

**RESOLUTION OF TOWN BOARD OF THE TOWN OF BETHEL
TO INTRODUCE A LOCAL LAW TO AMEND CHAPTER 345 “ZONING”
OF THE TOWN CODE OF THE TOWN OF BETHEL**

WHEREAS, the Town Board of the Town of Bethel (“Town Board”) heretofore adopted a Zoning Code under the authority of the NY Town Law § 261, which Zoning Code appears as Chapter 345 of the Town Code of the Town of Bethel (the “Town Code”); and

WHEREAS, in December 2006 the Town of Bethel adopted a Comprehensive Plan and Local Law No. 5 of 2006, which although Local Law No. 5 of 2006 implemented certain revisions to the Zoning Code, the Town had not adopted appropriate and necessary Zoning Code revisions and amendments to implement fully the aims, intents and plans embodied in the Comprehensive Plan for certain zoning districts in the Town; and

WHEREAS, the Town subsequently conducted a lengthy review to determine all necessary and appropriate amendments and revisions to the Zoning Code for the AG (Agricultural), RS (Residential Settlement), R-17B (Rural Gateway) and the creation of the RD (Rural Development) and the F-C (Forest Conservation) districts; and

WHEREAS, the Town Board then introduced Local Law No. 1 of 2009 to amend the Town’s Zoning Code, and on January 28, 2009 determined that the proposed action was a Type I action under the State Environmental Quality Review Act (“SEQRA”), and established itself as lead agency for SEQRA review purposes; and

WHEREAS, the Town Board, acting as lead agency under SEQRA, completed all of its obligations under SEQRA and adopted a positive findings statement permitting the Town Board to enact Local Law No. 1 of 2009 containing the proposed amendments to the Zoning Code; and

WHEREAS, Local Law No. 1 of 2009, adopting the amendments to the Zoning Code, was enacted on June 24, 2009; and

WHEREAS, Local Law No. 1 of 2009, adopting the amendments to the Zoning Code, was enacted on June 24, 2009; and

WHEREAS, the Town Board subsequently adopted local laws making minor amendments to the Zoning Code as part of its continuing evaluation process of the Zoning Code; and

WHEREAS, the Town Board has been requested by the owner of a parcel of land, commonly known as SBL #18-1-34.1 on the tax map for the Town, to amend the official zoning map for the Town so that said parcel of land would be located in the RD zoning district. Said parcel of land is currently located in the AG zoning district but adjacent to the RD zoning district; and

WHEREAS, in conformance with the Comprehensive Plan the Town seeks to amend the zoning map for the Town by altering the boundary line of the RD zoning district so as to include the parcel of land commonly known as SBL #18-1-34.1, on the tax map for the Town; and

WHEREAS, it appears that the land to be affected by the proposed change in the tax map is located in Sullivan County Agricultural District No. 1; and

WHEREAS, this Resolution introduces Proposed Local Law No. 2 of 2010 which, if enacted, will amend Chapter 345 of the Town Code by alteration of the official zoning map for the Town; and

WHEREAS, the action contemplated by this Resolution is subject to the State Environmental Quality Review Act (“SEQRA”) and the Town will seek to act as lead agency for environmental review purposes.

NOW THEREFORE, BE IT RESOLVED, that a public hearing on the Local Law shall be scheduled for May 12, 2010 at 7:45 p.m., which public hearing shall be conducted at the Town of Bethel Senior Citizens Center and proper notice of the public hearing shall be duly given; and be it

FURTHER RESOLVED, that a copy of the introductory Local Law No. 2 of 2010 and a copy of the revised Zoning Map shall be forwarded to the Town of Bethel Planning Board for its review and recommendation in accordance with Town Code § 48-2.B; and be it

FURTHER RESOLVED, that a copy of the introductory Local Law No. 2 of 2010 and a copy of the revised Zoning Map shall be forwarded to the Sullivan County Department of Planning and Environmental Management, along with a full statement of the proposed action, for review and recommendation in accordance with New York State General Municipal Law § 239-m; and be it

FURTHER RESOLVED, that a copy of the introductory Local Law No. 2 of 2010 and a copy of the revised Zoning Map shall be forwarded to the Sullivan County Agriculture and Farmland Protection Board for its review and comment; and

FURTHER RESOLVED, that the Town Board of the Town of Bethel intends to become lead agency under SEQRA and provide notice of its intent to any other involved agencies; and be it

FURTHER RESOLVED, that the SEQRA materials prepared in support of Local Law No. 1 of 2009 shall be evaluated for recommendation of whether this action may be evaluated by an Environmental Assessment Form or an Environmental Impact Statement and the appropriate document shall be prepared and delivered to the Town Board for review and consideration; and

FURTHER RESOLVED, this Resolution shall become effective when adopted.

Motion by Town Board member Richard Crumley, seconded by Town Board member Robert Blais and adopted upon a roll call vote as follows:

	<u>AYE</u>	<u>NAY</u>
Robert Blais	X	
Richard Crumley	X	
Denise Frangipane	X	
Victoria Simpson	X	
Daniel Sturm		X

Duly adopted by 4 ayes, 1 nays the 14th day of April, 2010.