Local Law Introductory H of 2011 Cameron Group proposal.pdf

Larry Adler dropped off the attachment today. This has been added to tonight's Agenda for discussion.

Gail

The message is ready to be sent with the following file or link attachments:

Local Law Introductory H of 2011 Cameron Group proposal.pdf

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.
November 16, 2011

Town of New Hartford
48 Genesee St.
New Hartford, NY 13413

Dear Town Supervisor and Town Board members:

I am requesting that you consider adopting the proposed local law H of 2011. This provision would provide much needed clarification for the establishment of limited uses within a PDPD. A short form EAF has been enclosed for the SEQRA review of this unlisted action.

Thank you for your consideration of this request.

Very truly yours,

Larry Adler
# Appendix C

## SHORT ENVIRONMENTAL ASSESSMENT FORM

**For UNLISTED ACTIONS Only**

### PART I - PROJECT INFORMATION

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<table>
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<tbody>
<tr>
<td><strong>1. APPLICANT/SPONSOR</strong></td>
<td><strong>2. PROJECT NAME</strong></td>
</tr>
<tr>
<td>Larry Adler</td>
<td>Adoption of Local Law Amending Town of New Hartford Section Pertaining to Planned Development Park Districts</td>
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<tbody>
<tr>
<td><strong>3. PROJECT LOCATION:</strong></td>
<td></td>
</tr>
<tr>
<td>Municipality: Town of New Hartford</td>
<td>County: Oneida County</td>
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<tr>
<td><strong>4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map):</strong></td>
<td>None</td>
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<tr>
<td><strong>5. PROPOSED ACTION IS:</strong></td>
<td></td>
</tr>
<tr>
<td>[ ] New</td>
<td>[ ] Expansion</td>
</tr>
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**6. DESCRIBE PROJECT BRIEFLY:**

Amendment to zoning code language found in Section 118-39(D)(7)(b) of the Town of New Hartford Town Code through adoption of proposed Local Law H of 2011.

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<tr>
<td><strong>7. AMOUNT OF LAND AFFECTED:</strong></td>
<td></td>
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<tr>
<td>Initially</td>
<td>0 acres</td>
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<tr>
<td><strong>8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?</strong></td>
<td></td>
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<tr>
<td>[ ] Yes</td>
<td>[ ] No</td>
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If No, describe briefly:

*This is a proposed local law amending the zoning code applicable to PDPM (chapter 118 of the Town Code)*

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<td><strong>9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?</strong></td>
<td></td>
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<tr>
<td>[ ] Residential</td>
<td>[ ] Industrial</td>
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Describe:
The PDPM is a planned district that encourages commercial development as stated in chapter 118-39 of the Town of New Hartford Town Code.

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<td><strong>10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)?</strong></td>
<td></td>
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<tr>
<td>[ ] Yes</td>
<td>[ ] No</td>
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</table>

If Yes, list agency(s) name and permit/approvals:

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<td><strong>11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?</strong></td>
<td></td>
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<td>[ ] Yes</td>
<td>[ ] No</td>
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</tbody>
</table>

If Yes, list agency(s) name and permit/approvals:

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<tr>
<td><strong>12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?</strong></td>
<td></td>
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<tr>
<td>[ ] Yes</td>
<td>[ ] No</td>
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I certify that the information provided above is true to the best of my knowledge.

Applicant/sponsor name: ____________________________

Signature: ____________________________

Date: 11/16/21

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.
**PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)**

A. **DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4?**
   - Yes □ No □

   If yes, coordinate the review process and use the FULL EAF.

B. **WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6?**
   - Yes □ No □

   If No, a negative declaration may be superseded by another involved agency.

C. **COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING:** (Answers may be handwritten, if legible)
   - C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
   - C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
   - C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
   - C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
   - C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:
   - C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:
   - C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. **WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?**
   - Yes □ No □

   If Yes, explain briefly:

E. **IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?**
   - Yes □ No □

   If Yes, explain briefly:

**PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

- Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- 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 **AND** provide, on attachments as necessary, the reasons supporting this determination.

---

**Name of Lead Agency**

**Date**

**Print or Type Name of Responsible Officer in Lead Agency**

**Title of Responsible Officer**

**Signature of Responsible Officer in Lead Agency**

**Signature of Preparer (if different from responsible officer)**

---

**Reset**
PLEASE OBSERVE THESE INSTRUCTIONS
FOR FILING LOCAL LAWS WITH THE SECRETARY OF STATE

1. Each local law shall be filed with the Secretary of State within 20 days after its final adoption or approval as required by section 27 of the Municipal Home Rule Law. The cited statute provides that a local law shall not become effective before it is filed in the office of the Secretary of State.

2. Each local law to be filed with the Secretary of State shall be an original certified copy.

3. Each local law shall be filed on a form provided by the Department of State. If additional pages are required, they must be the same size as the form. Typewritten copies of the text may be attached to the form. Only legible copies will be accepted.

4. File only the number, title and text of the local law.

5. In the case of a local law amending a previously enacted local law, the text must be that of the law as amended. Do not include any matter in brackets, with a line through it, italicized or underscored to indicate the changes made. The printed number of the bill and explanatory matter must be omitted.

6. For the purpose of filing a local law with the Department of State, number each local law consecutively, beginning with the number one for the first local law filed in each calendar year. The next number in sequence should be applied to each local law when it is submitted for filing, regardless of its date of introduction or adoption. The date of filing of a local law is the date on which the local law is placed on file by the Department.

It is suggested that municipalities use introductory identifying bill numbers for proposed local laws. After the local law is enacted (and approved by the voters, if required), the local law should then be numbered with the next consecutive local law number, as described above, and then submitted to the Department for filing.

7. Each copy of a local law filed with the Secretary of State shall have affixed to it a certification by the Clerk of the County legislative body or the City, Town or Village Clerk or other officer designated by the local legislative body. There shall also be attached or annexed thereto a certification executed by the Corporation Counsel, Municipal Attorney or other principal law officer (e.g., County Attorney, Town Attorney, Village Attorney) that the local law contains the correct text and that all proper proceedings have been had or taken for its enactment. Certification forms are provided herewith.

8. A copy of each local law may be mailed or delivered to:
   NYS Department of State
   Division of Corporations, State Records and Uniform Commercial Code
   One Commerce Plaza, 99 Washington Avenue
   Albany, NY 12231.

(DO NOT FILE THIS INSTRUCTION SHEET WITH THE LOCAL LAW.)
Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County  ☐ City  ☑ Town  ☐ Village

(Select one)

of New Hartford

Local Law No.  H __________________________ of the year 2011

A local law Amending Section 118-39 of the Town Code Pertaining to the Limited Uses Allowed in the

(Insert Title)

Planned Development Park District


Be it enacted by the Town Board __________________________________________ of the

(Name of Legislative Body)

☐ County  ☐ City  ☑ Town  ☐ Village

(Select one)

of New Hartford __________________________________________ as follows:

Repeal Section 118-39(D)(7)(b) and replace it with the following new language:

Retail and services when such limited use occupies no more than 20% of the PD PD acreage owned, controlled or
developed by the Applicant.

(If additional space is needed, attach pages the same size as this sheet, and number each.)
1. (Final adoption by local legislative body only.)
I hereby certify that the local law annexed hereto, designated as local law No. __________________________ of 20____ of the (County)(City)(Town)(Village) of New Hartford was duly passed by the (Name of Legislative Body) on ________, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)
I hereby certify that the local law annexed hereto, designated as local law No. __________________________ of 20____ of the (County)(City)(Town)(Village) of __________________________ was duly passed by the (Name of Legislative Body) on __________ 20____, and was (approved)(not approved) (Elective Chief Executive Officer*) repassed after disapproval by the _________ (Elective Chief Executive Officer*) on __________ 20____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)
I hereby certify that the local law annexed hereto, designated as local law No. __________________________ of 20____ of the (County)(City)(Town)(Village) of __________________________ was duly passed by the (Name of Legislative Body) on __________ 20____, and was (approved)(not approved) (Elective Chief Executive Officer*) repassed after disapproval by the __________________________ on __________ 20____.

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on __________ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)
I hereby certify that the local law annexed hereto, designated as local law No. __________________________ of 20____ of the (County)(City)(Town)(Village) of __________________________ was duly passed by the (Name of Legislative Body) (Elective Chief Executive Officer*) repassed after disapproval by the __________________________ on __________ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of __________ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.
5. (City local law concerning Charter revision proposed by petition.)
I hereby certify that the local law annexed hereto, designated as local law No. ____________________________ of 20____ of the City of ____________________________ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _______________ 20____, became operative.

6. (County local law concerning adoption of Charter.)
I hereby certify that the local law annexed hereto, designated as local law No. ____________________________ of 20____ of the County of ____________________________ State of New York, having been submitted to the electors at the General Election of November _______________ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph ______ above.

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

Date: ________________________________

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF ____________________________

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

______________________________
Signature

______________________________
Title

______________________________
County

______________________________
City

______________________________
Town

______________________________
Village

______________________________
Date: