

**TOWN CLERK MINUTES
SPECIAL MEETING
February 3, 2005**

Present: Supervisor John Dunford
Councilman Paul Johnson
Councilwoman Lorraine Mitts
Councilman Pat Bonanno
Town Clerk Ruth Mazzei

Absent: Councilman Honeck

And: Approximately 9 residents

Councilwoman Mitts made a motion to open the special meeting and Councilman Johnson seconded. All in favor.

RESOLUTION #10/2005 ADOPTING LOCAL LAW AMENDING LOCAL LAW NO. 1 OF 2002

Introduced By: Councilman Bonanno
Seconded By: Councilwoman Mitts

WHEREAS, a resolution having been adopted by the Town Board of the Town of Southeast for a public hearing to be held by said Town Board to hear all interested parties on a proposed local law to amend Local Law No. 1 of 2002 entitled “**A LOCAL LAW REGULATING FOR AN INTERIM PERIOD, THE APPROVAL OF SUBDIVISION PLATS AND PROJECT DEVELOPMENT PLANS PROPOSED IN CERTAIN AREAS OF THE TOWN OF SOUTHEAST, PURSUANT TO COMPLETION AND REVIEW OF A COMPREHENSIVE MASTER PLAN AND AMENDMENTS TO THE ZONING ORDINANCES CONTINGENT THEREON BY THE TOWN BOARD**”, and

WHEREAS, notice of said public hearing was advertised in an official newspaper of the Town of Southeast in the manner prescribed by law and such public hearing was held on December 16, 2004; and

WHEREAS, on November 18, 2004 this Town Board adopted amendments to the current Zoning Code of the Town aimed at implementing much of the proposals outlined in the Town’s Comprehensive Plan; and

WHEREAS, the Town Board continues to work on amendments to the Zoning Code relating to commercial properties located along the Route 22 corridor north of the intersection with Interstate Route 684 to the intersection of Route 22 and Doansburg road; and

WHEREAS, it is the sense of this Town Board that, given the enactment of the zoning implementing legislation, it is necessary and proper to lift so much of the moratorium as it affects the Route 22 Corridor located south of the Village of Brewster, on NYS Route 312 and on NYS Route 6 East and West of the Village of Brewster.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southeast hereby adopts Local Law No. 1 of 2005 amending Local Law No. 1 of 2002, a copy of which is annexed hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be and hereby is authorized and directed to enter said Local Law in the minutes of this meeting and in the Code Book of the Town of Southeast, and to give due notice of the adoption of said local law to the Secretary of State of New York within the time required by law.

February 3, 2005

UPON ROLL CALL VOTE:

Supervisor Dunford - Aye
Councilman Bonanno - Aye
Councilwoman Mitts - Aye
Councilman Johnson - Aye
Councilman Honeck - Absent

VOTE: carried by a vote of 4 in favor, 0 against, 0 abstained.

Paragraph III of Local Law 1 of 2002, is hereby amended as follows:

Section III SCOPE OF CONTROLS

During the effective period of this law and effective as provided herein:

The Planning Board shall not accept, review or grant, nor shall any other board, department or agency of the Town accept, review or grant any application for approval of a commercial site plan proposal, or any aspect thereof, for any property having frontage upon or gaining sole access from the Route 22 Corridor unless a complete application for such Commercial development has been filed with the Planning Board and Final Approval has been granted and remains in effect thereon, prior to March 1, 2002.

For the purposes of this section the term "Route 22 Corridor" shall mean that portion of Route 22 and its abutting properties running from the Intersection of NYS Route 22 with Interstate Route 684 northerly to the Intersection of Route 22 and Doansburg Road.

Paragraph IV of Local Law 1 of 2002 is hereby amended as follows:

Section VI APPLICATION

This law shall apply to commercial developments in commercial Districts located in the vicinity of the Route 22 Corridor, provided such Properties have frontage on or gain sole access from such road.

Supervisor Dunford made a motion to close the Special Meeting and Councilwoman Mitts seconded. All in favor.

Respectfully submitted,

Ruth Argo Mazzei
Town Clerk