

CODE UPDATE RED #1

RESOLUTION SUMMARY

ITEM #1 SEQR Type II Determination Resolution Needed (To be adopted 9/14/20)

At its December 17, 2019 meeting the Planning Board reviewed various Ordinance Updates to address inconsistencies within the Town code and issued a positive recommendation to the Town Board.

WHEREAS, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the state Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conversation Law;

NOW, THEREFORE BE IT RESOLVED, that the Town of Pendleton hereby determines that the proposed updates to the Town Code is a Type II action in accordance with 6 NYCRR Section 617.5 (C) 33 and 26 which constitutes adoption of regulations, policies, procedures and local legislative decisions in connection with routine or continuing agency administration and management; and is therefore not subject to review under 6 NYCRR part 617.

FURTHERMORE, BE IT RESOLVED It has been determined that the Administrative Town Code Updates, presently before the Town Board, are Type II actions and not subject to review under SEQR. That being the case there is also no requirement or necessity to hold a Public Hearing on those Administrative Town Code Updates.

ITEM #2 ORDINANCE UPDATE

Article XI Zoning Board of Appeals and Planning Board Administration

Section 247-74 Zoning Board of Appeals

Section 247-75 Planning Board

1. Repeal **Article X Zoning Board of Appeals** along with **Sections 247-74 thru Section 247-78** in their entirety. **Resolution Needed**
 2. Repeal **Article XI Planning Board** along with **Sections 247-79 thru Section 247-80** in their entirety. **Resolution Needed**
 3. Adopt new ordinance **Article XI** to be known as **Zoning Board of Appeals and Planning Board Administration**. **Resolution Needed**
 4. Adopt new ordinance **Section 247-74** to be known as **Zoning Board of Appeals** in its entirety. **Resolution Needed**
 5. Adopt new Ordinance **Section 247-75** to be known as **Planning Board** in its entirety. **Resolution Needed**
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ITEM #3 ORDINANCE UPDATE

**SECTION 247-76 ZONING BOARD OF APPEALS AND PLANNING BOARD
ALTERNATE MEMBERS**

1. Adopt a **new** Local Law to Repeal **Local Law No. 4 – 2017** known as Planning Board and Zoning Board of Appeals Alternate Members. **Resolution AND LOCAL LAW Needed**
 2. Repeal in their entirety **Chapter 64** and **Local Law No. 4 – 2017** with new Local Law (See #1). **Resolution Needed**
 3. Adopt **Section 247-76 Planning Board and Zoning Board of Appeals Alternate Members** in its entirety. **Resolution Needed**
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ITEM #4 ORDINANCE UPDATE

Article X Building Department Administration

Section 247 – 73 Building Code Administration and Fire Prevention

1. Adopt a **new** Local Law to Repeal **Local Law No. 3-2006** **Resolution AND LOCAL LAW Needed**
 2. Repeal **Local Law No. 3-2006** in its entirety with newly adopted Local Law. **Resolution Needed**
 3. Adopt a **new** Local Law to Repeal **Local Law No. 8-2017**. **Resolution AND LOCAL LAW Needed**
 4. Repeal **Chapter 132** and **Local Law No. 8-2017** in their entirety with newly adopted Local Law (See #1). **Resolution Needed**
 5. Resolution to Repeal **Article IX** along with **Code Sections 247-69 thru Section 247-73**. **Resolution Needed**
 6. Resolution to Adopt **Article X** to be known as **Building Department Administration** and **Section 247 – 73** to be known as **Building Code Administration and Fire Prevention** in their entirety. **Resolution Needed**
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ITEM #5 ORDINANCE UPDATE

Article XIII Stormwater Management Regulations and Drainage

Section 247-85 Stormwater Management

1. Repeal **Article XIII Excavations** along with **Section 247-85 Excavations Restricted** in its

entirety. **Resolution Needed**

2. Repeal **Article XIV Stormwater Management** along with **Section 247-86 thru Section 247-91** in their entirety. **Resolution Needed**
 3. Adopt a **new** Local Law to Repeal **Local Law No. 2-2007**. **Resolution AND LOCAL LAW Needed**
 4. Repeal **Local Law No. 2-2007** with newly adopted Local Law. (See #3 above) **Resolution Needed**
 5. Adopt **Article XIII Stormwater Management Regulations and Drainage** **Resolution Needed**
 6. Adopt **Section 247-85 Stormwater Management** in its entirety. **Resolution Needed**
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