

- Page 80 Section XV. F. 1. b. 4: Typo : "The home occupation shall not noise.." should be "The home occupation shall not create noise.."

we did

- Page 80 Section XV. F. 2. b.: The density limitations for multifamily structures (including senior housing) could affect the availability and affordability of such housing in the town. The town should carefully consider these limitations and their effect of affordable housing.

Rhetorical

- Page 81 Section XV. F. 2. d: Why would the residential units of a senior housing facility need to be "buffered" from recreation areas by "trees, hedges, dense plantings, earth berms, and other changes in grade"?

Rhetorical

- Page 81 Section XV. F. 2. f. 1: Not clear what is required or why a "looped road system" would be needed for as senior facility with more than three units. Not clear what is meant by "looped road system".

- Page 81 Section XV. F. 2. f. 3: Says that "The local fire department and ambulance service shall review and approve all access to ensure adequate safety and access for emergency services." This section is attempting to assign a responsibility to agencies that may or may not be town agencies. Has the Town consulted with these agencies regarding this planned provision?

yes.
Rhetorical -
its standard

- Page 82 Section XV. F. 2. h: Says that all senior housing applications shall conform with the Public Health Law Articles 46, 46-A and 46-B. Note: Article 46 deals with continuing care retirement communities, such as assisted living facilities. Not all senior housing would need to follow these provisions.

46 covers but
all is correct

- Page 82 Section XV. F. 3. a.: Requires that "Filling stations" and "portions of a convenience store that may have gas facilities" be permitted only on lots having at least two acres. Note: this would make several exiting facilities non conforming such as Stewarts (0.87 acres) and Cumberland Farms (0.55 acres)

OK-Rhetorical

- Page 83 Section XV. F. 3. m.: says that "The Planning Board shall require a traffic impact analysis" for proposed gas stations. Might want to consider changing "shall" to "may" since a traffic analysis may not always be necessary.

Rhetorical -
dis is

- Page 83 Section XV. F. 3. q.: Requires applicant to consider use of above ground tanks. Since this type of use would be getting gas storage permits from NYS agencies, it would be better to leave this determination to those agencies.

Rhetorical

- Page 83 Section XV. F. 4. a.: Says "bed and breakfasts up to five (5) units must be consistent with all New York State Uniform Fire Prevention and Building Code standards. Note: the town already has a local law to enforce the building code.

Rhetorical

- Page 85 Section XV. F. 5.i.: Says that the hours of operation of a convenience store may be restricted. Does the town intend to have the planning board determine the hours of operation of convenience stores on a case by case basis?

yes - per
ration basis

- Page 85 Section XV. F. 5. k.: Says that "Parking shall not be in the front yard (unless impractical)". How would this be determined?

Rhetorical

NYS Fixed

- Page 90 Section XV.F.9: Mentions "Department of Health" standards for animal waste but does not specify if it is NYS Department of Health or some other level of government.

Rhetorical

- Page 91 Section XV. F. 10: Requires that the bay doors of car repair operations not face any public right of way and prohibits exterior display of new or used automobiles. Note: this would limit siting and operational options for many of these uses.

Rhetorical

- Page 91 Section XV. F. 11: Requires door openings of storage units to face the interior of the site (unless impracticable). How would this be determined?

Rhetorical

- Page 92 Section XV. F. 11. f: Requires that the roof shape of storage facilities be "compatible with the design and materials of neighboring buildings." Would seem to be better to specify what roof type the town requires.

"

- Page 92 Section XV. F. 12. a: Requires that the roof shape of car wash facilities be "be similar to design styles of building in the area." Same issue as above.

"

- Page 94 Section XV. F. 14. c: Prohibits public address systems at camping facilities. Might be better to address this in the town noise ordinance and have one consistent policy for public address systems.

Is there

- Page 94 Section XV. F. 15: Provides guidelines for "Seasonal Camp" but it's not clear how a seasonal camp is different from a campground. Need definitions.

Same

- Page 95 Section XV. F. 15. c.: Says that "Amplifier systems shall be designed so as not to be audible beyond property lines" at outdoor recreation facilities. Same issue as Section XV. F. 14. c, above.

Rhetorical

- Page 96 Section XV. F. 17.a.2: Prohibits kitchen facilities in the guest rooms of Hotels and Motels. Note: this would prevent the location of extended stay facilities from the town.

Rhetorical - obvious

- Page 96 Section XV. F. 17.b.3: Says "The Town promotes adaptive reuse of buildings, and encourages the preservation of any historic buildings." Not clear what this provision trying to require. What is the town requiring from the applicant?

OK "

- Page 97 Section XV. F. 18.b.: Prohibits any sales to the general public at manufacturing and research facilities. Note: this could prevent useful services to the public such as when the former Stiefel Labs in nearby Durham offered water testing.

Rhetorical

- Page 99 Section XV. F. 20: Provides that "Only wind towers erected for individual property owner shall be allowed". Prohibits towers on agricultural districts to those that do not exceed 110% of the energy needed for the farm located on the parcel. Why would the town want to limit a property owner's ability to sell excess power back to the grid?

Rhetorical
yes
we know

- Page 100 Section XV. F. 21: Prohibits bars/taverns within 500 feet of other bars/taverns. Prohibits bars/taverns within 500 feet of church or school. Would this provision include restaurants that have bar areas? Note: This would potentially prevent the reopening of some existing business sites.

Revised

- Page 103 Section XV. F. 25.d.: Prohibits outdoor storage in connection with a warehouse. Prohibits public address systems. Note: this could prevent some common business types from locating in the town.

Rhetorical

- Page 104 Section XV. F. 28: States that all recreational vehicle/boat storage "shall be on a seasonal basis only, unoccupied and wholly within an enclosed structure (s)". Would this restriction be needed even in cases where the recreational vehicle is otherwise screened?

Rhetorical

- Page 104 Section XV. F. 30: Includes provisions for mass gatherings. Should be a separate law?

Right Rhetorical

- Page 106 XVI. Administration and Enforcement: Indicates that the "This Article provides for the administration and enforcement of this Zoning Law and New York State Uniform Fire Prevention and Building Code (the Uniform Code) and New York State Energy Conservation Code (the Energy Code). Note the Town has a separate law to enforce New York State Uniform Fire Prevention and Building Code (the Uniform Code) and New York State Energy Conservation Code (the Energy Code).

11

- Page 106 XVI.A.1: Provides for the ZEO's powers and duties. In addition to zoning, requires that ZEO enforce the Subdivision, Adult Use and Site Plan Review law. Note: these laws already provide for enforcement.

no!

- Page 109 XVI.A.7: This section seems to mix up the responsibilities of the ZEO and CEO, and the issuance of the zoning permit and building permit.

- Page 109 XVI.A.8: This section also mixes up the responsibilities of the ZEO and CEO, and the issuance of the zoning permit and building permit

- Page 109 XVI.B: This section also mixes up the responsibilities of the ZEO and CEO, and the issuance of the zoning permit and building permit. This section should provide for the issuance of the zoning permit, not the building permit.

Fixed

- Page 113 Section XVII.A.1: This section provides for a seven (7) member ZBA "in accordance with Article 16, Section 267". Note: Town Law Article 16, Section 267 (2) provides that a ZBA may have 3 or 5 members.

Rhetorical

- Page 120: Definition of Active Agricultural Land: Land under agricultural management. Need better definition.

- Page 121: Definition of Applicant: The persons, corporation, agency, or other legal entity responsible for submitting site applications for review by the Planning Board. This definition needs to be broadened to include other applications authorized by this law.

11

- Page 125: Definition of Cul-de-sac seems overbroad - includes any turnaround at the end of a street or road

Fixed

- Page 144: Definition of "Workforce Housing" notes to "See Moderately-Price Housing" but there is no definition of moderately priced housing.

deleted only place it's used is in definition

Disagree it's correct as is

- Page 145 Appendix A, Section C. Applicability notes that "These design standards shall be required for all development in the Town of Cairo that requires Site Plan review with the exception of agricultural uses and home occupations" but the next section, Section D is titled Design Standards for Non-

Residential Uses in All Districts. Since the Town's site plan review is applicable to some non-residential uses (i.e. multi-family uses) these two sections should be reviewed and reworded.

*Rhetorical -
codified*

- General comment on standards section: Some requirements duplicate what is already in other laws (Mobile Home, Telecommunications Tower, Noise). Other provisions would be better as separate laws (i.e. Mass Gathering). To provide for better organization, the town might consider codifying its laws.

Rhetorical

3. The Town should consider developing applicant instructions and other guidance documents to explain the new features of this law and the Town's expectations. Technical assistance and guidance should also be provided to local planning agencies to explain the new features of this law and how they should be implemented.

Rhetorical

4. The Town should also consider offering, or requiring, pre-application meetings to review the Town's requirements and expectations. For larger projects, the Town should consider involving county planning staff early on in the project at pre-application meetings and during the SEQR scoping process to insure that important countywide and inter-municipal concerns are addressed.

Write

5. We request that copies of all text and maps be provided to the Greene County Department of Economic Development, Tourism & Planning in both PDF and original digital formats (Word, GIS data layers, etc.) for archiving.

*Thanks!
OK*

6. Please note: An approval and/or local decision designation by the County Planning Board should not be construed as a recommendation that the referring agency approve the referral in question. An approval does not indicate that the County Planning Board has reviewed all local concerns; it indicates that the referral has met certain countywide considerations. Evaluation of local criteria is the responsibility of the referring agency.



TOWN OF CAIRO
PO Box 728, Cairo, NY 12413
Supervisor: 518 622 2060 Fax: 518 622 0553
Email: supervisor@townofcairo.com

FEEDBACK FORM FOR PROPOSED ZONING LAW DATED 8/12/13

(Copies of the Zoning Law & Map can be downloaded: www.townofcairo.com)

On August 12, 2013, the Town Board completed a comprehensive review of the Zoning Draft submitted by the Zoning Commission on July 7, 2011. You may submit feedback for specific sections & sub-sections of the Proposed Zoning Law using this form & attaching additional pages if necessary. You must cite the titles, sections, & sub-sections clearly & provide the information requested for your feedback to be evaluated.

Name: _____ **Date:** _____

Email: _____ **Phone:** _____

Address: _____

Tax Map ID No.(need this if you are commenting about a specific property or zone/map): _____

Business(if applicable): _____

Proposed Zoning Law Reference(s):

Page No. _____ **Title:** _____

Section: _____

Sub-section(s): _____

Comments: _____

Page No._____ **Title:**_____

Section:_____

Sub-section(s):_____

Comments:_____

Page No._____ **Title:**_____

Section:_____

Sub-section(s):_____

Comments:_____

Comments: It is my understanding that the intent of Cairo's proposed Zoning Law is to protect the rural beauty/personality of the town, and to establish guidelines that will foster appropriate commercial uses. A strategic balance of both will ensure Cairo's fiscal sustainability and growth. In the current proposed Zoning Map, Route 23 in Acra (and continuing West) is designated as Rural Residential 1. My question/concern with the current designation is that the Town might be inadvertently stunting any possibilities for growth in an area that naturally lends itself to mixed-use. Route 23 is a major state route with significant commercial traffic, and the stretch of Route 23 from the fork with 145 to the western town border is one that is already is home to several businesses. I wonder if establishing the properties with road frontage on State Route 23 as "mixed-use," but requiring a sufficient set-back, including mandated landscaping to maintain the existing treelines and views might best address the Town's goals?