

Town of Cairo
A Local Law Enacting Certain Changes to the Town of Cairo Zoning Law

Section 1. Authority.

This Local Law is adopted pursuant to sections 261-263 of the Town Law and Section 20 of the Municipal Home Rule Law of the State of New York, which authorize the Town to adopt zoning provisions that advance and protect the health, safety and welfare of the community, and in accordance with the Town of Cairo's Comprehensive Plan as adopted in 2004, and as may be updated from time to time.

Section 2. Legislative Intent.

It is the intent of this local law to amend the Town of Cairo Law, as the same may have been amended from time to time, in order to create a new C-II commercial-industrial district. The C-II commercial district would allow for the development of large or small scale commercial and industrial uses as in the existing C-I commercial-industrial district but would allow no residential uses. This local law would provide differentiation between the C-I and C-II commercial-industrial districts and would support economic development initiatives in the Town.

Section 3. Amendments

Amendment of Section II, ESTABLISHMENT OF ZONING DISTRICTS, A. Designation and Purpose of Zoning Districts.

Adding District 10. Commercial/Industrial (C-II):

This district allows for the development of large or small-scale commercial and industrial uses and is restricted against residential development.

This district is the previously designated Commercial/Industrial area, (C-I), that is located on the Northerly side of State Highway 23, opposite the most Easterly intersection of State Highway 23 and State Highway 32 in the Town of Cairo.

Amendment of Section IV Use Regulations, Tables 1 and 2

Adding C-II to each Table

The C-II District shall have the same non-residential uses as C-I, but shall have no Residential Uses allowed in the district.

Amendment of Official Zoning Map

The official zoning map shall be amended to reflect the above referenced new C-II District as described hereinabove.

Section 4. Severability

If any clause, sentence, paragraph, word, section or part of this law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof, directly involved in the controversy in which said judgment shall have been rendered.

Section 5. When Effective

This local law shall take effect immediately upon filing with the Secretary of State's office.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Town of Cairo Zoning Amendment			
Project Location (describe, and attach a location map): Town of Cairo, NY			
Brief Description of Proposed Action: An amendment to the Town Zoning Law to create a new zoning District to allow for and encourage commercial growth along the Route 23 corridor.			
Name of Applicant or Sponsor: Cairo Town Board		Telephone: (518) 622-3122 E-Mail: JWatts@townofcairo.com	
Address: PO Box 728			
City/PO: Cairo		State: NY	Zip Code: 12413
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
_____	<input type="checkbox"/>	<input type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
_____	<input type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
_____	<input type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Cairo Town Board</u> Date: _____ Signature: _____ Title: <u>Supervisor</u>		

Project: Cairo Zoning Amendment

Date: 11/15/23

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: **Cairo Zoning Amendmer**Date: **11/15/23**

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Cairo Town Board

Name of Lead Agency

Jason Watts

Print or Type Name of Responsible Officer in Lead Agency

Date

Supervisor

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM

Proposed Zoning Amendments Rev 2

Provided by Delaware Engineering

Public Hearing opened on July 19, 2023

Remains open

Town of Cairo

A Local Law Enacting Certain Changes to the Town of Cairo Zoning Law

Section 1. Authority.

This Local Law is adopted pursuant to sections 261-263 of the Town Law and Section 20 of the Municipal Home Rule Law of the State of New York, which authorize the Town to adopt zoning provisions that advance and protect the health, safety and welfare of the community, and in accordance with the Town of Cairo's Comprehensive Plan as adopted in 2004, and as may be updated from time to time.

Section 2. Legislative Intent.

It is the intent of this local law to amend the Town of Cairo Zoning law, as the same may have been amended from time to time, in order to update terminology, modify allowed uses, add new zone-specific standards for the C-I zone, enact other minor changes to correct cross-references and other textual issues, update zoning district boundaries, and make certain other changes. This local law would provide further differentiation between the CMU and C-I zones to support economic development initiatives in the Town. In addition, the zoning map would be amended to change the zoning designation of parcels generally along Route 23, Route 145, and Route 32 to CMU, with the exception of an area lying at and to the east and south of the intersection of Route 23 and Route 32, which would retain the C-I designation.

Section 3. Zoning Text Amendments.

Section 3.A.

Section II.A.7 is hereby repealed and replaced in its entirety as follows:

7. Commercial/Industrial (C-I):

This district allows for and encourages the development of large- or small-scale commercial and industrial uses. ~~This district recognizes that although residential,~~ including development requiring access to Route 23 as well as public water and sewer, that support the Town's economic development goals while taking advantage of our most important assets – our great scenic beauty and small town ambiance.

Section 3.B.

Section V.C is hereby repealed and replaced in its entirety as follows:

C. Front, Rear and Side Setback Requirements.

1. No structure, as defined by this law, shall be placed within the required setback distances set forth below, except as follows:

- a. Fences.
 - b. Retaining walls.
 - c. Mailboxes and newspaper delivery boxes.
 - d. Decorative and/or ornamental landscaping items.
 - e. Utilities.
 - f. Septic systems.
 - g. Storm water control measures.
 - h. Wells.
 - i. Driveways, walkways, and paved surfaces.
 - j. Any other structure required by statute.
2. All structures shall adhere to the minimum set-back distances as follows:
 - a. For the Hamlet-Cairo (HC), Main Street Downtown (MS) and Main Street Commercial (MS-COM) districts, the front, rear and side yard setback requirements shall be as follows:
 - [1] Front Setback: consistent with existing, surrounding structures.
 - [2] Side and Rear Setback: 15 feet minimum as measured from the property line
 - b. For the Commercial/Industrial (C-I) district, the front, rear and side yard setback requirements shall be as follows:
 - [1] Front Setback: 100 feet minimum as measured from the property line.
 - [2] Side Setback: 100 feet minimum as measured from the property line.
 - [3] Rear Setback: 50 feet minimum as measured from the property line.
 - [4] Front setback distances for lots with frontage on two or more public or private roadways or rights-of-way shall be 100 feet as measured from the property line.
 - [5] The minimum setback from any dwelling shall be 350 feet, as measured from the nearest wall of each structure.
 - c. For all other districts:
 - [1] Front Setback: 65 feet minimum as measured from the center of the roadway or right-of-way.
 - [2] Side and Rear Setbacks: 25 feet minimum as measured from the property line.
 - [3] Setback distances for lots with frontage on two or more public or private roadways or rights-of-way shall be 65 feet as measured from the center line of each such roadway or right-of-way.

Section 3.C.

A new Section V.E is hereby added as follows:

- E. Height Requirements.
 - 1. Performance standard: On hills or ridge tops, building heights should, to the extent practical, remain below the surrounding forest canopy level to maintain the tree line, or should be placed below the ridgeline to prevent disruption of the ridgeline.
 - 2. Maximum building height in the C-I Zone shall be 35 feet, provided that a building may be erected to a maximum height of 50 feet if it is set back from streets or from lot lines that do not constitute boundaries of districts with lower maximum height restrictions, in addition to each of the required minimum yard dimensions, a distance of not less than 1 foot for each 10 feet of height that it exceeds the 35-foot limit. No structure shall exceed the maximum building height. The Planning Board may require a visual impact analysis to demonstrate substantial conformance to the performance standard set forth in Section V.E.1 of this law.

Section 3.D.

Section VI.B.3. is hereby modified in order to correct a typographic error and to read as follows:

- b. Notwithstanding the provision of any other law to the contrary, the Planning Board shall not waive site plan review of any project upon any lot that borders or is within 100 feet of the mean high water level of the Shinglekill Creek. When conducting its review, the Planning Board shall ensure that the applicant's proposal provides for all the protections listed in paragraph a., above.

Section 3.E.

Section VII.B is hereby modified to add a new subsection three (3) as follows:

- 3. All existing buildings within this District which now or formerly contained a store front or other commercial use downstairs must continue to have a store front or commercial use on the downstairs level and may not be converted to a residential use on such downstairs level. The provisions set forth in this paragraph shall expire on December 31, 2021.

Section 3.F.

Section VII.C is hereby modified to as follows:

- 1. A permanent, year-round buffer, designed to reduce noise or other negative environmental impacts and provide a visual screen shall be provided for whenever a commercial use is adjacent to a residential use.
- 2. Auto Salvage Yards must conform to the following standards:

- a. all regulated and licensed operations must occur inside of a building; and
- b. no outdoor storage of auto junk is permitted.

Section 3.F.

Section VII.D is hereby repealed and replaced in its entirety with the following:

D. Commercial/Industrial (C-I):

1. To the extent practicable, existing tree and forested vegetation located along state highways shall be permanently maintained to act as a visual buffer and landscape element. In the discretion of the planning board, existing vegetation may comprise a portion or all of the required buffer area.
2. A permanent, year-round buffer, designed to provide the greatest degree of screening feasible and minimize visual contact between uses, creating a strong impression of total separation shall be provided for whenever a commercial or industrial use is adjacent to a residential use or district.
 - a. The buffer area width shall not be less than 25 feet and shall be situated between the property line and the proposed use.
 - b. The buffer shall consist of the following:
 - [1] Two rows of evergreen trees a minimum of 6 feet in height and planted at intervals of no greater than 20 feet on center. The trees must be backed by a sight obscuring fence, a minimum of 5 feet or higher, or the required width of the planting area must be increased by 10 feet, and
 - [2] Shrubs a minimum of 3-1/2 feet in heights planted in an area a strip at least 5 feet in width, and other plant materials, planted so that the ground will be covered within 3 years.
 - [3] Alternatively, the trees and shrubs may be planted on an earthen berm at least 15 feet in width and an average of 5 feet along its midline designed to provide a minimum opacity of 95%.
3. With respect to industrial uses, to the greatest extent practicable, the planning board shall ensure that the industrial use, buildings and structures are screened from public view by a permanent, year-round buffer designed to reduce noise and provide visual screening.
4. All industrial uses shall comply with the following performance standards established to promote a clean and attractive environment, protect the community from potential hazards, and prevent depreciation of property values. The following standards apply to industrial uses in the C-I district:
 - a. Site lighting should encourage safety and security while conserving energy and avoiding excessive lighting, glare, and light pollution over property lines or into the night sky. Lighting shall conform to the following standards:
 - [1] All lighting shall be full cut-off fixtures and shall be Dark Sky Compliant.
 - [2] The light level at the property boundary shall not exceed 0.1

- footcandle (fc)
- [3] The average maximum lighting level in parking areas shall not exceed 1 fc.
 - [4] The average maximum lighting level in high security areas shall not exceed 5 fc.
 - [5] The maximum height of lighting fixtures shall be 18 feet.
 - [6] Lighting may be required to be turned off after business hours.
 - [7] The Planning Board may require a photometric plan.
- b. Slopes. Development on slopes equal to or exceeding 20% is prohibited. To the maximum extent practical, development on slopes less than 20% but equal to or greater than 15% should be avoided.
 - d. The need for truck parking and rest facilities shall be considered.
 - [1] The Planning Board may require a truck trip generation study during site plan review.
 - [2] No truck parking facilities shall be placed within the required setback from dwelling units.
 - [3] Truck parking facilities shall be designed in order to minimize spillover of noise and light beyond the site boundaries. In order to mitigate spillover, the Planning Board may require installation of idle-reduction equipment, stationary power hookups, and similar technologies. The safety and security of truck parking facilities shall also be considered.
 - [4] For development of industrial parks, the Planning Board may require a coordinated truck parking strategy and the construction of shared truck parking facilities to serve developments within the industrial park, as appropriate.
 - [5] The Planning Board may require that applicants consider during site plan review implementing operational strategies, such as flexible delivery/pick-up times and off-peak deliveries, to mitigate congestion and ensure adequate truck parking.
 - e. All solid waste material, debris, refuse or garbage must be kept within an enclosed building or properly contained in closed or screened containers.
 - f. All ground level and rooftop mechanical equipment shall be screened by a principal structure, located away from the perimeter of the property, or screened by a visually solid fence, screen wall, parapet wall, or other visually solid screen and shall be constructed of materials consistent with the principal structure.
- 5. Principal building façades of data centers located in the C-I district shall avoid the use of undifferentiated surfaces. When a building has more than one principal façade, such principal building façades shall be consistent in terms of design, materials, details, and treatment.
 - 6. Auto Salvage Yards must conform to the following standards:
 - a. all regulated and licensed operations must occur inside of a building; and
 - b. no outdoor storage of auto junk is permitted.

Section 3.F.

Section X. Utilities is hereby modified as follows:

Section 3.F.1.

Section X.2.(a) is hereby modified to add the following sentence:

In order to achieve such balance, the maximum percentage of acreage within the town that may be utilized for Commercial Solar Generation Arrays at any point in time shall not exceed one half of one percent (0.005) of all lands within the Town of Cairo.

Section 3.F.2.

Section X.2.(b)(1) is hereby repealed and replaced in its entirety as follows:

- (1) Permitted Districts: Commercial solar arrays are only allowed in the Rural Residential (RR), Mountain Top (MT), Commercial/Industrial (C-I) and Commercial/mixed use (C-MU) districts.

Section 3.F.3.

A new subsection three (3) is hereby added to Section X.2.(b) as follows:

- (3) Design Limitations: No Solar Energy Generation Array shall be allowed in the Town of Cairo that is designed to generate more than 20 megawatts of power.

Section 3.F.4.

A new subsection is hereby added to Section X.2.(d)(3) as follows:

- [C] All ground mounted solar energy generation arrays shall be required to seed 20% of the total surface area of all solar panels on the lot with native perennial vegetation designed to attract pollinators. Owners shall develop, implement, and maintain native vegetation to the extent practicable pursuant to a vegetation management plan by providing native perennial vegetation and foraging habitat beneficial to game birds, songbirds, and pollinators. When establishing perennial vegetation and beneficial foraging habitat, the owners shall use native plant species and seed mixes.

Section 3.G.**Section 3.G.1.**

The following terms are hereby modified to read as follows:

Campground: A parcel of land upon which five or more campsites are located, established, or maintained for occupancy by camping units as temporary living quarters for recreation, education, or vacation purposes, but shall not include uses limited solely to the personal use of the owner.

Car Sales: The rental, lease, sale and/or resale of motor vehicles, new or used, but excluding heavy equipment.

Car Repair: The making of repairs to motor vehicles, their mechanical systems and/or their body structure, including painting, but excluding heavy equipment.

Industrial Property: Types of industrial property include, but are not limited to, factory-office multi-use property; factory-warehouse multi-use property; heavy manufacturing buildings; industrial parks; light manufacturing buildings; distribution centers; data centers; and research and development parks.

Traditional industrial uses include, but are not limited to, processing or manufacturing of materials; fabrication, assembly, treatment, or distribution of manufactured products or storage of bulk materials.

Section 3.G.2.

The following terms are hereby repealed in their entirety.

Junk Yard or Salvage Yard – The use of any land for the temporary or permanent storage of garbage, rubbish, clutter, litter, debris, junk appliances, junk furniture, junk material, or more than two junk vehicles regardless of the intended future use of materials. Junk yard shall also mean those activities defined in Cairo Local Law #6 of 1985 or any of its subsequent amendments.

Manufacturing: Any commercial process whereby the nature, size or shape of articles or raw materials are changed, or where articles are assembled or packaged in bulk quantity primarily for shipping or use off-site where there are the equivalent of more than 10 employees are normally employed.

Manufacturing, Light: A commercial, manufacturing enterprise or business that normally employs the equivalent of 10 or fewer full time employees.

Self-Storage: See Warehouse, Self-Storage.

Section 3.G.3.

The following new terms are hereby added to Section XVI.C as follows:

Auto Salvage Yard – The use of land to receive, decommission, process, dismantle, store, and recycle end-of-life vehicles and operate a vehicle dismantling facility as defined in and regulated under 6 NYCRR Part 361-7 and/or which must be licensed in accordance with General Municipal Law Section 136.

Beverage bottling, distribution and warehousing: Facilities combining several activities related to manufacturing beverages, such as soft drinks, bottled water and ice manufacturing, but excluding alcoholic beverage manufacturing.

Brewery, Large: An establishment where beer and malt beverages are made on the lot at an annual beer production rate in excess of 15,000 barrels. A large brewery may engage in ancillary sales of merchandise promoting the products produced thereby.

Business park: A tract of land that may provide for more than one type of commercial use, which is designed to be developed and maintained, through covenants and restrictions that run with the land, as a unit in order to provide for quiet, clean, well-maintained professional, administrative, research and design uses.

Contractor Yard: A lot or portion of a lot or parcel used to store and maintain construction equipment and other materials and facilities customarily required in the contractor's trade, but excluding storage of materials or equipment for on-site or off-site sale. May include an office use accessory to the contractor trade use.

Data Center: A facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer and/or network equipment, systems, servers, appliances and other associated components related to digital data operations. Such facility may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support sustained operations at a data center.

Data Center, Micro: A smaller data center with a size of up to approximately 10,000 square feet designed to be dispersed and located closer to end users and which are typically unstaffed and may be co-located with other uses or other utility infrastructure, such as utility poles or cellular towers.

Distribution center: An area and building where trucks load and unload cargo and freight, and where the cargo and freight may be transferred to other vehicles or modes of transportation. Storage facilities such as warehouses, incidental to the principal use, may also be part of a distribution center.

Fabrication Shop: A use involving the construction of machines, tools and structures from various raw materials. Fabrication shops generally concentrate on the metal preparation, welding and assembly aspects, while the machine shop is more concerned with the final assembly, fitting and finishing of the project. As used herein the term includes a machine shop and welding shop but excludes auto body repair shops.

Heavy Equipment: Large vehicles and/or equipment customarily used for transportation, distribution, construction activities, and the like.

Heavy Equipment, Rental, Sales, and Service: Facilities involving the rental, sales, and/or servicing of Heavy Equipment.

Industrial Park: A type of planned industrial environment for a variety of industrial and related activities in which special emphasis and attention are given to aesthetics and community compatibility. Subdivided and developed according to an enforceable master plan that includes detailed provisions for streets and all necessary utilities, the park provides serviced sites for a community of industrial and industry-oriented uses. Adequate control of the land, buildings and industrial operations is provided through zoning, private restrictions incorporated as legal requirements in deeds of sale or leases and the provision of continuing management, all for the purpose of assuring attractive and efficient uses within the park and the harmonious integration of the industrial area into the community in which it is located.

Junk Yard – The use of any land for the temporary or permanent storage of garbage, rubbish, clutter, litter, debris, junk appliances, junk furniture, junk material, or more than two junk vehicles regardless of the intended future use of materials. Junk yard shall also mean those activities defined in Cairo Local Law #6 of 1985 or any of its subsequent amendments. Junk yard shall not mean Auto Salvage Yard, as defined by this Chapter.

Machine Shop: An establishment utilized for the repair, servicing, assembly and/or modification of small motors and/or equipment and/or small parts used in connection with others to comprise large equipment.

Manufacturing, Large Scale: Any commercial process whereby the nature, size or shape of articles or raw materials are changed, or where articles are assembled or packaged in bulk quantity primarily for shipping or use off-site where there are the equivalent of more than 10 employees are normally employed.

Manufacturing, Small Scale: A commercial, manufacturing enterprise or business that normally employs the equivalent of 10 or fewer full time employees.

Materials Recovery, Reuse, and Recycling Facility: A publicly or privately operated fully-enclosed facility that receives recyclable materials for the purpose of sorting, handling, batching and baling prior to transferring to another facility.

Native Perennial Vegetation: Native wildflowers, forbs, and grasses that serve as habitat, forage, and migratory way stations for pollinators and shall not include any prohibited or regulated invasive species as determined by the New York State Department of Environmental Conservation.

Pollinator: Bees, birds, bats, and other insects or wildlife that pollinate flowering plants, and includes both wild and managed insects.

Principal Building Façade: All exterior building façades that are adjacent to public rights-of-way.

Storage, Equipment: Storage of commercial, industrial, or municipal equipment and vehicles not intended for resale as an accessory use to a Major Home Business, Commercial, Industrial, or Municipal Use.

Trucking and Freight Terminal: An area where cargo is stored and where trucks load and unload cargo on a regular basis.

Section 4. Zoning Text Amendments to “Appendix A, Schedule of Uses”

The Use Table included as Appendix “A” is hereby repealed and replaced in its entirety as follows:

APPENDIX “A”

Use	MS	HC	MS-COM	RR	MT	C-I	C-MU	M
P= Permitted Use B = Residential Requiring a Building Permit SU= Special use X= Prohibited	Main	Hamlet Cairo	Main Street Commercial	Rural Residential	Mountain Top	Commercial/Industrial	Commercial Mixed Use	Municipal
Residential Uses								
Single Family	B	B	B	B	B	X	B	X
Two Family	B	B	B	B	B	X	B	X

Multi- Family Including Condominiums, Townhouses and Senior Citizen Housing	SU	SU	SU	SU	SU	X	SU	X
Accessory Apartments	B	B	B	B	B	X	B	X
Home Occupation, Minor	B	B	B	B	B	X	B	X
Home Occupation, Major or any Home Occupation in Accessory Structure	B	B	B	B	B	X	B	X
Conversion of existing single family to two family dwelling	B	B	B	B	B	X	B	X
Guest Cottage	B	B	B	B	B	X	B	X
Manufactured Home	B	B	B	B	B	X	B	X
Manufactured Home Parks	X	X	X	X	X	X	SU	X
Customary Accessory Use	B	B	B	B	B	X	B	B
Non- Residential Uses								
Use	MS	HC	MS-COM	RR	MT	C-I	C-MU	M
P= Permitted Use SU= Special use X= Prohibited A = Permitted an accessory use	Main	Hamel et Cairo	Main Street Commercial	Rural Residential	Mountain Top	Commercial/Industrial	Commercial Mixed Use	Municipal
Agricultural uses outside of an Ag. District.								
crops	X	X	P	P	P	X	P	X
livestock	X	X	X	P	P	X	X	X

Agricultural uses within an Ag. District								
crops	P	P	P	P	P	P	P	P
livestock	P	P	P	P	P	P	P	P
Auto Salvage Yard	X	X	X	X	X	SU	SU	X
Bank	P	P	P	X	SU	X	P	X
Bar/ Tavern	P	SU	P	X	P	X	P	X
Bed and Breakfast Inn	P	P	P	P	P	X	P	X
Beverage bottling, distribution and warehousing	X	X	X	X	X	P	X	X
Brewery, Large	X	X	X	X	X	P	X	X
Business Park	X	X	X	X	X	P	X	X
Campground	X	X	X	SU	SU	X	SU	X
Camp, Seasonal	X	X	X	SU	SU	X	SU	X
Car Repair	SU	X	SU	X	X	SU	SU	X
Car Sales	SU	X	SU	X	X	SU	SU	X
Car Wash	SU	X	SU	X	X	A	SU	X
Contractor Yard	X	X	X	X	X	P	SU	X
Country Inn	P	P	P	SU	P	X	P	X
Data Center	X	X	X	X	X	P	X	X
Day Care Center or Nursery School	P	P	P	P	P	A	P	X
Distribution Center	X	X	X	X	X	P	X	X
Educational/ Training Facility	SU	SU	SU	SU	SU	SU	SU	X
Equipment Storage	SU	SU	SU	SU	SU	A	SU	P
Fabrication Shop	X	X	X	X	X	P	SU	X
Farm Markets	P	P	P	P	P	X	P	X
Farm Stands	P	P	P	P	P	X	P	X

Fuel Storage and Distribution Facility	X	X	X	X	X	P	X	P
Gas Station	X	SU	SU	X	X	X	SU	X
Heavy Equipment Rental, Sales, and Service	X	X	X	X	X	P	X	X
Horse Boarding	X	X	SU	P	P	X	P	X
Hotel	SU	SU	SU	X	SU	X	SU	X
Industrial Park	X	X	X	X	X	SU	X	X
Itinerant Vendor	SU	X	SU	X	X	X	SU	X
Junk Yard	X	X	X	X	X	X	X	X
Kennel	X	X	SU	X	X	X	SU	X
Use	MS	HC	MS-COM	RR	MT	C-I	C-MU	M
P= Permitted Use SU = Special use X = Prohibited Use A = Permitted an accessory use	Main	Haml et Cairo	Main Street Commercial	Rural Residential	Mounta in Top	Commerci al/Industri al	Commerci al Mixed Use	Municipal
Machine Shop	X	X	X	X	X	P	SU	X
Manufacturing, Large Scale	X	X	SU	X	X	P	X	X
Manufacturing, Small Scale	SU	X	SU	X	SU	P	SU	X
Materials Recovery, Reuse, and Recycling Facility	X	X	X	X	X	SU	X	X
Membership Club	SU	SU	SU	SU	SU	X	SU	X
Mass Gathering (2,500 or more at any one time.)	SU	SU	SU	SU	SU	X	SU	SU
Mine	X	X	X	SU	SU	SU	X	P
Multi-Occupancy Building	SU	SU	SU	SU	SU	SU	SU	X
Municipal Use	P	P	P	P	P	P	P	P
Mortuary/ Funeral Parlor	P	P	P	SU	SU	X	P	X

Office Building (> 10,000 Square feet)	P	P	P	SU	SU	P	P	P
Office Building (<10,000 square feet)	P	P	P	X	SU	P	P	P
Propane Storage or Distribution	X	X	X	X	X	SU	SU	X
Public Utility	P	P	P	X	X	P	P	P
Recreational Business, indoor	P	P	P	SU	SU	X	P	X
Recreational Business, outdoor	SU	SU	SU	SU	SU	X	SU	X
Recreational Vehicle/Boat Storage	X	X	X	X	X	P	P	X
Religious Structures	P	P	P	P	P	SU	P	X
Research Laboratory	SU	SU	SU	X	X	P	SU	X
Restaurant	P	P	P	X	SU	X	P	X
Retail Business > 4,000 Square feet	SU	SU	SU	X	SU	X	SU	X
Retail Business < 4,000 Square feet	P	P	P	X	SU	X	P	X
Scrap Yard	X	X	X	X	X	SU	SU	X
Self-storage structures	X	X	SU	X	X	SU	SU	X
Service Business, with no customers at site	P	P	P	P	P	X	P	X
Service Business, with customers at site	P	P	P	SU	SU	X	P	X
Timbering*	P	P	P	P	P	P	P	P
*If clear cutting 15,000 square feet or more you need a site plan								
Use	MS	HC	MS-COM	RR	MT	C-I	C-MU	M
P= Permitted Use SU = Special use	Main	Hamlet	Main Street	Rural Residenti	Mounta in Top	Commerci al/Industri	Commerci al Mixed	Municipal

X = Prohibited Use A = Permitted as an accessory use		Cairo	Commercial	al		al	Use	
Tourist Resort/Spa	SU	SU	SU	X	SU	X	SU	X
Trucking and Freight Terminal	X	X	X	X	X	P	X	X
Veterinary Hospital with Boarding Facility	X	X	X	X	X	X	SU	X
Veterinary Hospital, No Outdoor Boarding Facility	P	P	P	SU	SU	X	P	X
Warehouse	P	P	P	X	X	P	P	X
Wind Tower Private	P	P	P	P	P	P	P	P
Wind Tower Commercial	X	X	X	X	X	X	X	X
Solar Array Private	P	P	P	P	P	P	P	P
Solar Array Commercial	X	X	X	SU	SU	SU	SU	P
Adult Uses as defined in Section 4 of Local Law #3 of 2006	Allowed only in Adult Use District specified in Section 6 of Local Law #3 of 2006 (Adult Uses) and permitted as a Special Use. All requirements of Local Law #3 of 2006 shall be met.							X

Section 5. Zoning Map Amendments.

The Official Zoning Map, adopted on or about June 6, 2017, is hereby repealed and replaced in its entirety with the Amended Zoning Map included as Exhibit A, which is attached hereto and made a part hereof.

Section 5. Severability.

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

Exhibit A

Amended Zoning Map

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]
 Project : Town of Cairo - Zoning Amendments
 Date : 8/16/2023

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

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

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “Yes” to a numbered question, please complete all the questions that follow in that section.
- If you answer “No” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>				<input checked="checked" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>		
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input type="checkbox"/>		
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input type="checkbox"/>		
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>		
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>		
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☒ NO

☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☒ NO

☐ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

1. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
----------------------------------	--	--------------------------	--------------------------

4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
----------------------------------	--	--------------------------	--------------------------

6. Impacts on Air

The proposed action may include a state regulated air emission source.

(See Part 1. D.2.f., D.2.h, D.2.g)

If "Yes", answer questions a - f. If "No", move on to Section 7.

☒ NO

☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.)

If "Yes", answer questions a - j. If "No", move on to Section 8.

☒ NO

☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)

☒ NO

☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i> <div style="text-align: right;"> <input checked="checked" type="checkbox"/> NO <input type="checkbox"/> YES </div>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i> <div style="text-align: right;"> <input checked="checked" type="checkbox"/> NO <input type="checkbox"/> YES </div>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>				<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>		
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>		
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>		

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>				<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>		
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>		

13. Impact on Transportation
The proposed action may result in a change to existing transportation systems. ☒ NO ☐ YES
(See Part 1. D.2.j)
If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy
The proposed action may cause an increase in the use of any form of energy. ☒ NO ☐ YES
(See Part 1. D.2.k)
If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The 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 commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

15. Impact on Noise, Odor, and Light
The proposed action may result in an increase in noise, odors, or outdoor lighting. ☒ NO ☐ YES
(See Part 1. D.2.m., n., and o.)
If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

☒ NO

☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.
(See Part 1. C.1, C.2. and C.3.)

☒ NO

☐ YES

If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.
(See Part 1. C.2, C.3, D.2, E.3)

☒ NO

☐ YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

PRINT FULL FORM

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The proposed action is limited to adoption of a local law by the Town of Cairo Town Board to enact certain changes to the Town's Zoning Law and Zoning Map.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☒ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1 ☒ Part 2 ☒ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

Proposed zoning text and map amendments

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Town Board of the Town of Cairo as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Town of Cairo - Zoning Amendments

Name of Lead Agency: Town Board of the Town of Cairo

Name of Responsible Officer in Lead Agency: Jason Watts

Title of Responsible Officer: Town Supervisor

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer) Adam Yagelski

Date:

8/1/2023

For Further Information:

Contact Person: Kim Weiss

Address: PO Box 728 Cairo, NY 12413

Telephone Number: 518-622-3120 ext. 114

E-mail: kweiss@townofcairo.com

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>















PRINT FULL FORM

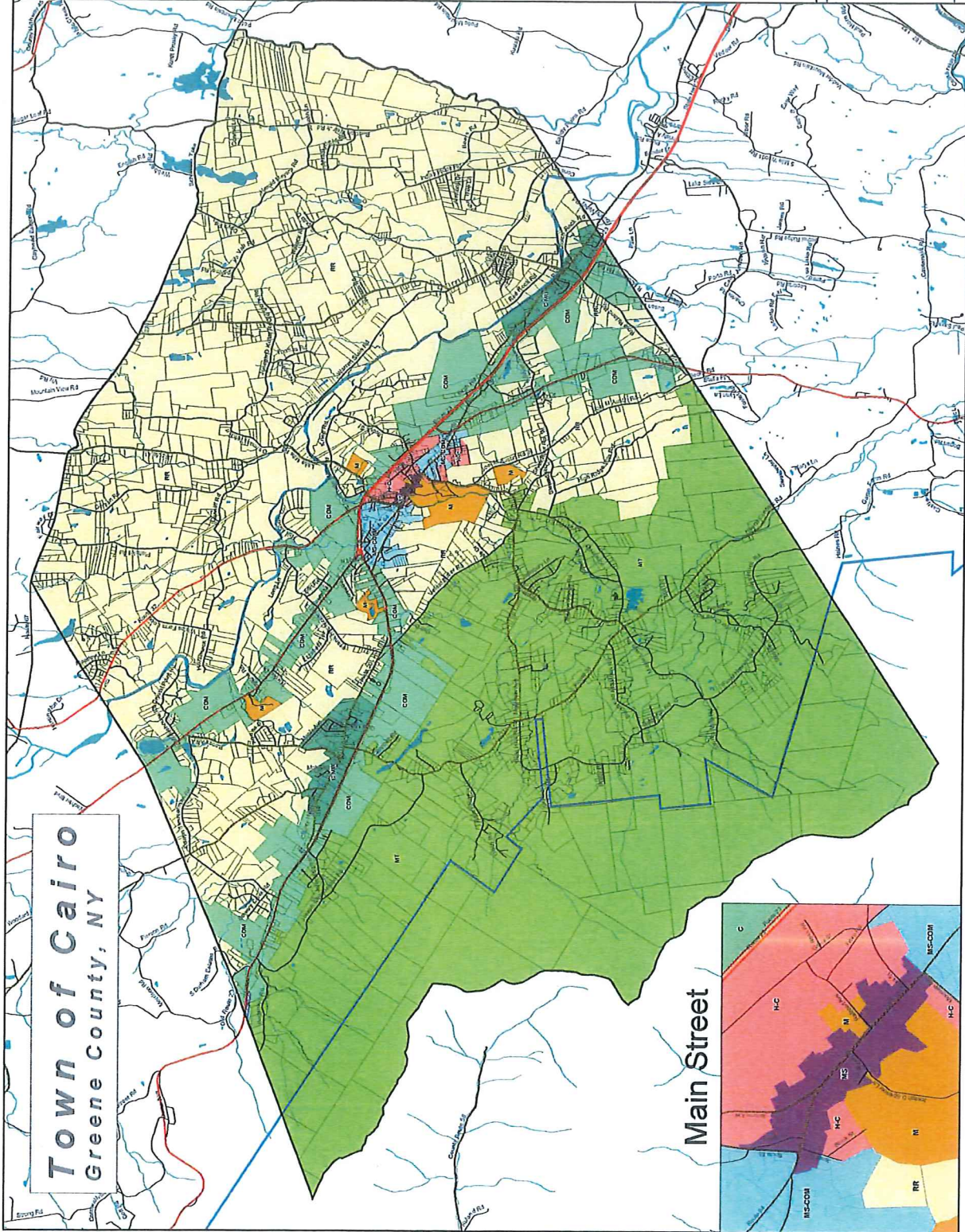
Existing Official Zoning Map

Official Town of Cairo Zoning Map

Adopted June 6, 2017

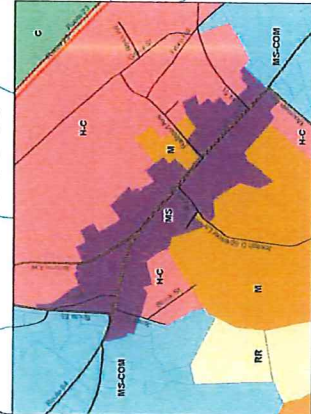
Legend

-  Town Boundary
-  Catskill Park Boundary
-  Property Boundaries
-  Water
-  Streams
- Zoning Districts**
- Hamlet Districts**
-  H-C: Hamlet - Cairo
-  MS: Main Street
- Commercial/Industrial Use Districts**
-  COM: Commercial
-  CMI: Commercial Mixed Use
-  MS-COM: Main Street Commercial
- Residential Districts**
-  RR: Rural Residential
-  MT: Mountain District
- Other Districts**
-  MT: Municipal
-  Adult Use Designated Area



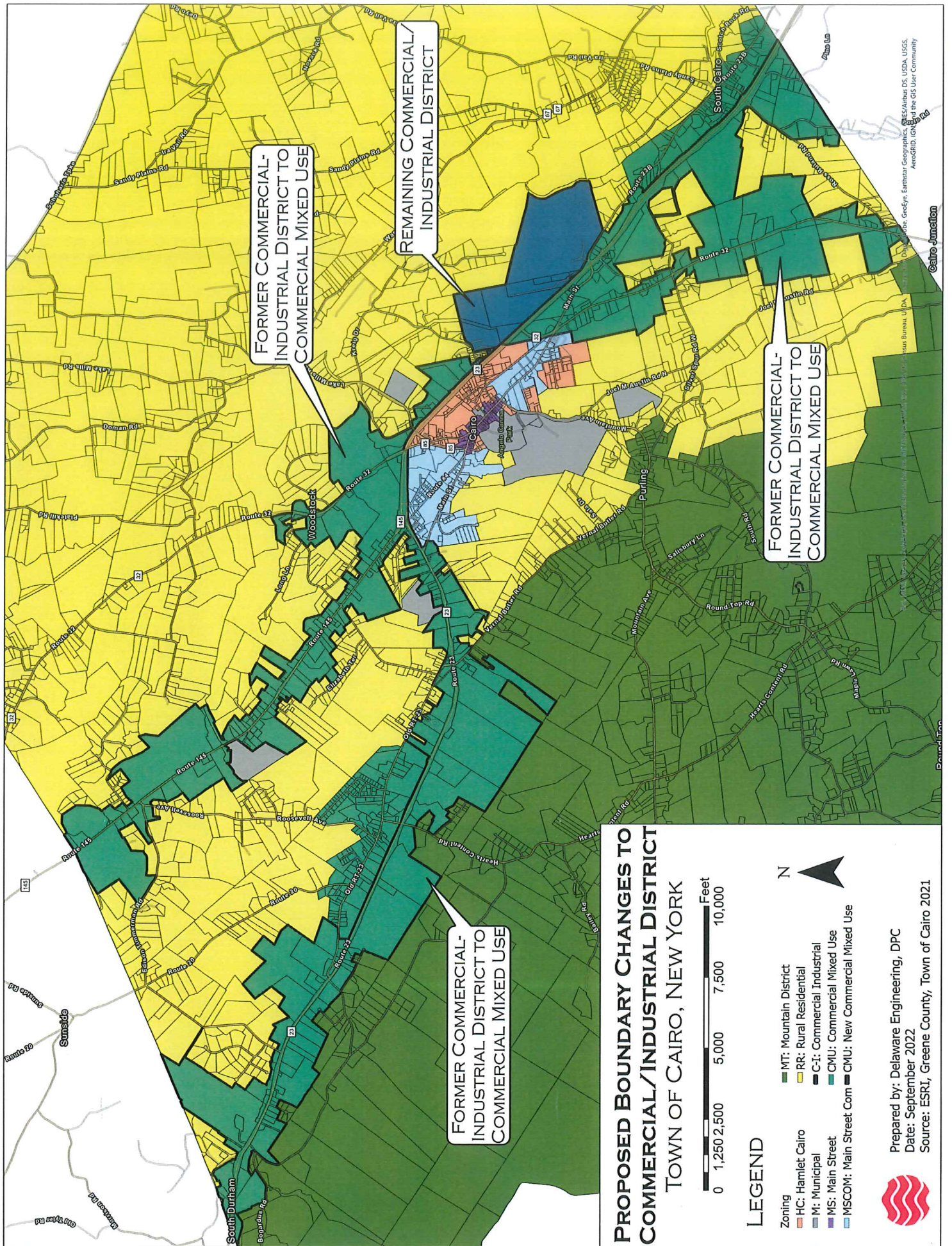
Town of Cairo
Greene County, NY

Main Street

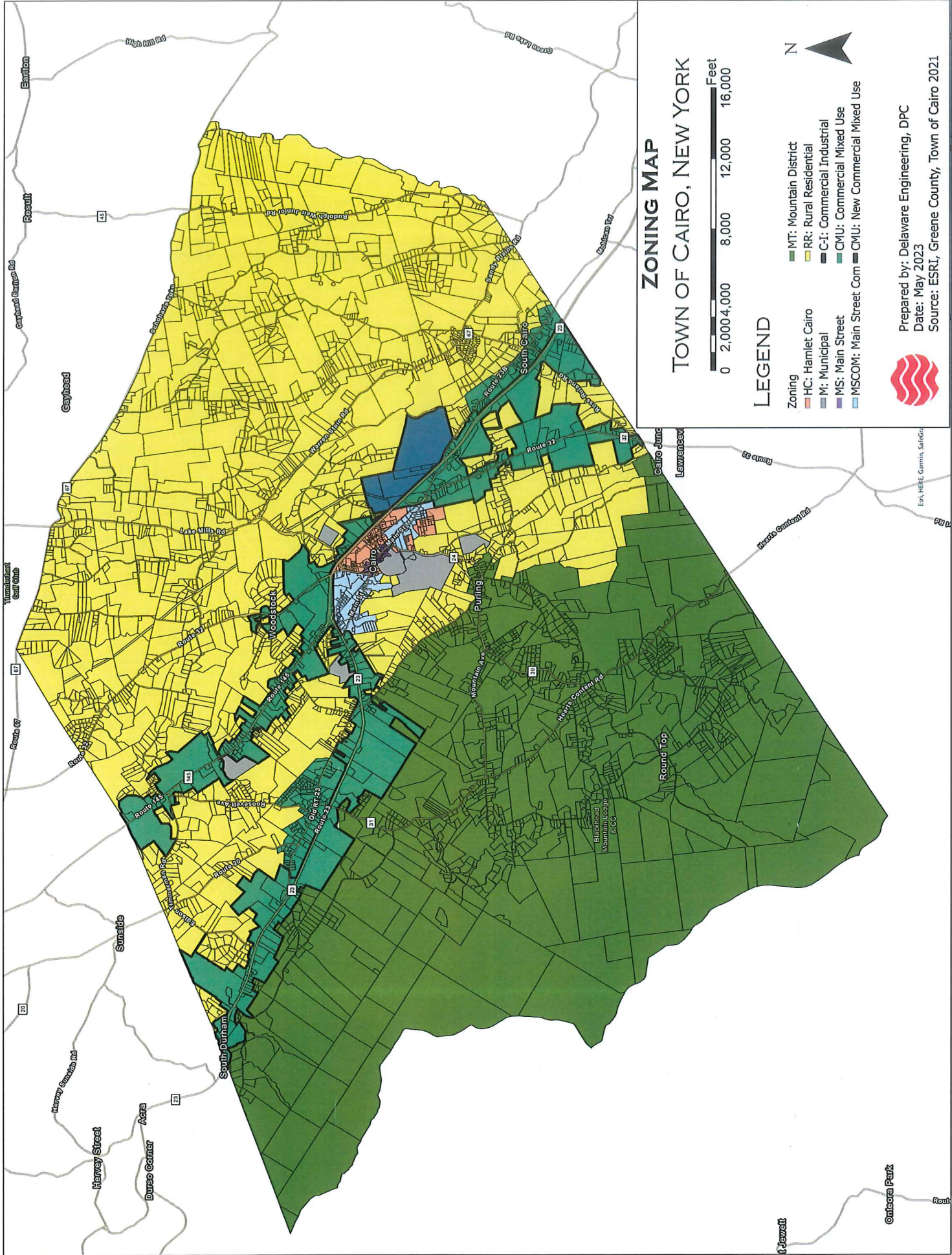


Don Metz
Planning and GIS
P.O. Box 205 - 1503 Route 9
Catskill, NY 12015
Office: 518-799-5412
Home: 518-799-5412
Mobile: 518-799-4005
www.donmetz.com

Proposed Zoning Map Changes



Proposed Official Zoning Map



ZONING MAP

TOWN OF CAIRO, NEW YORK

0 2,000 4,000 8,000 12,000 16,000 Feet

LEGEND

- Zoning
- MT: Mountain District
 - HC: Hamlet Cairo
 - M: Municipal
 - MS: Main Street
 - MSCOM: Main Street Com
 - RR: Rural Residential
 - C-1: Commercial Industrial
 - CMU: Commercial Mixed Use
 - CMU: New Commercial Mixed Use



Prepared by: Delaware Engineering, DPC
Date: May 2023
Source: ESRI, Greene County, Town of Cairo 2021