

Resolution No. 19 of 2024

**RESOLUTION AUTHORIZING THE ADOPTION
BY THE TOWN BOARD OF THE TOWN OF CLINTON, NEW YORK**

“Revised Local Law Amending Town Code to Provide for the Regulation of Farm Operations and Agricultural Businesses”

WHEREAS, the Town Board of the Town of Clinton is considering the adoption of Local Law No. 1 of 2024 entitled **“Revised Local Law Amending Town Code to Provide for the Regulation of Farm Operations and Agricultural Businesses”**; and

WHEREAS, on June 13, 2023 a prior version of this local law was introduced by the Town Board with a public hearing being held on July 11, 2023; and

WHEREAS, after due consideration of the prior version and after consideration of comments made by members of the public, the prior version of the local law was rejected by the Town Board pursuant to Resolution on December 28, 2023 and this revised local law was thereafter introduced on December 28, 2023; and

WHEREAS, on December 28, 2023 the Town Board reviewed a Part 1 of the Full Environmental Assessment Form (**“FEAF”**) prepared by the Town Attorney, classified the proposed Local Law as a Type I action under the State Environmental Quality Review Act (**“SEQRA”**), declared its intent to serve as lead agency in a review of the proposed Local Law and identified the New York State Department of Agriculture and Markets as an interested agency and the Dutchess County Department of Planning and Development as an interested agency (collectively the **“Interested Agencies”**); and

WHEREAS, on December 28, 2023 the Town Board directed the Town of Clinton Town Clerk (the **“Town Clerk”**) to refer the proposed Local Law and FEAF to the Interested Agencies for their review and advisory opinions; and

WHEREAS, the Town Board directed the Town Attorney to prepare a Part 2 and a Part 3 of the FEAF for the Town Board’s review and consideration; and

WHEREAS, the Town Board has considered the criteria contained in 6 NYCRR 617.7 and thoroughly analyzed all identified relevant areas of environmental concern disclosed in the Part 1, Part 2 and Part 3 of the FEAF prepared by the Town Attorney; and

WHEREAS, the Town Board has reviewed the Part 1, Part 2 and Part 3 of the FEAF prepared by the Town Attorney setting forth the reasons supporting a determination that the proposed actions will not have a significant impact on the environment; and

WHEREAS, on December 28, 2023 a resolution was duly adopted by the Town Board of the Town of Clinton, New York authorizing a public hearing to be held by the Town Board on February 13, 2024, at 6:25 p.m., at the Town of Clinton Town Hall at 1215 Centre Rd, Rhinebeck (Town of Clinton), New York, to hear all interested parties on a proposed Local Law entitled “Local Law Amending Town Code to Provide for the Regulation of Farm Operations and Agricultural Business”; and

WHEREAS, notice of the public hearing was duly advertised in the Poughkeepsie Journal, the official newspaper of said Town, on the 5 day of January , 2024; and

WHEREAS, the public hearing was duly held on the 13th day of February 2024, at 6:25 p.m. at the Clinton Town Hall at 1215 Centre Rd, Rhinebeck (Town of Clinton), New York and continued on the 12th day of March 2024 and the 9th day of April 2024 at the same time and location, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Town Board having duly considered and thoroughly reviewed the public comments received and modified portions of the proposed Local Law accordingly; and

WHEREAS, the Town Board having determined that all parties entitled to notice have been duly given notice thereof; and

WHEREAS, the Town Board, after due deliberation, finds it in the best interest of the Town to adopt said Local Law.

NOW ON MOTION of Deputy Supervisor Werner, duly seconded by Councilwoman Mustello:

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby adopts a negative declaration and determines that the adoption of the proposed Local Law will not result in any significant environmental impacts and that a Draft Environmental Impact Statement will not be prepared; and

BE IT FURTHER RESOLVED, that the Town Board hereby adopts said Local Law No. ___ of 2024, entitled “Revised Local Law Amending Town Code to Provide for the Regulation of Farm Operations and Agricultural Businesses” a copy of which is attached hereto and made a part of this resolution; and

BE IT FURTHER RESOLVED, that the Town Clerk be and she hereby is directed to enter this Local Law in the minutes of this meeting and give due notice of the adoption of this Local Law to the Secretary of the State of New York.

The foregoing resolution was voted upon with all councilpersons voting as follows:

Supervisor Michael Whitton
Councilperson Eliot Werner

VOTING
VOTING

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AYE

Councilperson Katherine Mustello
Councilperson Marion Auspitz
Councilperson Charles Dykas

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DATED: Clinton, New York
 May 14, 2024



Carol-Jean Mackin, Town Clerk