

MARCH 11, 2009

A regular meeting of the Madrid Town Board was called to order at 4:30 pm in the Town Office.

Members present: William Carkner, Tony Cooper, Kevin Finnegan, Tim Thisse, David Fisher, Chet Tyndall – Hwy Supt and Judy Hargrave – Town Clerk.

Also present: Alan Finnegan, Kim Bisonette, Aaron Jarvis, Mike Crowe, Jeff Gilson, Garnet Beckstead and Tammy Hawkins.

Aaron Jarvis gave the board an update on the sewer project . He also stated that because of the stimulus package that the Town apply for funding through the NYS Clean Water State Revolving Fund program.

David Fisher made a motion, second by Tony Cooper authorizing the Supervisor to sign any paperwork associated with the application and to submit the application. All were in favor.

Garnet Beckstead is interested in having a winter festival in Madrid next year and wondered what the Town Board thought about it. The Board thought it was a good idea.

Communications: A letter was received from the State Office of Real Property Tax Services stating that the equalization rate will be 100%.

A letter was received from the County Treasurer's Office asking what the Town was setting for a second notice fee this year.

Kevin Finnegan made a motion, second by David Fisher to set the second notice fee at \$2.00. All were in favor.

A letter was received from the State DOT stating that they are reducing the speed limit to 45 mph from the intersection of state highway 345 to a point 0.5 miles south towards Chase Mills.

The Supervisor presented the board with a copy of the monthly report.

The Board reviewed the monthly bills. Tony Cooper made a motion, second by David Fisher to pay the monthly bills. General #72-105 in the amount of \$8,928.40, Highway #33-41 for \$8,174.10, Water #19-25, for \$1,586.65, Sewer #10-11 for \$1,866.82 and Light #3 for \$1,356.97. All were in favor.

Jeff Gilson reported that he had issued three building permits this year so far. The Board discussed inspecting the boarding houses in Town with Jeff. Mike Crowe will work with Jeff on this matter.

Chet Tyndall: DT Construction gave Chet an estimate for materials to fix the garage wall of \$2,413.00 with the highway crew to do the actual work. Kevin Finnegan made a motion, second by Tim Thisse to purchase the material through DT Construction for \$2,413.00. All were in favor.

The State DOT engineer from Watertown gave an update on the bridge project. The bids are to be let out in June and the bridge is supposed to be open in December 2009. They are also planning on paving North Street this summer.

Old Business: Tim Thisse made a motion, second by Kevin Finnegan to have a public hearing on Local Law #1 of 2009 entitled a local law providing for the establishment of comprehensive zoning regulations governing the location, density and characteristics of permitted land uses through the delineation of zoning districts in accordance with the Town plan; and providing for uniform administration and enforcement, including penalties for the violation thereof on April 8, 2009 at 6 pm in the Town Office. All were in favor.

David Fisher made a motion, second by Tim Thisse to adopt a negative declaration revising the zoning law of the Town of Madrid. Roll call vote as follows: David Fisher – Aye, Tim Thisse – Aye, Tony Cooper – Aye, Kevin Finnegan – Aye and William Carkner - Aye

***Negative Declaration
Local Law
Revising the Zoning Law of the Town of Madrid***

The Town of Madrid Board Members have considered the revision of the Local Law of the Town governing the Zoning in the Town of Madrid by the repeal of the existing Local Law No. ____ of 1973 and the enactment of a new Local Law No. ____ of 2009, containing revisions and amendments to the law and zoning map of the Town to bring the local law up to date in light of changes in the Town since the passage of the 1973 law. The Town Board hereby issues a Negative Declaration for the repeal and enactment of the local laws. It is therefore,

RESOLVED, that pursuant to 6 NYCRR §617.12(a):

1. These findings have been prepared in accordance with Article 8 of the Environmental Conservation Law.

The Town of Madrid, New York is the lead agency. Its address is 3529 CR 14, Madrid, New York 13660 (315-322-5760).

3. The name, address and telephone number of the person who can provide additional information is Judy Hargrave, Town Clerk, 3529 CR 14, Madrid, New York 13660 (315-322-5760). Information may also be obtained from William Carkner, Town Supervisor (315-322-5760). Information may also be obtained from Dan McGrath, Chairman of the Town of Madrid Planning Board (315-322-5760).
4. The action undertaken is the revision of the Zoning Law of the Town of Madrid by repeal of Local Law No ____ of 1973 and the enactment of Local Law _____ to update the Local Law in light of current conditions and changes in Town of Madrid and the development of new technologies since the original drafting of the existing local law in 197____, including adjusting the location and boundaries of certain zoning districts and amendments to the zoning map.
5. The *SERA* classification of this action is "*Type 1*", in accord with 6 NYCRR §617.4(b)(9).¹ A Full Environmental Assessment Form (*EAF*) has been filed with the Town Board, and it is further

A "Type I" action includes the adoption of changes in the allowable uses within any zoning district affecting 25 or more acres of the district." See §617.4(b)(2).

RESOLVED, that the Town of Madrid Council Members makes the following findings, with respect to the criteria identified by 6 NYCRR §61 7.7(c):

1. Is it reasonably anticipated that the action will result in a substantial adverse change in existing air quality, ground or surface water quality, traffic or noise levels; a substantial increase in solid waste production; or a substantial increase in potential for erosion, flooding, leaching or drainage problems? 6 NYCRR §61

7.7(c)(1)(i).

No significant adverse effects pertaining to this issue have been identified. The changes to the Zoning Law retain the requirements of the law intended to regulate various uses and protect against activities that would create a substantial adverse change in the areas of concern noted above. The change in the zoning map adds an area for commercial development along a highway corridor that has been substantially upgraded by the State. The overall rural and agricultural character of the Town is not adversely affected by the addition of this commercial zone.

2. Is it reasonably anticipated that the action will result in the removal or destruction of large quantities of vegetation or fauna; substantial interference with movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources? 6 NYCRR §617.7(c)(1)(ii).

No significant adverse effects pertaining to this issue have been identified. The enactment of the revised law in and of itself does not cause any of the actions noted above. The retention of the overall character of the Town as expressed in the proposed local law will maintain the natural resources noted above.

3. Is it reasonably anticipated that the action will result in the impairment of the environmental characteristics of a critical environmental area as designated pursuant to 6 NYCRR §617.14 (g) and 6 NYCRR §617.7(c)(1)(M).

There are no designated critical environmental areas identified within the Town.

4. Is it reasonably anticipated that the action will result in the creation of a material conflict with a community's current plans or goals as officially approved or adopted? 6 NYCRR §617.7(c)(1)(iv).

There will be not conflict with the community's current plans or goals as the Zoning Law as proposed was developed after a long period of study and public consultation by the Planning Board and is is the most current expression of the community plans and goals

5. Is it reasonably anticipated that the action will result in the impairment of the character or quality of important historical, archeological, architectural, or

aesthetic resources or of existing community or neighborhood character? 6 NYCRR §617.7(c)(1)(v).

There is not impairment of the community attributes noted above. The addition of the commercial zones are in locations that have not had those attributes associated with them in the past as they are on large (for the area) thoroughfares lacking any of the above attributes.

6. Is it reasonably anticipated that the action will result in a major change in the use of either the quantity or type of energy? 6 NYCRR §617.7(c)(1)(vi). No significant adverse effects pertaining to this issue have been identified. The commercial areas created are not suited for heavy industrial development that would result in major increases in the use of energy.

7. Is it reasonably anticipated that the action will result in the creation of a hazard to human health? 6 NYCRR §617.7(c)(1)(vii).
The passage of the local law will not create a hazard to human health as all safeguards now in the zoning law will be carried forward.

class=Section3>

8. Is it reasonably anticipated that the action will result in a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses? 6 NYCRR §617.7(c)(1)(viii).

It is not anticipated that such changes will occur as a result of the adoption of the proposed law. The new zoning map changes some open space land to agricultural and adds some commercial zones along existing major thoroughfares. The inclusion of more commercial zoning is not in an area that is conducive to open space and recreational resources. The large area of the Town devoted to agricultural use and open space remain. Much of the Town's recreational resources are related to the river corridor with remains available for recreation and the farmland and open space used for hunting and snowmobiling, all of which remain available under the new map.

9. Is it reasonably anticipated that the action will result in the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such a place absent the action? 6 NYCRR §617.7(c)(1)(ix).

10. Is it reasonably anticipated that the action will result in the creation of a material demand for other actions that would result in one of the above consequences? 6 NYCRR §61 7.7(c)(1)(x).

It is not so anticipated. Any other actions that may result from the changing of the zoning map will be regulated by the law to minimize or avoid the above consequences on a project by project basis. The passage of the proposed law will not of itself cause a material demand for such actions.

11. Is it reasonably anticipated that the action will result in changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment? 6 NYCRR §61 7.7(c)(1)(xi). The passage of the proposed law itself will not directly result in any changes to elements of the environment. Any actions taken in the future will be governed by the provisions of the law which are designed to deal with projects which singly or in combination result in substantial adverse impact on the environment.

12. Is it reasonably anticipated that the action involves two or more related actions undertaken, funded or agency, none of which has a significant impact on the environment, but when considered cumulatively or more of the subdivision. 6 NYCRR §61 7.7(c)(1)(xii).
- | | | |
|---------------------------------|-------|------------------|
| Town Supervisor William Carkner | Voted | approved by an |
| Council Member Tim Thisse | Voted | which has or |
| Council Member Tony Cooper | Voted | significant |
| Council Member Kevin Finnegan | Voted | environment, but |
| Council Member David Fisher | Voted | considered |
| | | would meet one |
| | | criteria in this |
| | | NYCRR |

The passage of the proposed local law is only a single action. There are not any other actions pending before the agency which when combined with the passage of the proposed local law would meet one or more of the criteria considered by the Town and noted above.

In its assessment, the Town of Madrid has considered the balance between the protection and enhancement of the environment, human and community resources, and social and economic considerations, and has identified no substantially adverse environmental impacts associated with the adoption of the proposed new zoning local law. The Supervisor is authorized to sign this Negative Declaration, as adopted by this Resolution.

The question of the adoption of the foregoing resolution was duly put to a vote, which resulted as follows: The resolution of Negative Declaration is hereupon declared duly adopted.

New Business: Tony Cooper made a motion, second by Kevin Finnegan to pay Seaway Abstract \$475.00 for an abstract of the sewer plant property. All were in favor. Mike Crowe could not find anything stating that the Town actually owns the property or has a right of way for the location of the lift station on County Route 14 by the old Agway property. He will continue looking into this matter.

Tim Thisse gave an update on the youth budget, Sherry Delosh would like permission to take a bus to SUNY Potsdam swimming this Spring. The Board approved.

David Fisher made a motion, second by Tim Thisse to approve the minutes of the previous meeting. All were in favor.

Tony Cooper made a motion, second by David Fisher to adjourn. Meeting adjourned at 6:05 pm.

Judy Hargrave, Town Clerk