

**RESOLUTION NO. 53 OF 2023**

**A RESOLUTION OF INTRODUCTION**

**Local Law No. XY of 2024**

The following proposed local law, to be known as Local Law No. XY of 2024 of the Town of Clinton, 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 part hereof, is hereby introduced.

WHEREAS, the Town Board of the Town of Clinton (the “Town Board”) has determined that amending Chapters 112 (Building Construction and Fire Prevention) and 250 (Zoning) of the Town Code for the purpose of providing for the regulation of farm operations and agricultural businesses is necessary and in the best interest of the Town to protect the health, safety and welfare of its’ citizens; and

WHEREAS, the Town Board previously considered a version of the proposed local law, including holding a public hearing on July 11, 2023 where interested members of the public were able to comment on the proposed local law, and determined that revisions to that Local Law were necessary and appropriate;

WHEREAS, the Town Board now desires to introduce an updated version of the proposed local law;

WHEREAS, this proposed local law is adopted pursuant to Municipal Home Rule Law § 10; and

WHEREAS, in anticipation of the introduction of this proposed local law, the Attorney to the Town prepared for the Town Board’s review Part 1 of the Full Environmental Assessment Form (“FEAF”) pursuant to the State Environmental Quality Review Act (“SEQRA”). The Part 1 of the FEAF prepared by the Attorney to the Town has been presented to the Town Board for review and consideration. A copy of the Part 1 of the FEAF prepared by the Attorney to the Town is attached hereto and made part hereof.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby designates itself lead agency for the purpose of conducting an environmental review under SEQRA. The Town Board further identifies the Dutchess County Department of Planning and Development as an interested agency and the New York State Department of Agriculture and Markets as an interested agency;

BE IT FURTHER RESOLVED, that the Town Board hereby accepts and adopts the Part I of the FEAF for the proposed action prepared by the Attorney to the Town;

BE IT FURTHER RESOLVED, that the Town Board determines that the action to adopt this proposed local law is a Type I Action under SEQRA regulations for which a coordinated environmental review is required;

BE IT FURTHER RESOLVED, that the Town Board hereby refers the proposed local law and FEAF to the Dutchess County Department of Planning and Development for its review and for an advisory opinion pursuant to Section 239-m of the New York State General Municipal Law. The Town Board directs the Town Clerk to make the referral in conformity with the applicable provisions of New York State General Municipal Law 239-m;

BE IT FURTHER RESOLVED, the Town Board directs the Town Clerk to notify the Town Clerks of each of the surrounding towns of the date, the time, and the purpose of the public hearing pursuant to Section 239-nn of the New York General Municipal Law

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Attorney to the Town to prepare for the Town Board's review and consideration at a later date a Part 2 and a Part 3 of the FEAF; and

BE IT FURTHER RESOLVED, that a public hearing be held in relation to the proposed local law as set forth in the form of notice, hereinafter provided, at which hearing parties in interest and citizens shall have an opportunity to be heard, to be held at the Town Hall on February 13, 2024, at 6:25 o'clock p.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town by the Town Clerk, at least five (5) days before such hearing and that such notice shall be in the following form:

Town of Clinton

Town Board

**Notice of Public Hearing**

PLEASE TAKE NOTICE that the Town of Clinton will hold a Public Hearing on February 13, 2024 at the Town of Clinton Town Hall, 1215 Centre Rd, Rhinebeck (Town of Clinton), New York at 6:15 p.m. Prevailing Time, or as soon thereafter as the matter is reached on the agenda, concerning proposed Local Law No. \_\_ of 2024, entitled, “Revised Local Law Amending Town Code to Provide for the Regulation of Farm Operations and Agricultural Businesses”.

This Local Law will take effect immediately upon filing with the Secretary of State. Complete copies of the proposed Local Law are available at the Town of Clinton Clerk’s Office for inspection during regular business hours.

All interested persons and citizens shall have an opportunity to be heard on said proposals at the date, time and place aforesaid.

Dated: December 28, 2023

By order of the Town of Clinton



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Carol – Jean Mackin, Town Clerk

Motion: Deputy Supervisor Werner

Second: Councilman Juliano

Roll Call Vote:

Michael Whitton, Supervisor AYE

Eliot Werner, Councilperson AYE

Dean Michael, Councilperson ABSENT

Chris Juliano, Councilperson AYE

Katherine Mustello, Councilperson AYE