

At a Special Meeting of the
Town Board of the Town of
Schoharie held on
December 28, 2015 at 6:00 p.m.

RESOLUTION OF THE
TOWN BOARD FOR THE
TOWN OF SCHOHARIE
In the Matter of the Adoption of
Local Law No. 3 of 2015
(Introductory Version No. 2)
for the Town of Schoharie
Enacting a New Town-Wide
Zoning Law and Zoning Map

WHEREAS, the Town Board of the Town of Schoharie is desirous of appropriately planned growth in the Town of Schoharie; and

WHEREAS, a Comprehensive Plan, which is a statutorily recognized instrument under Town Law § 272-a for the immediate and long-range protection, enhancement, growth and development in a town was duly adopted by the Town Board in 1997 and reviewed by the Town Board in December, 2014; and

WHEREAS, the Town of Schoharie retained the services of professional consultants to assist with and prepare a draft land use law; and

WHEREAS, members of the Town Board met regularly to review and develop the draft land use law; and

WHEREAS, the Town Board has reviewed and considered the Proposed Local Law No. 3 of 2015 (Introductory Version No. 1), and

WHEREAS, the Town Board duly forwarded the proposed Local Law to the Town Planning Board and the Schoharie County Planning and Development Agency for their review and comment;

WHEREAS, the Town Board, with the assistance of its consultant summarized, reviewed and considered comments received from the public, Town Planning Board and the Schoharie County Planning and Development Agency; and

WHEREAS, the Town Board agreed with a variety of the comments and the Local Law was revised to address certain comments; and

WHEREAS, a list of the changes were summarized for the Town Board in a memorandum

dated December 1, 2015 and entitled "Proposed Introductory Local Law No. 3 of 2015 (Introductory Version #2) A Local Law Adopting a New Town-Wide Zoning Law and Zoning Map Summary of Changes"; and

WHEREAS, the Town Board has conducted a public hearing on Proposed Local Law No. 3 of 2015 at a duly noticed public meeting held on December 9, 2015; and

WHEREAS, the Town Board continued the public hearing at a special Town Board meeting which was held on December 28, 2015; and

WHEREAS, the Town Board, with the assistance of its consultant summarized, reviewed and considered the public comments received on the Local Law as well as those comments received from the Town Planning Board and the Schoharie County Planning and Development Agency; and

WHEREAS, the proposed Local Law (Introductory Version 2) was transmitted to the Town Board on December 8, 2015 and has been before the Board for the requisite period of time; and

WHEREAS, the Town Board has duly considered the proposed Local Law; and

WHEREAS, the Town Board has determined that the proposed Local Law including the uses, accessory uses and special permit uses in each district are in the best interests of the health, safety and welfare of the Town; and

WHEREAS, the Town Board of the Town of Schoharie has caused to be prepared a Full Environmental Assessment Form (FEAF) pursuant to the mandates of the State Environmental Quality Review Act (ECL Article 8 and 6 NYCRR Part 617); and

WHEREAS, the Town Board has duly considered the contents of the FEAF and completed Parts 2 and 3 thereof; and

WHEREAS, the Town Board has identified the relevant areas of environmental inquiry and taken a hard look at them; and

WHEREAS, the Town Board has issued a negative declaration under SEQRA thereby complying with the mandates of the State Environmental Quality Review Act;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE
TOWN BOARD OF SCHOHARIE, SCHOHARIE COUNTY, NEW YORK:

THAT THE Town Board of the Town of Schoharie hereby determines that Proposed Local Law No. 3 of 2015 ("Introductory Version No. 2"), attached hereto and made a part hereof, is hereby adopted as the Zoning Law of the Town of Schoharie; and

IT IS FURTHER RESOLVED that the map attached hereto shall have the word "draft" removed and is hereby adopted as the Official Zoning Map of the Town of Schoharie; and

IT IS FURTHER RESOLVED, that the Town Clerk and the Attorney for the Town are hereby directed to take such actions as are necessary to implement this resolution.

Town Board Member *TAVENNER* so moved; Town Board Member

Brisley Seconded, and the Town Board voted as follows:

Town Board Member Tavenner	<i>Aye</i>
Town Board Member Brisley	<i>Aye</i>
Town Board Member Schultz	<i>Aye</i>
Supervisor Milone	<i>Aye</i>

STATE OF NEW YORK }
COUNTY OF SCHOHARIE }
TOWN OF SCHOHARIE }

I have compared the preceding copy with the original Resolution on file in this office adopted by the Town Board of Schoharie at a special meeting held December 28, 2015, and I DO HEREBY CERTIFY the same to be a correct transcript therefrom and of the whole of the original.

I further certify the vote thereon was as follows:

MEMBERS PRESENT	MEMBERS ABSENT	VOTE
<i>TAVENNER</i>	<i>Ø</i>	<i>Aye</i>
<i>Brisley</i>		<i>Aye</i>
<i>Schultz</i>		<i>Aye</i>
<i>Milone</i>		<i>Aye</i>

Witness my hand and the seal of the Town of Schoharie, this 28 day of December, 2015.

Pamela Foland

PAMELA FOLAND, TOWN CLERK
TOWN OF SCHOHARIE