

TOWN OF GHENT
SPECIAL
TOWN BOARD MEETING
April 7, 2016

The Special Meeting of the Town Board was held April 7, 2016 at the Ghent Town Hall, Route 66, Ghent, NY. Supervisor Benvenuto opened the meeting at 7:30 pm with the pledge to the flag.

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| Present were: Michael Benvenuto | Supervisor |
| Charles Wood | Councilman |
| Peter Nelson | Councilman |
| Patti Matheney | Councilwoman |
| Mallory Mort | Councilman |
| Matthew Cabral | Attorney for Town |

Also present- about 25 audience members.

Supervisor Benvenuto opened the Special meeting with a question and answer session with members of the CZRC and Town Board members. Attorney Khosvora and members Geoff French and Jonathan Walters agreed substantial changes would take longer than six weeks. The committee maintains the first line of business in review of code was section 190.13 and suggests the board move forward. There are still 14 items remaining on the agenda that warrant discussion and the committee will continue to meet and address those items.

Supervisor Benvenuto polled the Town Board members for comments regarding moving forward and passing Local Law # 2 or waiting six more weeks before deciding.

Councilwoman Matheney expressed concerns and states further discussion is needed and wants to wait six more weeks.

Councilman Mort- Suggests one more meeting by the CZRC.

Councilman Wood- the process in place, board should move forward.

Councilman Nelson- The SEQRA process works protects all, and board should move forward.

Supervisor Benvenuto – respects the work the committee has done and their opinion. Instructs Attorney Cabral to move forward with the SEQRA review and bring to a vote.

Attorney Cabral read aloud the Environmental Assessment Forms pertaining to Local Law # 2 for the year 2016.

MOTION # 1 TO ISSUE A NEGATIVE DECLARATION UNDER THE PROVISIONS OF SEQRA, PERTAINING TO LOCAL LAW # 2 FOR 2016 made by Supervisor Benvenuto, seconded by Councilman Nelson and approved unanimously.

Ayes: 5 Benvenuto, Mort, Matheney, Nelson, Wood

Nays: 0

RESOLUTION #17 FOR THE YEAR 2016: WHEREAS, THE TOWN BOARD HAS BEFORE IT PROPOSED LOCAL LAW NO. 2 FOR THE YEAR 2016, WHICH WOULD AMEND THE CODE OF THE TOWN OF GHENT, CHAPTER 190 (ZONING), AS IT RELATES PRIMARILY TO BUSINESS, COMMERCIAL, AND INDUSTRIAL DEVELOPMENT WITHIN THE TOWN, AND WOULD FURTHER REPEAL THE CURRENT MORATORIUM ON BUSINESS, COMMERCIAL, AND INDUSTRIAL DEVELOPMENT WITHIN THE TOWN; WHEREAS, OVER A PERIOD OF SIX MONTHS, THE ZONING REVIEW COMMITTEE, APPOINTED BY THE TOWN BOARD OF THE TOWN OF GHENT IN AUGUST OF 2015, REVIEWED AND ANALYZED THE TOWN ZONING CODE AS IT APPLIES TO BUSINESS, COMMERCIAL, AND INDUSTRIAL DEVELOPMENT WITHIN THE TOWN, CONSIDERED THE TOWN'S COMPREHENSIVE MASTER PLAN, AND DRAFTED PROPOSED CHANGES TO THE ZONING CODE FOR REVIEW AND ENACTMENT BY THE TOWN BOARD; WHEREAS, THE TOWN BOARD, AFTER CONSIDERING THE PROPOSALS OF SAID COMMITTEE, DIRECTED THE ATTORNEY FOR THE TOWN TO PREPARE A LOCAL LAW FILING FOR THE ENACTMENT OF THE RECOMMENDED CHANGES AND THEN HELD AN INITIAL PUBLIC HEARING BEFORE THE GHENT TOWN BOARD ON JANUARY 27, 2016, AFTER DUE AND PROPER NOTICE BY PUBLICATION AND POSTING, FOR THE PURPOSE OF CONSIDERING ADOPTION OF THEN LOCAL LAW NO. 1 OF 2016; WHEREAS, FOLLOWING THAT INITIAL PUBLIC HEARING, IN RESPONSE TO ORAL AND WRITTEN COMMENTS RECEIVED FROM THE PUBLIC AND MEMBERS OF THE TOWN BOARD, THE TOWN BOARD DIRECTED THE COMMITTEE TO REVISIT THE PROPOSED CHANGES TO THE ZONING CODE AND INCORPORATE, AS APPROPRIATE, THE COMMENTS AND RECOMMENDATIONS OF THE PUBLIC AND THE MEMBERS OF THE TOWN BOARD; WHEREAS, WHILE THE COMMITTEE REVISED THE PROPOSED CHANGES TO THE ZONING CODE AS REQUESTED BY THE TOWN BOARD, THE TOWN BOARD CONSIDERED AND ENACTED A THREE MONTH EXTENSION OF THE MORATORIUM ON BUSINESS, COMMERCIAL, AND INDUSTRIAL DEVELOPMENT WITHIN THE TOWN, WHICH BECAME LOCAL LAW NO. 1 OF 2016; WHEREAS, THE COMMITTEE THEREAFTER PROVIDED THE TOWN BOARD WITH REVISED PROPOSED CHANGES TO THE ZONING CODE FOR CONSIDERATION BY THE TOWN BOARD; WHEREAS, THE TOWN BOARD, AFTER CONSIDERING THE COMMITTEE'S REVISED PROPOSED CHANGES TO THE ZONING CODE, DIRECTED THE ATTORNEY OF THE TOWN TO PREPARE A REVISED LOCAL LAW FILING FOR THE ENACTMENT OF THE ZONING CHANGES RECOMMENDED BY THE COMMITTEE, AS REVISED FOLLOWING THE INITIAL PUBLIC HEARING, WHICH BECAME LOCAL LAW NO. 2 OF 2016; WHEREAS, A SECOND PUBLIC HEARING WAS HELD REGARDING PROPOSED LOCAL LAW NO. 2 OF 2016 BEFORE THE GHENT TOWN BOARD ON APRIL 7, 2016, AFTER DUE AND PROPER NOTICE BY PUBLICATION AND POSTING; WHEREAS, PROPOSED LOCAL LAW NO. 2 OF 2016 WAS REFERRED TO THE COLUMBIA COUNTY PLANNING BOARD, WHICH REVIEWED THE MATTER AND INDICATED THAT ADOPTION OF THE PROPOSED LOCAL LAW NO. 2 OF 2016 IS A "LOCAL DECISION"; WHEREAS, THE TOWN BOARD AFTER REVIEWING ALL OF THIS INPUT, HAS DETERMINED THAT THE PROPOSED LOCAL LAW NO. 2 OF 2016, IF ADOPTED, WOULD BE APPROPRIATE AND IN THE BEST INTERESTS OF THE RESIDENTS OF THE TOWN; AND WHEREAS, THE TOWN BOARD CONDUCTED A REVIEW OF THE PROPOSED LOCAL LAW UNDER THE PROVISIONS OF THE STATE ENVIRONMENTAL QUALITY REVIEW ACT AND DETERMINED THAT THE PROPOSED LOCAL LAW WOULD HAVE NO SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT AND THAT A NEGATIVE DECLARATION BE ISSUED. NOW, THEREFORE, UPON MOTION DULY MADE AND SECONDED IT IS RESOLVED, BY THE TOWN BOARD OF THE TOWN OF GHENT THAT THE ADOPTION OF LOCAL LAW NO. 2 OF THE YEAR 2016 IS HEREBY APPROVED AND SHALL BECOME EFFECTIVE IMMEDIATELY.

MOTION #2 TO ACCEPT RESOLUTION # 17 FOR THE YEAR 2016 made by Supervisor Benvenuto, seconded by Councilman Nelson and approved.

AYES: 3 Benvenuto, Nelson, Wood

NAYS: 2 Matheney and Mort

Councilman Mort- No/ should have been sent back.

Councilwoman Matheney- No/ should have been sent back to revisit some items, disappointed in conclusion.

Supervisor Benvenuto- Taking everything into account, including comments made on the moratorium and the public hearings, values the committees opinion to move forward.

Councilman Wood- CZRC will continue to address any issues, no need to delay.

Councilman Nelson- get started and continue to build on it.

MOTION #3 TO ADJOURN THE MEETING AT 8:25 PM made by Councilman Wood, seconded by Councilman Nelson approved unanimously.

Ayes: 5 Benvenuto, Wood, Nelson, Matheney, Mort

Nays 0

Respectfully Submitted,

Michelle Radley