

RESOLUTION ENACTING LOCAL LAW NO. 4 OF 2020

WHEREAS, Proposed Local Law No. 4 of 2020 (the “Local Law”) of the Town of Huron (the “Town”) would amend the Town of Huron Zoning Law (the “Zoning Law”) to permit incentive zoning, replacing Town of Huron Zoning Law, Local Law No. 1 of 1972, as amended, reenacted and restated by Local Law No.1 of 2000, as amended; and

WHEREAS, the Local Law has been on the desks of all Town Board members since May 20, 2020; and

WHEREAS, Notice of a Public Hearing on the Local Law was published in the *Times of Wayne County* on June 14, 2020, and the Town Clerk also caused a copy of that Notice to be posted on the sign board of the Town maintained pursuant to Town Law §30(6) on June 14, 2020, and on the Town of Huron website on June 14, 2020; and

WHEREAS, the Town Board identified the enactment of the Local Law (“Action”) as a Type I action under the State Environmental Quality Review Act and declared itself lead agency by resolution on June 15 2020; and

WHEREAS, the Local Law was referred to the Wayne County Planning Board pursuant to General Municipal Law §239-m, which reviewed the Local Law at its meeting on July 29, 2020 and advised the Town of its approval of the Local Law by correspondence dated August 4, 2020; and

WHEREAS, a public hearing was duly held on the Local Law on June 15, 2020 at 6:50 p.m., which was continued on August 17, 2020 at 5:00 p.m., before the Town Board at the Huron Town Hall as well as via teleconference, and all persons desiring to speak were heard; and

WHEREAS, typographical and grammatical changes and clarifications were noted at the public hearing on August 17, 2020, which have been incorporated into Local Law; and

NOW THEREFORE, IT IS RESOLVED that the Local Law, which amends the Town Zoning Law to allow for incentive zoning as contemplated by section 261-b of the Town Law of the State of New York, is of general applicability throughout the Town, providing for a system of zoning incentives as the Town Board deems necessary and appropriate, outlines the process and parameters for approval of incentive zoning, and adds three definitions: incentive zoning, incentive zoning review, and SEQRA; and it is further

RESOLVED, that the Local Law empowers the Town Board to grant incentives to private sector developers in exchange for amenities or community benefits that advance the Town’s specific policies set forth in the Town of Huron Master Plan and Local Waterfront Revitalization Program, in coordination with the other community planning mechanisms or land use techniques; and it is further

RESOLVED that Town has caused a full environmental assessment form (“EAF”) for the Action to be prepared to evaluate the significance of potential environmental impact of the Action, which the Town Board hereby accepts; and it is further

RESOLVED that the Town has caused the Local Law to be reviewed for consistency with the Town’s Local Waterfront Revitalization Program (“LWRP”) as required by the Town of Huron Local Waterfront Revitalization Program Consistency Review Law (“Consistency Review Law”) and determined that the Local Law is consistent with the LWRP and will assist the Town in meeting the objectives of the LWRP; and further that applicants for incentive zoning will have to comply with the LWRP and the Consistency Review Law on a project-by-project basis; and it is further

RESOLVED that the Town Board has considered the Local Law and its potential for environmental impacts; reviewed and considered the EAF, the criteria contained in 6 N.Y.C.R.R. §617.7(c), and other supporting information to identify the relevant areas of environmental concern; and thoroughly analyzed the identified relevant areas of environmental concern to determine if the Local Law may have a significant adverse impact on the environment, and finds that the Local Law would not have a significant impact on the environment, because:

1. With the adoption of the Local Law, the Town Board is not designating any specific incentive zone, so enactment of the law will not by itself cause any physical impacts to the environment.
2. The Town Board will require all applicants for incentive zoning to comply with the requirements of the State Environmental Quality Review Act and its implementing regulations.
3. Consideration of the environmental impacts of individual applications at this time would be premature, but rather would appropriately be conducted on a case-by-case basis when applications are made, which would clearly be no less protective of the environment.
4. The enactment of the Local Law will not authorize or result in any additional projects or environmental impacts.
5. The Local Law is consistent with the Master Plan of the Town.
6. The Local Law is consistent with the Local Waterfront Revitalization Program of the Town.

IT IS FURTHER RESOLVED, that pursuant to the State Environmental Quality Review Act, a Negative Declaration shall be made and duly filed, and an environmental impact statement need not be prepared; and it is further

RESOLVED that pursuant to the Municipal Home Rule Law, Local Law No. 4 of 2020 is hereby enacted, and shall be filed with the Secretary of State.