

**VICTOR TOWN BOARD MEETING
MONDAY, SEPTEMBER 9, 2019
DRAFT RESOLUTION PACKET**

*“Town Board Draft Resolutions are in **draft** form and are subject to change prior to or during the public meeting.”*

PUBLIC HEARING starts at 7:00 PM

AMEND THE OFFICIAL ZONING MAP AND CHAPTER 211 ZONING, SECTION 211-13 ESTABLISHMENT, SECTION 211-14 MAPPED ZONING DISTRICTS DESIGNATED AND CREATE SECTION 211-27.12 HIGHLINE PARK PLANNED DEVELOPMENT DISTRICT

RESOLUTIONS

1. APPOINTMENT OF _____ AS PART-TIME TYPIST FOR THE TOWN OF VICTOR PLANNING & BUILDING DEPARTMENT (Tina Kolaczyk)
2. AUTHORIZING THE SUPERVISOR TO ENTER INTO A LICENSE AND HOLD HARMLESS AGREEMENT AT 6 ESKER RISE TO ALLOW ENCROACHMENT INTO UTILITY EASEMENT (Jack Marren)
3. AUTHORIZATION FOR TOWN CLERK TO PETITION NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO EVALUATE THE SPEED LIMIT ON CORK ROAD (Mark Years)
4. AUTHORIZATION FOR GRANT APPLICATION - VICTOR TOWN JUSTICE COURT (Terri Bolt)
5. REFERRAL AND SET PUBLIC HEARING – PROPOSED LOCAL LAW TO AMEND CHAPTER 211 ZONING, SECTION 211-27 PLANNED DEVELOPMENT DISTRICT REGULATIONS (Jack Marren)
6. REFERRAL AND SET PUBLIC HEARING - PROPOSED LOCAL LAW TO AMEND CHAPTER 211 ZONING TO AUTHORIZE ESTABLISHMENT OF MIXED USE OVERLAY DISTRICTS (Jack Marren)
7. REFERRAL AND SET PUBLIC HEARING - PROPOSED LOCAL LAW TO AMEND THE OFFICIAL ZONING MAP AND CHAPTER 211 ZONING TO ESTABLISH SECTION 211-27.14 EASTVIEW MALL MIXED USE OVERLAY DISTRICT (Jack Marren)

PUBLIC COMMENT

Speakers are requested to limit comments to 3 minutes and will be asked to conclude comments at 5 minutes

ADJOURN

Public Hearing

NOTICE OF PUBLIC HEARING
PROPOSED LOCAL LAW TO AMEND THE OFFICIAL ZONING MAP AND
CHAPTER 211 ZONING, SECTION 211-13 ESTABLISHMENT, SECTION 211-
14 MAPPED ZONING DISTRICTS DESIGNATED, AND CREATE SECTION
211-27.12 HIGHLINE PARK PLANNED DEVELOPMENT DISTRICT

WHEREAS, the Town of Victor has received an application (the "Application") from Morrell Builders seeking to establish the Highline Park Planned Development District to allow for the development of apartments, single family patio homes and townhomes, all at vacant lands commonly known and referred to as 7652 County Road 42 - Tax Map # 6.00-1-58.310 and County Road 42 - Tax Map # 6.00-1-58.320 (the "Property") currently zoned Light Industrial; and

PLEASE TAKE FURTHER NOTICE that a draft Local Law has been introduced to the Victor Town Board which would grant the relief requested in the Application, which Law is designated as Local Law No. ____ - 2019 to amend Chapter 211 Zoning, Section 211-13 Establishment, Section 211-14 Mapped Zoning Districts Designated and create Section 211-27.12 Highline Park Planned Development District. Such Local Law would allow for the development apartments, single family patio homes and townhomes.

PLEASE TAKE FURTHER NOTICE that said Application and draft Local Law are both on file in the Victor Town Clerk's Office located at 85 East Main Street, Victor, New York, where they are available for public inspection during regular business hours.

PLEASE TAKE FURTHER NOTICE that a public hearing upon said Application and Local Law has been scheduled for the 9th day of September, 2019, at 7:00 PM, to be held by the Victor Town Board at the Victor Town Hall, 85 East Main Street, Victor, New York. An opportunity to be heard in regards thereto will then and there be given. Written comments may also be directed to the Victor Town Clerk, Victor Town Hall, 85 East Main Street, Victor, New York 14564, on or before 4:00 PM on the 9th day of September, 2019. The Victor Town Hall has barrier-free access for the physically handicapped, and any such handicapped person seeking transportation to said Public Hearing may contact the Victor Town Clerk during regular business hours.

Dated: August 27, 2019

Karen C. Bodine
Town Clerk

RESOLUTION #1
APPOINTMENT OF _____ AS PART-TIME TYPIST FOR THE TOWN OF
VICTOR PLANNING & BUILDING DEPARTMENT

WHEREAS, Carol Montevecchio resigned from the position of Part-Time Typist for the Town of Victor Planning & Building on August 23, 2019, and

WHEREAS, the Town Board thanks Carol Montevecchio for her service to the Town of Victor and it's residents over her career with the Town, and wishes her all the best in her new adventures, and

WHEREAS, the position of Part-Time Typist is an appointed position for the Town of Victor which is not subject to Civil Service testing /List of Eligibles requirements, and

WHEREAS, the position was advertised, and candidates were interviewed on September 6, 2019 by an interview committee consisting of Kim Kinsella – Planning & Building Department Head, Sean McAdoo – Code Enforcement Office, Alan Benedict – Code Enforcement Officer, and Tina Kolaczyk –Human Resources, and

WHEREAS, it was decided by the interview team that _____ possesses the qualifications necessary to fill this position; now, therefore be it

RESOLVED, that _____ be appointed to the position of Part-Time Typist for the Town of Victor Planning & Building Department at a Grade 1, step A salary of fifteen dollars and forty-three cents per hour (\$15.43/hour), and is to be funded from the 2019 Town Budget Line Item #B.703620.100 – Building-Safety Personal Services, with a starting date of _____, 2019, and be it further

RESOLVED, that a copy of this resolution be forwarded to _____, Planning & Building, Human Resources, and the Finance Office.

RESOLUTION #2

AUTHORIZING THE SUPERVISOR TO ENTER INTO A LICENSE AND HOLD HARMLESS AGREEMENT AT 6 ESKER RISE TO ALLOW ENCROACHMENT INTO UTILITY EASEMENT

WHEREAS, Ronald E. Gallo and Anthony Pacilio are the record owners (the "Owners") of the premises at 6 Esker Rise, Tax Map #7.01-2-78.000, (the "Property") in the Town of Victor; and

WHEREAS, the Town is the owner of an utility easement, as shown in Book 917 of Deeds at page 98 in the Ontario County Clerk's Office, which utility easement is situated running in an east-west direction along the southern side of the Property between Tax Map #7.01-2-78.000 and Tax Map #7.01-2-79.000 approximately twenty (20) feet wide as shown on Map #19786 filed in the Ontario County Clerk's Office ("Easement"); and

WHEREAS, the Owners of the property proposes to install a fence (the "Fence") with a portion of said proposed Fence encroaching onto the Easement on the Property; and

WHEREAS, the Town Board wishes to enter into a License and Hold Harmless Agreement ("Agreement") to allow the Fence to encroach onto the Easement, said License and Hold Harmless Agreement to be recorded with the Ontario County Clerk's Office; and

WHEREAS, the Agreement would permit the Fence to be constructed, but would require the Owners to remove and/or repair said Fence, hold the Town harmless, and return the Property within the Easement to its pre-alteration condition should the Town need to exercise its rights relating to the Easement in a manner which would require removal of the portion of Fence, and the Town was induced into entering into the Agreement based on said representations; and

WHEREAS, the Town Building Department and Town Engineer have reviewed the proposed Fence and have indicated that the aforementioned proposed encroachment of the Fence into the Easement would not materially adversely affect the integrity, purpose, or function of the Easement, including but not limited to utilities, or be a hindrance in gaining access to any facilities or other infrastructure located within the Easement to effect repairs, maintenance, and/or improvements, and have no objection to the Town Board entering into the Agreement; now, therefore, be it

RESOLVED, that the Supervisor is authorized to execute the License and Hold Harmless Agreement with Ronald E. Gallo and Anthony Pacilio, in a form approved by the Attorney for the Town, to allow the proposed Fence to encroach into the Easement, and any other document reasonably necessary to effect said Agreement; and further be it

RESOLVED, that upon filing with the Ontario County Clerk's office, a copy of the filed License and Hold Harmless Agreement with Ronald E. Gallo and Anthony Pacilio will be provided to the Town Clerk; and further

RESOLVED, that a copy of this Resolution be provided to the Town Planning and Building Department, the Town Clerk, and the Owners.

RESOLUTION #3

AUTHORIZATION FOR TOWN CLERK TO PETITION NEW YORK STATE DEPARTMENT OF
TRANSPORTATION TO EVALUATE THE SPEED LIMIT ON CORK ROAD

WHEREAS, the Highway Superintendent has received a request to evaluate the speed limit on Cork Road; now, therefore, be it

RESOLVED that the Town Clerk proceed with petitioning the NYS Department of Transportation to evaluate the speed limit for Cork Road; and further

RESOLVED that a copy of this resolution be forwarded to the Ontario County Superintendent of Highways, Karen Bodine, Town Clerk; and Mark Years, Highway Superintendent.

RESOLUTION #4

AUTHORIZATION FOR GRANT APPLICATION - VICTOR TOWN JUSTICE COURT

WHEREAS, the New York State Unified Court System's Justice Court Assistance Program has grant monies available to local courts; and

WHEREAS, the Town of Victor Justice Court may be eligible for certain funds through this program, to be used for updating current surveillance system, updating walkthrough metal detector and new phone system; now, therefore, be it

RESOLVED that the Town Board does hereby authorize the submission of an application for grant monies from the Justice Court Assistance Program; and further

RESOLVED that a copy of this resolution be forwarded to the New York State Unified Court System's Justice Court Assistance Program, Terri Bolt, Court Clerk; the Finance Department, and the Town Clerk.

RESOLUTION #5

REFERRAL AND SET PUBLIC HEARING – PROPOSED LOCAL LAW TO AMEND CHAPTER 211 ZONING, SECTION 211-27 PLANNED DEVELOPMENT DISTRICT REGULATIONS

WHEREAS, existing Planned Development District (PDD) provisions describe a two-step procedure for establishment of a Planned Development District, the first being Town Board amendment of the Zoning District Map and approval of a Preliminary Development Plan and the second being Town Planning Board approval of a detailed Site Plan for the Planned Development District; and

WHEREAS, the benefits of the two-step procedure include 1) providing the Town Board an opportunity to consider the suitability of both the proposed mix of principal uses and the general approach proposed for development of a planned development project, 2) preserving flexibility for the Town Board and the applicant to articulate and explore alternative use mixes and general approaches to the planned development as the Town Board considers the proposed rezoning, 3) avoiding the need for an applicant to commit significant effort and expense developing unnecessary detail prior to the Town Board's decision regarding a proposed PDD rezoning, 4) preserving the Town Planning Board's opportunity to consider, potentially modify, and approve the detailed site plan that will be relied upon to bring the planned development project to fruition, and 5) ensuring that the detailed site plan approved by the Town Planning Board for development of planned development project remains consistent with the general development approach anticipated by the Town Board when approving a PDD rezoning; and

WHEREAS, the foregoing benefits are diminished or even lost when unnecessary detail is developed for inclusion in a Preliminary Development Plan presented for Town Board approval as part of a PDD rezoning; and

WHEREAS, the NY State Environmental Quality Review Act and its regulations promulgated at 6 N.Y.C.R.C. Part 617 (collectively referred to as "SEQRA") generally require that actions subject to review commonly consist of a set of activities or steps and that the entire set of activities or steps must be considered the action to be reviewed, whether the agency decision-making relates to the action as a whole or to only a part of it; and

WHEREAS, the general requirement for an environmental review of the Town Board's consideration of a proposed PDD rezoning and associated approval of a Preliminary Development Plan to also encompass an environmental review of the Planning Board's review and potential approval of detailed Site Plan for the Planned Development District has, in the past, led to the development and inclusion of much unnecessary detail in the Preliminary Development Plan presented for Town Board approval; and

WHEREAS, in past instances the Town has, in order to preserve the benefits of the two-step process, elected to conduct two separate segmented reviews under SEQRA, one for the Town Board's consideration of the PDD rezoning and associated approval of a Preliminary Development Plan and a second for the Town Planning Board's consideration and potential approval of a detailed Site Plan for the Planned Development District; and

WHEREAS, SEQRA (6 NY-CRR 617.3 (g)(1)) provides that if a lead agency believes that circumstances warrant a review that does not include the entire set of activities or steps in the action, that it must clearly state in its determination of significance the supporting reasons and must demonstrate that such review is clearly no less protective of the environment; and

WHEREAS, the existing Zoning Code provisions describing the two-step procedure for establishment of a Planned Development District provide little guidance regarding the benefits of the two-step process, the manner in which the inclusion of unnecessary detail in a Preliminary Development Plan submitted to the Town Board may eliminate or diminish those benefits, and the rationale that might justify a lead agency's election, in such instances, to conduct two separate segmented reviews under SEQRA; and

WHEREAS, amending the existing Zoning Code provisions describing the two-step procedure for establishment of a Planned Development District to include guidance regarding the benefits of the two-step process, the manner in which the inclusion of unnecessary detail in a Preliminary Development Plan submitted to the Town Board may eliminate or diminish those benefits, and the rationale that might justify a lead agency's election, in such instances, to conduct two separate segmented reviews under SEQRA would facilitate more compliant and consistent decision-making in that regard; and

WHEREAS, a proposed Local Law that would amend the Town Zoning Code to clarify Planned Development District establishment procedures by providing such guidance relative to the two-step process has been prepared and submitted for the Town Board's review, which Local Law the Town Board will now consider for adoption; and

WHEREAS, LaBella Associates has prepared and submitted for the Town Board's consideration a State Environmental Quality Review ("SEQR") Environmental Assessment Form ("EAF") Part 1 describing the proposed adoption of the Local Law that would amend the Town Zoning Code to clarify Planned Development District establishment procedures by providing such guidance relative to the two-step process; and

WHEREAS, in order to comply with SEQRA, the Town Board must determine whether the action now being proposed may involve one or more other agencies and make a preliminary classification of the action now being proposed as Type I, Unlisted or Type II; and

WHEREAS, SEQRA provides that, when a single agency is involved, that agency will be the lead agency when it proposes to undertake, fund or approve a Type I or Unlisted action that does not involve another agency; and

WHEREAS, Zoning Code Section 211-6A requires the Town Board to hold a public hearing prior to amendments of Zoning Code; and

WHEREAS, Zoning Code Section 211-6B requires that a proposed amendment of the Town of Victor Zoning Code be referred to the Town Planning Board for a report prior to the Public Hearing thereon; and

WHEREAS, General Municipal Law Section 239-m requires that the Town Board shall refer an amendment of a zoning ordinance or local law to the Ontario County Planning Board before taking final action; and

WHEREAS, the Municipal Home Rule Law requires that a public hearing be held on each proposed local law; now therefore be it

RESOLVED, that the Town Board hereby makes a preliminary classification under SEQRA of the action now being proposed as an Unlisted action; and be it further

RESOLVED, that the Town Board, as the only agency involved in the action now being proposed and as an agency proposing to undertake, fund or approve said action, is therefore the lead agency under SEQRA; and be it further

RESOLVED, that the Town Board hereby accepts, in accordance with SEQRA, the SEQRA Full EAF Part 1 prepared by LaBella Associates; and it is further

RESOLVED, a draft Local Law to amend Chapter 211 Zoning to Clarify Procedures for the Establishment of Planned Development Districts has been prepared and submitted to the Town Board for its consideration; said draft Local Law is on file with the Town Clerk; and be it further

RESOLVED, that the Local Law being proposed to clarify Planned Development District establishment procedures by providing such guidance relative to the two-step process and the SEQRA Full EAF Part 1 prepared by LaBella Associates and accepted by the Town Board are hereby referred to both the Town Planning Board and the Ontario County Planning Board for their review and recommendation; and be it further

RESOLVED, by the Town Board of the Town of Victor that a Public Hearing shall be held on the 23rd day of September, 2019, at 7:00 p.m., for the purpose of adopting the proposed Local Law to amend Chapter 211 Zoning to Clarify Procedures for the Establishment of Planned Development Districts by providing such guidance relative to the two-step process; and be it further

RESOLVED, that the Town Clerk shall provide and publish such notice(s) of the Public Hearing(s) scheduled herein as are required under the Town Zoning Code, the NY Town Law and the NY Municipal Home Rule Law.

RESOLUTION #6

REFERRAL AND SET PUBLIC HEARING - PROPOSED LOCAL LAW TO AMEND CHAPTER 211 ZONING TO AUTHORIZE THE ESTABLISHMENT OF MIXED USE OVERLAY DISTRICTS

WHEREAS, changing commercial circumstances have led to the need for owners and tenants of non-residential parcels to repurpose some spaces to incorporate a more wide-ranging mix of uses and for zoning provisions to afford them flexibility to do so in the absence of any plan for development provided the affected sites are considered appropriate for a satisfactory combination of residential, recreational, commercial and/or light industrial use and can accommodate a mix of such uses without departing from the spirit and intent of the Town's zoning regulations; and

WHEREAS, a LaBella Associates report indicated that existing Planned Development District (PDD) provisions were unlikely to provide the desired flexibility due to the need for a detailed application, the need for an applicant to submit for approval a detailed plan for site development, and the manner in which the PDD provisions would necessarily vacate and replace all rights and requirements that would otherwise be applicable in the traditional commercial or industrial zoning district; and

WHEREAS, the aforementioned LaBella Associates report further indicated that establishment of a Mixed Use Overlay District could provide the desired flexibility given that all rights and requirements applicable in the traditional commercial or industrial zoning district would remain in force, that establishment of such an overlay could apply to developed properties with no redevelopment plans, and could be established either in response to an application or on the Town Board's own initiative; and

WHEREAS, the Town Zoning Code presently authorizes establishment of only two types of overlay districts, one related to special requirements within the Route 96/Route 251 corridor and the other related to maximum development densities within residential districts; and

WHEREAS, a proposed Local Law that would amend the Town Zoning Code to authorize the establishment of Mixed Use Overlay districts has been prepared and submitted for the Town Board's review, which Local Law the Town Board will now consider for adoption; and

WHEREAS, LaBella Associates has prepared and submitted for the Town Board's consideration a State Environmental Quality Review ("SEQR") Environmental Assessment Form ("EAF") Part 1 describing the proposed adoption of the Local Law that would amend the Town Zoning Code to authorize the establishment of Mixed Use Overlay districts; and

WHEREAS, authorization for the establishment of Mixed Use Overlay districts could be considered the adoption of changes in the allowable uses within any zoning district with the potential to affect 25 or more acres of a district as those terms are utilized in the NY State Environmental Quality Review Act and its regulations promulgated at 6 N.Y.C.R.C. Part 617 (collectively referred to as "SEQRA"); and

WHEREAS, in order to comply with SEQRA, the Town Board must determine whether the action now being proposed may involve one or more other agencies and make a preliminary classification of the action now being proposed as Type I, Unlisted or Type II; and

WHEREAS, SEQRA provides that, when a single agency is involved, that agency will be the lead agency when it proposes to undertake, fund or approve a Type I or Unlisted action that does not involve another agency; and

WHEREAS, Zoning Code Section 211-6A requires the Town Board to hold a public hearing prior to amendments of Zoning Code text or maps; and

WHEREAS, Zoning Code Section 211-6B requires that a proposed amendment of the Town of Victor Zoning Code be referred to the Town Planning Board for a report prior to the Public Hearing thereon; and

WHEREAS, General Municipal Law Section 239-m requires that the Town Board shall refer an amendment of a zoning ordinance or local law to the Ontario County Planning Board before taking final action; and

WHEREAS, the Municipal Home Rule Law requires that a public hearing be held on each proposed local law; now, therefore, be it

RESOLVED, that the Town Board hereby makes a preliminary classification under SEQRA of the action now being proposed as a Type I action; and be it further

RESOLVED, that the Town Board, as the only agency involved in the action now being proposed and as an agency proposing to undertake, fund or approve said action, is therefore the lead agency under SEQRA; and be it further

RESOLVED, that the Town Board hereby accepts, in accordance with SEQRA, the SEQR Full EAF Part 1 prepared by LaBella Associates; and be it further

RESOLVED, a draft Local Law to amend Chapter 211 Zoning to Authorize the Establishment of Mixed Use Overlay Districts has been prepared and submitted to the Town Board for its consideration; said draft Local Law is on file with the Town Clerk; and be it further

RESOLVED, that the Local Law being proposed to authorize the establishment of Mixed Use Overlay districts and the SEQR Full EAF Part 1 prepared by LaBella Associates and accepted by the Town Board are hereby referred to both the Town Planning Board and the Ontario County Planning Board for their review and recommendation; and be it further

RESOLVED, by the Town Board of the Town of Victor that a Public Hearing shall be held on the 23rd day of September, 2019, at 7:00 p.m., for the purpose of adopting the proposed Local Law to amend Chapter 211 Zoning to Authorize the Establishment of Mixed Use Overlay Districts; and be it further

RESOLVED, that the Town Clerk shall provide and publish such notice(s) of the Public Hearing(s) scheduled herein as are required under the Town Zoning Code, the NY Town Law and the NY Municipal Home Rule Law.

RESOLUTION #7

REFERRAL AND SET PUBLIC HEARING – PROPOSED LOCAL LAW TO AMEND THE
OFFICIAL ZONING MAP AND CHAPTER 211 ZONING TO ESTABLISH SECTION 211-27.14
EASTVIEW MALL MIXED USE OVERLAY DISTRICT

WHEREAS, changing commercial circumstances have led to the need for owners and tenants of some non-residential parcels to repurpose some spaces to incorporate a more wide-ranging mix of uses and for zoning provisions to afford them flexibility to do so in the absence of any plan for development provided the affected sites are considered appropriate for a satisfactory combination of residential, recreational, commercial and/or light industrial use and can accommodate a mix of such uses without departing from the spirit and intent of the Town's zoning regulations; and

WHEREAS, Zoning Code Sections 211-14, 211-15, 211-17, and 211-27.13 authorize the establishment of Mixed Use Overlay districts for the purpose of providing additional flexibility to authorize a mix of multiple principal uses on land areas within the community considered appropriate for a satisfactory combination of residential, recreational, commercial and/or light industrial use without departing from the spirit and intent of these zoning regulations and in the absence of a plan for development; and

WHEREAS, the Eastview Mall site of approximately 160.9 acres which includes a total of seven contiguous parcels some of which now are or previously were occupied by retail department stores accessed via the mall property has been identified as a land area appropriate for a satisfactory combination of residential, recreational, commercial and/or light industrial use; and

WHEREAS, Zoning Code Section 211-27.13 requires two steps for establishment of a Mixed Use Overlay district, the first being amendment of the Zoning District Map to establish such a district and the second being the Town Board's approval of a Mixed Use Plan for parcels of land within the district; and

WHEREAS, a proposed Local Law that would amend the Town Zoning Code and Zoning District Map to establish the Eastview Mall Mixed Use Overlay district has been prepared and submitted for the Town Board's review, which Local Law the Town Board will now consider for adoption; and

WHEREAS, LaBella Associates has prepared and submitted for the Town Board's consideration a State Environmental Quality Review ("SEQR") Environmental Assessment Form ("EAF") Part 1 describing the proposed adoption of the Local Law that would establish the Eastview Mall Mixed Use Overlay district; and

WHEREAS, establishment of Eastview Mall Mixed Use Overlay district could be considered the adoption of changes in the allowable uses within any zoning district with the potential to affect 25 or more acres of a district as those terms are utilized in the NY State Environmental Quality Review Act and its regulations promulgated at 6 N.Y.C.R.C. Part 617 (collectively referred to as "SEQRA"); and

WHEREAS, in order to comply with SEQRA, the Town Board must determine whether the action now being proposed may involve one or more other agencies and make a preliminary classification of the action now being proposed as Type I, Unlisted or Type II; and

WHEREAS, SEQRA provides that, when a single agency is involved, that agency will be the lead agency when it proposes to undertake, fund or approve a Type I or Unlisted action that does not involve another agency; and

WHEREAS, Zoning Code Section 211-6A requires the Town Board to hold a public hearing prior to amendments of Zoning Code text or maps; and

WHEREAS, Zoning Code Section 211-6 B requires that a proposed amendment of the Town of Victor Zoning Code be referred to the Town Planning Board for a report prior to the Public Hearing thereon; and

WHEREAS, General Municipal Law Section 239-m requires that the Town Board shall refer an amendment of a zoning ordinance or local law to the Ontario County Planning Board before taking final action; and

WHEREAS, the Municipal Home Rule Law requires that a public hearing be held on each proposed local law; now, therefore, be it

RESOLVED, that the Town Board hereby makes a preliminary classification under SEQRA of the action now being proposed as a Type I action; and be it further

RESOLVED, that the Town Board, as the only agency involved in the action now being proposed and as an agency proposing to undertake, fund or approve said action, is therefore the lead agency under SEQRA; and be it further

RESOLVED, that the Town Board hereby accepts, in accordance with SEQRA, the SEQR Full EAF Part 1 prepared by LaBella Associates; and be it further

RESOLVED, a draft Local Law to amend the Official Zoning Map and amend Chapter 211 Zoning to establish Section 211-27.14 Eastview Mall Mixed Use Overlay District has been prepared and submitted to the Town Board for its consideration; said draft Local Law is on file with the Town Clerk; and be it further

RESOLVED, that the Local Law being proposed to amend the Official Zoning Map and establish the Eastview Mall Mixed Use Overlay district and the SEQR Full EAF Part 1 prepared by LaBella Associates and accepted by the Town Board are hereby referred to both the Town Planning Board and the Ontario County Planning Board for their review and recommendation; and be it further

RESOLVED, by the Town Board of the Town of Victor that a Public Hearing shall be held on the 23rd day of September, 2019, at 7:00 p.m., for the purpose of adopting the proposed Local Law to amend the Official Zoning Map and amend Chapter 211 Zoning to establish Section 211-27.14 Eastview Mall Mixed Use Overlay District; and be it further

RESOLVED, that the Town Clerk shall provide and publish such notice(s) of the Public Hearing(s) scheduled herein as are required under the Town Zoning Code, the NY Town Law and the NY Municipal Home Rule Law.