

TOWN OF TUXEDO TOWN BOARD
SEQRA DETERMINATION AND ADOPTION OF 2018 TOWN OF TUXEDO COMPREHENSIVE PLAN
UPDATE

WHEREAS, in 2007, the Town of Tuxedo Town Board (“Town Board”) commenced an update of the Town’s 1972 Master Plan. The Town sought to implement a land use strategy for the next 10-20 year period that revitalizes the Town’s existing hamlets and stimulates appropriate use and reuse of the remaining developable areas of the Town. The Plan also sought to preserve the Town’s natural, historic and scenic assets that are important defining elements of the community and which provide the Town its unique sense of place; and

WHEREAS, the 2011 Comprehensive Plan Update (CPU) acknowledged the significant change which had occurred to the community as a result of the federal/state acquisition of the former Sterling Forest Corporation lands to create Sterling Forest State Park. While the acquisition achieves the Town’s objective to protect sensitive environmental resources in the community, opportunities must be explored to enhance the Town’s nonresidential tax base and sustain/create local opportunities for employment.” The 2011 Comprehensive Plan Update included numerous land use recommendations, including but not limited to: creating a conservation residential area for Arden, establishing low-density, low-medium density, medium density, and medium high density residential areas; acknowledging a need to revitalize the Town’s historic hamlets, Southfields, and Tuxedo; creating a tourism-oriented area along the NYS Route 17A corridor in the location of the ski center and the lands on which the Renaissance Festival and held annually; and to acknowledge the existing neighborhood and general business areas located along Route 17A and County Road 72 (Sterling Mine Road). Any development or redevelopment must occur in a manner that acknowledges the Town’s environmentally sensitive resources which are integral to it. The Town Board adopted the Town of Tuxedo Comprehensive Plan Update (“CPU”) on September 12, 2011. On that same date, and prior to its adoption, the Town Board issued a Negative Declaration after review of the long Environmental Assessment Form, completing the requisite SEQRA review. Notice of the Negative Declaration was posted in the September 21, 2011, Environmental Notice Bulletin; and

WHEREAS, subsequent to the Plan’s adoption and consistent with New York State Town Law, the Town Board began work on the update of its zoning law in order for the zoning law to be consistent with the goals, objectives, vision, and recommendations of the 2011 CPU. After the Planning Board reviewed the zoning draft and issued comments to the Town Board in 2012, the draft zoning law was amended and presented to the Town Board and the public in 2013; and

WHEREAS, in 2015 and 2016, the Town Board determined that it was appropriate to update the 2011 Comprehensive Plan Update, as some of the data for the comprehensive plan update were becoming outdated (several of the initial studies for the Plan Updated dated to 2007), and additional land use changes were occurring within the Town, including purchase of another nonresidential property, the former International Paper headquarters, and its conversion to a non-taxable status; and

WHEREAS, the land that is the subject of the proposed action is the entire unincorporated area of the Town of Tuxedo; and

WHEREAS, the Town of Tuxedo Town Board proposes to update its previously adopted 2011 Comprehensive Plan Update which was duly adopted on September 12, 2011; and

WHEREAS, the action, adoption of the 2018 Comprehensive Plan Update, is classified a Type I action as it meets the criteria set forth in Section 617.4(b)(1) of the regulations implementing SEQRA, namely, the adoption of a municipality's land use plan; and

WHEREAS, the Town of Tuxedo Town Board is the only agency that can adopt the Comprehensive Plan Update, and is therefore the sole involved and lead agency; and

WHEREAS, in accordance with the regulations implementing the NY State Environmental Quality Review Act (SEQRA), Part 1 of the long Environmental Assessment Form, with attachments, was prepared in December 2016; and

WHEREAS, a full statement of the action, including the draft 2017 Comprehensive Plan Update and long Environmental Assessment Form, Part 1 with attachments, was transmitted to the Orange County Planning Department as required by 239-m of the New York State General Municipal Law and received by the Department on January 18, 2017; and

WHEREAS, on March 8, 2017, the Orange County Planning Department issued a "Local Determination" GML review letter which included various comments on the Plan Update for the Town Board's consideration. Said local determination letter does not require a supermajority to override any comments issued by the agency; and

WHEREAS, as per the records of the Town of Tuxedo Town Clerk, duly noticed public hearings and meetings were held on the Comprehensive Plan Update on February 13, 2017, June 12, 2017, and November 13, 2017; and

WHEREAS, based on the public and agency comments received by the Town Board, the draft document was revised and subsequently reissued and is now entitled "Town of Tuxedo Comprehensive Plan Update, Orange County, New York, March 2018"; and

WHEREAS, the long Environmental Assessment Form, Part 1, with attachments and narrative, was subsequently updated and a Part 2 EAF prepared and reviewed by the Town Board; and

WHEREAS, based on further consultation with the Orange County Planning Department on March 23, 2018, said department confirmed it has concluded its GML review of the proposed action.

NOW, THEREFORE BE IT RESOLVED that:

The Town Board, having analyzed each of the potential areas of environmental concern associated with the adoption of the Plan Update in accordance with procedures set forth at 6 NYCRR Part 617 and the criteria set forth at 6 NYCRR Part 617.7 pursuant to the requirements of the State Environmental Quality Review Act (SEQRA), Article 8 of the Environmental Conservation Law of the State of New York, hereby issues a negative declaration, finding that approval of the 2018 Town of Tuxedo Comprehensive Plan Update will not have a significant adverse impact on the environment and a draft environmental impact statement will not be prepared. The Town Board directs the Town Clerk to file a copy of this Negative Declaration resolution on the office of the Town Clerk, and mail notice to the Environmental Notice Bulletin.

NOW, THEREFORE, BE IT FURTHER RESOLVED that:

The Tuxedo Town Board duly considered the record, together with the action, and the 2018 Comprehensive Plan Update was modified to address public and agency comments, and hereby adopts the document entitled "Town of Tuxedo Comprehensive Plan Update, Orange County, New York, March 2018", subject to the following conditions/revisions:

- 1.
- 2.
- 3.

Upon motion of Member _____, seconded by Member _____:

Town Board Member	ROLL CALL VOTE			
	Aye	Nay	Abstain	Absent
Michael Rost, Supervisor				
David McMillen, Deputy Supervisor				
Kenneth English				
Michele Lindsay				
Valerie Reardon				

Dated: _____, 2018

_____, the Town Clerk of the Town of Tuxedo, does hereby certify that the foregoing Resolution of the Town Board was filed in my office on this date.

Date