

Chapter 63

ENVIRONMENTAL QUALITY REVIEW

[HISTORY: Adopted by the Town Board of the Town of Skaneateles 5-1-1989 by L.L. No. 1-1989.¹ Amendments noted where applicable.]

GENERAL REFERENCES

Flood damage prevention — See Ch. 72.

Subdivision of land — See Ch. 131.

Zoning — See Ch. 148.

§ 63-1. Title.

This chapter shall be entitled a "Local Law to Provide for Environmental Quality Review, 1978, as amended in 1989."

§ 63-2. Definitions.

Unless the context shall otherwise require, the terms, phrases, words and their derivatives used in this chapter shall have the same meanings as defined in other chapters of the Code of the Town of Skaneateles and as defined in § 8-0105 of the Environmental Conservation Law and Part 617 of Title 6 of the New York Codes, Rules and Regulations. References herein to Part 617 or sections thereof shall mean such part of sections as were adopted and effective on June 1, 1987.

§ 63-3. Types of actions.

Consistent with §§ 617.4(e) and 617.13 of Part 617 and the criteria therein, the following actions, in addition to those listed in § 617.13 of Part 617 as Type II actions, are deemed to be Type II actions and not to have a significant effect on the environment:

- A. An action to enforce any provision of the Code of the Town of Skaneateles.
- B. Approval of a street opening permit for the purpose of tying in to existing utility facilities.
- C. Approval of lateral connections to sewer or water lines.
- D. Adoption or amendment of any local law when such adoption or amendment is either required by or is an option granted by any state or federal law.
- E. Any action under Chapter 6, Defense and Indemnification of Employees, or Chapter 8, Code of Ethics.

¹. Editor's Note: This local law supersedes former Ch. 63. Environmental Quality Review, adopted 12-4-1978 by L.L. No. 2-1978, as amended 12-10-1985 by L.L. No. 11-1985.

- F. Adoption of regulations or amendments to existing regulations related solely to applications, review of applications or to fees charged as part of the application process.
- G. Enactment of or amendment to the procedure for enactment of local laws or ordinances.
- H. Adoption of legislation codifying existing laws.
- I. Any action, including investigation, report, notice or decision, related to unsafe buildings pursuant to Chapter 42.
- J. Any action related to the acceptance by the Town of an interest in real property or of completed utility facilities therein.

§ 63-4. Time periods.

The time periods stated in Part 617 are changed as follows:

- A. To 35 days for each action to be performed within 20 days pursuant to Part 617, §§ 617.6(a)(1)(ii), 617.6(c)(2) and 617.6(d)(1).
- B. To 45 days for each action to be performed within 30 days pursuant to Part 617, §§ 617.6(c)(1), 617.6(e)(1), 617.7(a), 617.8(b)(1), 617.8(b)(2), 617.8(b)(4) and 617.9(b).

§ 63-5. Proposed action involving an applicant; draft environmental impact statement.

Following a determination that a proposed action involving an applicant requires a draft environmental impact statement (draft EIS) as a Type I action or as an unlisted action that may have a significant effect on the environment, the lead Town agency shall immediately notify the applicant of the determination and shall request the applicant to prepare a draft EIS. If an applicant decides not to submit a draft EIS as requested or if the applicant fails to submit a draft EIS, the lead Town agency shall notify the applicant that the processing of the application will cease and that no approval will be issued.

§ 63-6. Filing and notice.

- A. Whenever a filing with the Town is required by Part 617, such filing shall be made in the office of the Town Clerk.
- B. In addition to the requirements of Part 617, a notice of public hearing on a draft EIS shall be given by posting on the signboard maintained by the Town Clerk not less than seven nor more than 30 days prior to the scheduled date of the public hearing.

§ 63-7. Fees.

- A. Each application requiring an initial determination shall be accompanied by a fee as established from time to time by resolution of the Town Board.
- B. Where an application requires the preparation and review of a draft EIS, fees shall

be required to the fullest extent allowable under § 617.17 of Part 617. The lead Town agency may require an applicant to submit in advance the fee for reviewing the draft EIS.