

TOWN OF AMSTERDAM TOWN BOARD

RESOLUTION ISSUING A SEQR DETERMINATION FOR A PROPOSED LOCAL LAW TO AMEND THE TOWN OF AMSTERDAM ZONING LAW TO ALLOW CANNABIS RETAIL DISPENSARIES, CREATE A NEW RETAIL WITH DRIVE-THRU USE, AND TO MAKE CERTAIN OTHER CHANGES RELATING THERETO

Whereas, on March 31, 2021 the Marijuana Regulation and Taxation Act (MRTA) signed into law, which, inter alia, legalized adult recreational use of cannabis and created a licensure system for the growing, processing, distribution, taxation, and sale of cannabis products; and

Whereas, the operation of cannabis retail dispensaries in the Town is allowed under MRTA, and the proposed local law, which was introduced to the Town Board on January 25, 2023, would enact certain changes to the Town's Zoning Law to add a new Cannabis Retail Dispensary use, incorporate cannabis retail dispensaries into the definition of Retail Store or Shop, and add Supplementary Regulations pertaining thereto; and

Whereas, the Town Board conducted a duly noticed public hearing to hear interested persons on February 15, 2023; and

Whereas, adoption of Local Law No. ___ of 2023 is a type 1 action under SEQR; and

Whereas, the Town Board has caused a Full Environmental Assessment Form Part 1 (FEAF Part 1) to be prepared pursuant to SEQR (ECL Article 8 and 6 NYCRR Part 617) for the proposed adoption of Local Law No. ___ of 2023; and

Whereas, on January 25, 2023, the Town Board declared their intent to seek lead agency status under SEQR in connection with a coordinated review, potential involved and interested agencies were contacted on January 26, 2023, and the Town Board has identified no other potentially involved agencies pursuant to SEQR; and

Whereas, the Town board has carefully considered the contents of the FEAF Part 1 for the adoption of Local Law No. ___ of 2023 in accordance with Title 8 of the Environmental Conservation Law and 6NYCRR Part 617 for potential significant adverse environmental impacts as a result of the action; and

Whereas, the Town Board has prepared Part 2 of the FEAF and compared the proposed action against the criteria listed in 617.7 (c) (i – xii), has considered the potential long-term, short-term, direct, indirect and cumulative impacts as per 617.7 (2), and has also assessed the likely consequence of the action in connection with the criteria of 617.7 (3) (i-vii);

Now, therefore, be it resolved as follows:

1. The Town Board hereby reaffirms its classification of adoption of Local Law No. ___ of 2023 as a type 1 action under SEQR and hereby declares itself lead agency for purposes of conducting the required review under SEQR.

2. The Town Board hereby determines that, based on the environmental assessment and review, adoption of Local Law No. ___ of 2023 will not have any significant adverse impact on the environment and that a negative declaration, pursuant to Part 3 of the FEAF, is hereby adopted.

3. The Town Board hereby authorizes the Supervisor to sign Part 3 of the FEAF indicating thereon that an Environmental Impact Statement will not be prepared, and hereby directs the Town Clerk to cause the Notice of Determination of Non-Significance attached to be filed as required by law.

Dated: March 22, 2023

Sponsored by:

Seconded by:

ADOPTED- -AYES- -NOES