

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
City of Watkins Glen
~~Town~~
Village

Local Law No. 1 of the year 19 79

A local law providing for Environmental Review of Actions regarding SEQR and Part 617
(insert title)

Be it enacted by the Village Board of the
(Name of Legislative Body)

County
~~City~~ of Watkins Glen
~~Town~~
Village as follows:

Section 1. The purpose of this local law is to implement for the Village of Watkins Glen SEQR and Part 617.

Section 2. (a) The terms and words used in this local law shall have the same meaning as such terms and words are defined in Article 8 of the Environmental Conservation Law and Part 617, unless the context requires a different meaning.

(b) The following terms shall have the following meaning: SEQR - the State Environmental Quality Review Act as set forth in Article 8 of the Environmental Conservation Law, Part 617 - the rules and regulations set forth in 6NYCRR 617, EAF - Environmental Assessment Form, EIS - Environmental Impact Statement, Village - the Village of Watkins Glen.

Section 3. No action, other than an exempt, excluded or Type II action, shall be carried out, approved or funded by any agency, board, body, or officer of the Village, unless it has complied with SEQR, Part 617 to the extent applicable and this local law.

Section 4. (a) An EAF shall be prepared by or on behalf of any agency, board, body or officer of the Village in connection with any Type I action such agency, board, body or officer contemplates or proposes to carry out directly. For an unlisted action an EAF in a short or long form may be prepared to facilitate a preliminary determination of environmental significance.

(b) An application for permit or funding of a Type I action shall be accompanied by an EAF, and for an unlisted action may be accompanied by a short or long form EAF as may be needed to assist the lead agency in making a preliminary determination of environmental significance. An applicant may prepare a draft EIS to accompany the application in place of the EAF. In lieu of an EAF the Village Board or a lead agency having authority to adopt its own regulations may adopt different procedure for reviewing environmental significance of unlisted actions. The lead agency shall make a preliminary determination of environmental significance of the action on the basis of the EAF, draft EIS or with respect to unlisted actions in accordance with its own procedures, as the case may be, and such other

(If additional space is needed, please attach sheets of the same size as this and number each)

information it requires. Such determination shall be made within 15 days of its designation as lead agency or within 15 days of its receipt of all information it requires, whichever is later. For Type I actions a determination of non-significance shall be noticed and filed as provided in Part 617.10(b); for unlisted actions a determination of non-significance shall be sent to the applicant and maintained in accordance with Part 617.7(e) and 617.10(f). After a determination of non-significance, the action including one involving a permit or funding shall be processed without further regard to SEQR, Part 617 or this local law.

(c) The time of filing an application for approval or funding of an action shall commence to run from the date the preliminary determination of environmental non-significance is rendered, or if in lieu of an EAF the applicant prepares a draft EIS, from the date the applicant files a draft EIS acceptable to the lead agency.

Section 5. If the lead agency determines that an EIS is required, it shall proceed as provided in Part 617.8, 617.9 and 617.10. Commencing with the acceptance of the draft EIS, the time limitation for processing the EIS shall run concurrently with the time limitations applicable to processing the application for approval or funding of the action, and a public hearing on the draft EIS, if any, shall be held concurrently with any hearing to be held on such application. The draft EIS shall be prepared by the applicant. Failure by the applicant to prepare an EIS acceptable to the lead agency shall, at the option of the lead agency, be deemed an abandonment and discontinuance of the application.

Section 6. The lead agency shall be determined and designated as provided in Part 617.6 and 617.7, except that in the following Type I and unlisted actions the lead agency shall be as provided herein: (a) adoption, amendment or change in zoning regulations not requiring a federal or state agency permit or approval - the Village Board; (b) construction or expansion of Village buildings, structures and facilities within the Village not requiring a federal or state agency permit or approval - the Village Board; (c) zoning variances not requiring a federal or state agency permit or approval - zoning board of appeals; (d) purchase, sale and lease of real property by the Village, not requiring a federal or state agency permit or approval - Village Board; (e) planned unit development or cluster zoning not requiring a federal or state agency permit or approval - Village Board; (f) site plan review and special use permit not requiring a federal or state agency permit or approval - Village Board; (g) construction or expansion of nonresidential facility not requiring a federal or state agency permit or approval - Village Board; (h) parking lot not requiring a federal or state agency permit or approval - Village Board.

Section 7. The Village Consultant designated as the SEQR Clearinghouse Agent shall act as the Village clearinghouse for lead agency designation. Such clearinghouse shall assist agencies and applicants to identify other agencies, including federal and state, that may be involved in approving, funding or carrying out Type I and unlisted actions. The clearinghouse shall also make recommendations on the designation of a lead agency.

Section 8. Environmental review of actions involving a federal agency shall be processed in accordance with Part 617.16.

Section 9. The fees for review or preparation of an EIS involving an applicant for approval or funding of an action shall be fixed from time to time by a resolution of the Village Board.

Section 10. Critical areas of environmental concern may be designated by resolution of the Village Board in accordance with Part 617.4(j).

Section 11. This local law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 1979. County of Watkins Glen was duly passed by the Board of Trustees Village on February 20, 1979 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer, * or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19 County of Town was duly passed by the Village on 19 and was approved by the Elective Chief Executive Officer * and was deemed duly adopted on 19, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19 County of Town was duly passed by the Village on 19 and was approved by the Elective Chief Executive Officer * on 19. Such local law was submitted to the people by reason of a mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the special election held on 19, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19 County of Town was duly passed by the Village on 19 and was approved by the Elective Chief Executive Officer * on 19. Such local law being subject to a permissive referendum and no valid petition requesting such referendum having been filed, said local law was deemed duly adopted on 19, in accordance with the applicable provisions of law.

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village or the supervisor of a town, where such officer is vested with power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19..... of the City of..... having been submitted to referendum pursuant to the provisions of § 36 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the special election held on 19..... became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as Local Law No. of 19..... of the County of, State of New York, having been submitted to the Electors at the General Election of November, 19, pursuant to subdivisions 5 and 7 of Section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph above.

Catherine D. Clark-Har
Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: March 5, 1979

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK

COUNTY OF Schuyler

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Edward J. ...
Signature
..... Village Attorney
Title

Date: March 5, 1979

County
City of Watkins Glen
Town
Village