

**Town of Canton
Special Board Meeting
Tuesday, May 2, 2023
In Person and Video Conferencing
Minutes**

Present:

Mary Ann Ashley	----	Supervisor
Jim Smith	----	Council Member
Bob Santamoor	----	Council Member
John Taillon	----	Council Member
Randy Brown	----	Council Member

Also Present: Town Clerk Heidi L. Smith, Attorney Eric Gustafson

Public Attendance: Watertown Daily Times Tom Graser

Zoom Attendance: River Street Planning Monica Ryan, Shelby Bacon, Alex Starbuck

A. Call Meeting to Order/Welcome

Supervisor Ashley called the special meeting to order at 6:00 PM.

B. Old Business

1. Local Law Amending Chapter 70 town Zoning Law-Conduct Part 1 and Part 2 SEQRA Environmental Assessment

Attorney Gustafson stated we are here tonight for the purposes of discussing the Local Law Amending chapter 70 Solar Energy and Amending Chapter 9 Planning Board of the Town of Canton Code.

A motion was made by Council Member Bob Santamoor and seconded by Council Member Jim Smith to adopt the two resolutions: Introduction of Local Law to amend the Town Zoning Law and other land use regulations and set a public hearing to be heard on such local law and Introduction of Local Law to amend the Town Code amending Chapter 9, Planning Board and set a public hearing to be heard on such local law.

All in favor. Motion carried.

See attached resolutions.

Monica Ryan stated that Part 1 of SEQRA (State Environmental Quality Review Act) is the background of the project, this is a type 1 action. The DEC predetermined that adopting zoning and comprehensive plans are classified as type 1 actions that

automatically require SEQRA review. All type 1 actions require review under a full environmental assessment form. Part 1 is the background information about the project.

Part 2 is about evaluating whether or not adopting this zoning will have little or no significant environmental impact or potentially moderate to significant environmental impact. The idea is to mitigate environmental impacts.

A motion was made by Council Member John Taillon and seconded by Council Member Randy Brown to accept Part 1 – Project and Setting of the Full Environmental Assessment Form.
All in favor. Motion carried.

See attached Resolution.

Monica went through all eighteen items on the Full Environmental Assessment Form Part 2 – Identification of Potential Project Impacts with the board. The consensus of the board is that all items were answered with “no”.

Monica stated Part 3 will include a written determination that goes with these answers. As a result of all of these no’s it is a negative declaration indicating there is no determination of significance.

2. Local Law Amending Chapter 9 Planning Board of the Town of Canton Code

A motion was made to accept resolution. See above.

3. Repealing Chapter 70 Solar Energy Facilities of the Town of Canton Code

A motion was made to accept resolution. See above.

4. Repealing Battery Energy Storage Systems Local Law #1 of 2021 of the Town of Canton Code

A motion was made to accept resolution. See above.

5. Set a Public Hearing

A public hearing is set for Wednesday, June 14, 2023, at 5:30 PM.

C. New Business

1. Family Medical Leave Act Request

Supervisor Ashley stated this needs to be discussed in executive session.

Executive Session: Upon a majority vote upon a motion that identifies the subject to be considered, the Council may conduct an executive session to discuss any of the issues identified as proper by Public Officers Law 105(1)

A motion was made by Supervisor Mary Ann Ashley and seconded by Council Member Bob Santamoor to go into executive session for [F] matters pertaining to the employment history of a particular person.

All in favor. Motion carried.

Clerk Smith was invited into executive session.

Clerk Smith left the executive session at 6:50 PM.

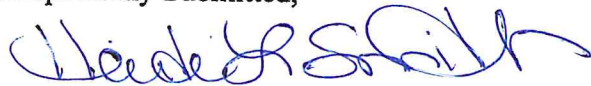
A motion was made by Supervisor Mary Ann Ashley and seconded by Council Member Jim Smith to come out of executive session at 7:35 PM.

All in favor. Motion carried.

A motion was made by Council Member John Taillon and seconded by Council Member Randy Brown to adjourn the special meeting at 7:36 PM.

All in favor. Motion carried.

Respectfully Submitted,



Heidi L. Smith
Town Clerk

Town of Canton, New York

RESOLUTION No. 17

Introduction of Local Law 4 to amend the Town Zoning Law and other land use regulations and set a public hearing to be heard on such local law.

Whereas, New York Municipal Home Rule Law permits the adoption of local laws by a town in furtherance of the health, safety, and welfare of its residents; and

Whereas, the Town Board of the Town of Canton (the "Town Board") identified the need to update the Town Zoning Law to reflect the Canton Comprehensive Plan and other planning policies, and modern zoning practices; and

Whereas, this local law amends the Town Zoning Law and incorporates and amends Local No. 3 of 2019 regulation of solar energy facilities and Local Law 1 of 2021 regulating Battery Energy Storage Systems; and

Whereas, the amendments to the Zoning Law were carefully considered by a community group appointed by the Town Board that included representatives of the Town Board, Code Enforcement Office, Economic Development Office, Planning Board and Zoning Board of Appeals; and

Whereas, a workshop with the Town Board, Planning Board and Zoning Board of Appeals was held at a Town Board meeting and a virtual public presentation of the draft law was held by the Town Board to receive community input and discuss the proposed law; and

Whereas, the Town Board is now initiating the adoption process per § 272-a of Town Law; and

Whereas, the Town Board referred the proposed Zoning Law to the St. Lawrence County Planning Board for review pursuant to General Municipal Law § 239-m; and now for be it

Resolved, the Town Board does hereby introduce this Zoning Law to replace the existing zoning law and regulations of solar energy facilities and battery energy storage facilities; and be it

Further Resolved, the Town Board does hereby set a public hearing and that said public hearing be held by this Town Board with respect to the adoption of the aforesaid Local Law at _____ p.m. on _____ at the Town of Canton Municipal Building, 60 Main Street, Canton, New York.

5/2/2023
Date


Canton Town Clerk

Town of Canton, New York
RESOLUTION No. 18

Introduction of Local Law No. 3 to amend the Town Code amending Chapter 9, Planning Board and set a public hearing to be heard on such local law.

Whereas, New York Municipal Home Rule Law permits the adoption of local laws by a town in furtherance of the health, safety, and welfare of its residents; and

Whereas, the Town of Canton Town Board (the "Town Board") identified the need to update aspects of the Planning Board responsibilities and powers to reflect requirements of New York Town Law and amendments to the Town's Zoning Law; and

Whereas, the amendments to this Chapter were carefully considered by a community group appointed by the Town Board that included representatives of the Town Board, Code Enforcement Office, Economic Development Office, Planning Board and Zoning Board of Appeals; and

Whereas, the Town Board is now initiating the adoption process per § 272-a of Town Law; and now, therefore, be it

Resolved, the Town Board does hereby introduce this Local Law to replace Chapter 9; and be it

Further Resolved, the Town Board does hereby set a public hearing and that said public hearing be held by this Town Board with respect to the adoption of the aforesaid Local Law at _____ p.m. on _____ at the Town of Canton Municipal Building, 60 Main Street, Canton, New York.

5/2/2023
Date

Wendy Smith
Canton Town Clerk

Town of Canton, New York

RESOLUTION No. 19

Resolution classifying the proposed town of canton Local Law No. 5 of 2023 under the State Environmental Quality Review Act (SEQRA) and to propose that the Canton Town Board serve as the lead agency to conduct an uncoordinated review under SEQRA

Whereas, the Town Board of the Town of Canton may amend its zoning law by the adoption of Local Law No. 4 of 2023, amending Chapter 70, Zoning and other related land use regulations;

Whereas, 6 NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA), requires that a Lead Agency be established for conducting environmental review of projects in accordance with local and state environmental law; and

Whereas, State Law specifies that for actions governed by local environmental review, the Lead Agency shall be that local agency which has primary responsibility for approving and carrying out the action; and

Whereas, this is an Type I Action under the State Environmental Quality Review Act; and

Whereas, the Town Board is the local agency with sole responsibility for approving the action; now therefore,

Be it Resolved, that no other involved agencies have been identified and therefore, the Town will undertake an uncoordinated review of the action; and,

Be it Further Resolved, that the Town Board of the Town of Canton hereby declares itself Lead Agency for the environmental review of Local Law No. of 2023.

5/2/2023
Date

Heidi Smith
Canton Town Clerk