

**TOWN BOARD
TOWN OF SOUTHEAST**

RESOLUTION TO ADOPT LEAD AGENCY STATUS AND POSITIVE DECLARATION

RESOLUTION NO: _____ DATE: September 24, 2009
INTRODUCTION BY: Yee
SECONDED BY: Johnson

WHEREAS, Crossroads 312, LLC (the "Applicant"), has submitted a Petition to the Town Board of the Town of Southeast to consider adopting amendments to the Town's Zoning Code specifically to rezone certain properties located at the southeast corner of NYS Route 312 and Interstate 84 from the Rural Commercial (RC) Zoning District to a proposed new Focused Highway Commercial (HC-1A) Zoning District and to create new dimensional standards and Special Permit criteria for development within the proposed HC-1A Zoning District (the "Proposed Action"); and

WHEREAS, the Town Board determined that the Proposed Action is a Type I action pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town Board at its August 13, 2009, meeting directed that a Notice of Intent to act as Lead Agency be circulated to Interested and Involved Agencies; and

WHEREAS, on August 18, 2009, said Notice of Intent was circulated along with a Consent Form and a Petition containing a completed SEQRA Environmental Assessment Form; and

WHEREAS, the Town Board has received no objections to the Notice of Intent;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby declares itself to be Lead Agency for the Proposed Action pursuant to §617.6(b) of SEQRA; and

BE IT FURTHER RESOLVED, that the Town Board has determined based upon its review of the Environmental Assessment Form that the Proposed Action has the potential for one or more significant adverse impacts and that this Positive Declaration under SEQRA is hereby issued requiring that an Environmental Impact Statement be prepared; and

BE IT FURTHER RESOLVED, that the Town Board will hold a joint public scoping session with the Town Board and Town's Planning Board on **October 8, 2009 at 7:30 PM** to receive public comment on a draft scoping document prepared by the Applicant pursuant to §617.8 of SEQRA with a written public comment period extending until **October 19, 2009**.

UPON ROLL CALL VOTE:

Supervisor Rights	<u>No</u>	Councilman Honeck	<u>Yes</u>
Councilman Yee	<u>Yes</u>	Councilman Gross	<u>Yes</u>
Councilman Johnson	<u>Yes</u>		

VOTE: Approved BY A VOTE OF 4 TO 1

