

RESOLUTION NO. 32 OF 2011
TOWN OF CLAYTON
A RESOLUTION APPROVING AMENDMENT NO. 32 TO THE TOWN OF
CLAYTON ZONING ORDINANCE
MARCH 9, 2011

Title: A resolution approving Amendment No. 32 to the Town of Clayton Zoning Ordinance.

At a meeting of the Town Board of the Town of Clayton held at the Town Offices, 405 Riverside Drive, Clayton, New York 13624, on the 9th day of March, 2011, at 5:00 PM prevailing time:

The meeting was called to order by Supervisor Taylor and upon roll being called the following were:

PRESENT: Justin A. Taylor, Supervisor
George E. Kittle, Councilman
Robert W. Cantwell, III, Councilman
Christopher E. Matthews, Councilman

ABSENT: Lance Peterson, Councilman

WHEREAS, at a meeting of the Town Board held on November 8th, 2010 an Amendment to the Town Zoning Ordinance was proposed to amend the Zoning Map to change a portion of the Marine-Residential District in Spicer Bay to Marine-Development, and also to modify Article V-district Regulations, Schedule A-Use Restrictions Cont., and by motion duly made, seconded and unanimously approved, this Board scheduled a public hearing to consider such Amendment for December 29, 2010, at 5:30 PM; and rescheduled the continuation of the Public Hearing to February 9, 2011, at 5:30 PM, and

WHEREAS, notice of the public hearing was duly published and posted as required by law and served upon all adjoining municipalities and other state and local agencies as required by Section 264 of the Town Law. The Public Hearing was opened at 5:30 PM on December 29, 2010 and reconvened on February 9, 2011, at 5:30 PM to

consider the proposed Amendment, and all persons interested therein were provided an opportunity to be heard, and

WHEREAS, the Town Board of the Town of Clayton on February 9, 2011 reviewed Parts I, II, & III SEQRA “full” assessment form, as prepared by the Town Engineer, reviewed and read a draft Negative Declaration – Notice of Determination of Non-Significance as prepared by counsel to the Town Board and reviewed the criteria for determining significance of an action set for the at 6NYCRR§617.7(c), and accepted all portions and duly adopted the Negative Declaration – Notice of Determination on Non-Significance, and

WHEREAS, the Town Board of the Town of Clayton had duly published in the February 20, 2011 Environmental Notice Bulletin (ENB) the Negative Declaration Notice of Determination of Non-Significance.

NOW, THEREFORE, be it resolved by the Town Board of the Town of Clayton as follows:

1. The proposed Amendment was referred to the Jefferson County Planning Board following its introduction on December 9, 2010, pursuant to Section 239-m of the General Municipal Law.
2. The Jefferson County Planning Board conducted a review of the proposed Amendment at it’s regular monthly meeting held December 28, 2010, and has commented that New York State Law requires all zoning amendments be made in compliance with a Comprehensive Plan.
3. This Board has considered the comments from the public and the comment addressed by the Jefferson County Planning Department and hereby determines that the Amendment to the Zoning Ordinance is consistent with the Town’s Comprehensive Plan and is in the best interest of the Town of Clayton as it provides for an expanded area to the Marine-Development District by virtue of a Zoning Map Amendment and eliminates some unrelated uses from the Town of Clayton Zoning Ordinance.
4. Based upon the foregoing, the Amendment to the Zoning Ordinance is hereby adopted and approved. The Clerk is directed to publish a copy of the Amendment in the official newspaper of the Town, to post a copy thereof on the official sign board and to notify the County Planning Board of this action.
5. The Amendment to the Zoning Ordinance shall be effective ten (10) days following publication, and thereafter the Town Clerk and/or Town Zoning Officer shall cause the Town of Clayton Zoning Map to be amended to reflect the changes to the Zoning Districts resulting from the Amendment.

A motion to adopt the foregoing resolution was made by Bob Cantwell III, and seconded by Chris Matthews, and upon a roll call vote of the Board was duly adopted as follows:

Justin A. Taylor, Supervisor	Yes <u>X</u> No ___
George E. Kittle, Councilman	Yes <u>X</u> No ___
Robert W. Cantwell, III, Councilman	Yes <u>X</u> No ___
Lance Peterson, Councilman	Yes <u>--</u> No ___
Christopher D. Matthews, Councilman	Yes <u>X</u> No ___

Yes 4 No 0 Abstain 0 Absent 1

Dated: March 9, 2011

Certification

I, Kathleen E. LaClair, Town Clerk of the Town of Clayton, do hereby certify that the above resolution was adopted at a regular meeting of the Town Board of the Town of Clayton held on March 9, 2011 and its on file and of record, and that said resolution has not been altered, amended or revoked and it's in full force and effect.

(SEAL)

Kathleen E. LaClair, Town Clerk