

LEGAL NOTICE

Please take notice that the Albion Town Board will hold a Public Hearing to hear all persons for or against the adoption of rezoning vacant land on West Countyhouse Rd on October 4, 2021 at 5:00 p.m. at the Albion Town Hall, 3665 Clarendon Road, Albion, New York, 14411.

Be it further resolved that the said proposed application for rezoning and related documents may be viewed at the Office of the Town Clerk during normal business hours or at the Town of Albion website, www.townofalbion.com.

Please take further notice the Albion Town Board will commence their regular meeting immediately following the close of the public hearing.

F. Richard Remley
Supervisor

RESOLUTION AUTHORIZING A PUBLIC
HEARING TO REZONE VACANT LAND

WHEREAS Grant C. Downey has submitted an application to rezone certain vacant land located on West County House Road, Town of Albion, County of Orleans and State of New York acquired by him through Warranty Deed from David S. Hill as recorded in the Orleans County Clerk's Office on June 3, 2021 in Liber 865 of Deeds at Page 2394, said vacant land being part of tax account number 84-1-61.12, and

WHEREAS the aforesaid vacant land is currently zoned L-I Light Industrial, and

WHEREAS the applicant is the owner in fee simple of residential real property contiguous to the aforesaid vacant known and commonly referred to as 4010 Oak Orchard Road (Route 98), Town of Albion, County of Orleans and State of New York, tax account number 84-1-62, said property being zoned as AR Agricultural-Residential, and

WHEREAS a map of the property and a legal description for the property having been filed with the Town of Albion, and

WHEREAS the required application fee having been paid.

NOW THEREFORE BE IT RESOLVED:

Section 1 The Albion Town Board will hold a Public Hearing on October 4, 2021, 5:00 p.m. at the Albion Town Hall, 3665 Clarendon Road, Albion, New York, to hear all persons for or against the rezoning of the property as described above.

Section 2 The property to be rezoned is more particularly described as follows:

LEGAL DESCRIPTION

All that tract or parcel of land, situate in the Town of Albion, County of Orleans, and State of New York, being part of Lot No. 8, Township 14, Range 2 of the Holland Land Company's Survey, bounded and described as follows:
Beginning at a point in the westerly bounds of Oak Orchard Road, distant 242.50 feet southerly as measured along the westerly bounds of Oak Orchard Road from the northerly bounds of Lot No. 8, being the center line of West County House Road, said point of beginning being the southeasterly corner of lands deeded to Grant C. Downey and Mary Janet Downey by deed recorded in the Orleans County Clerk's Office in Liber 390 of Deeds at Page 658; thence Southerly along the westerly bounds of Oak Orchard Road a distance 252.00

feet to a point; thence westerly, parallel with the north line of Lot No. 8 a distance of 252.00 feet to a point; thence northerly, parallel with the westerly bounds of Oak Orchard Road a distance of 392.50 feet to a point in the north line of Lot No. 8; thence easterly along the north line of Lot No. 8 a distance of 120.00 feet to the northwest corner of said Downey's lands recorded in said Liber 390 of Deeds at Page 658; thence southerly along said Downey's west line a distance of 242.50 feet to the southwest corner thereof; thence easterly along the south line of said Downey's lands a distance of 132.00 feet to the southeast corner thereof in the westerly bounds of Oak Orchard Road and to the point or place of beginning.

Section 3

The Albion Town Clerk is authorized and directed to cause an appropriate notice of this Hearing to be published in the official newspaper of the Town of Albion in accordance with Town Law §265.

Section 4

This Resolution shall take effect immediately.

RESOLUTION: NOTICE OF INTENT TO BE LEAD AGENCY
IN THE SEQRA PROCESS FOR THE REZONING
APPLICATION OF VACANT LAND

- WHEREAS the Albion Town Board has received an application and proposal to rezone vacant land on West County House Road, Town of Albion, part of tax' account number 84-1-61.12, and
- WHEREAS the property is currently zoned L-I Light Industrial, and
- WHEREAS the applicant and owner, Grant C. Downey, desires to rezone the property to AR Agricultural Residential, and
- WHEREAS the Albion Town Board recognizes that there is a need and requirement under the State Environmental Quality Review Act (SEQRA) to classify, fully assess and determine the environmental significance of the proposed project, and
- WHEREAS the Albion Town Board recognizes that the other involved agencies, as identified under SEQRA regulations and the EAF, Part 1, Item 25, are the Town of Albion Planning Board, the New York State Department of Environmental Conservation, the New York State Department of Transportation, the Corp of Engineers, the Orleans County Planning Board and the Orleans County Department of Health, thus said action of proposed rezoning is subject to a coordinated review under SEQRA.

NOW THEREFORE BE IT RESOLVED:

- Section 1 The Albion Town Board does hereby declare its intent to be designated as the lead agency for the Coordinated Review and Determination of Significance under SEQRA in the above entitled matter.
- Section 2 The Albion Town Clerk shall provide the previously indentified involved agencies with a copy of the application, the EAF and a copy of this Resolution, seeking concurrence or comment of said involved agencies in this matter.
- Section 3 The Albion Town Board intends to adopt a Resolution at a future Town Board meeting, but in no event less than thirty (30) days after the Albion Town Clerk furnishes to all involved agencies the papers directed to be furnished herein, by which the Albion Town Board will establish itself as the lead agency under SEQRA, provided that there are no objections thereto.
- Section 4 This Resolution shall take effect immediately.

Petition for Amendment to Zoning Ordinance or Map

1. Name of applicant: Grant C. Downey

2. Address of applicant: 4010 Oak Orchard Rd
Albion, NY 14411

3. Telephone number of applicant: 585-746-6948 work; _____ home.

4. Address of subject property: 4010 Oak Orchard Rd

5. Tax Map Number: 84-1-62

6. Is the applicant the owner of the subject property? If not, please state the name and address of the owner, together with the relationship of applicant to the owner:

YES

7. State the zoning amendment desired, text or map, and the reason for the change, together with any other information considered pertinent to the determination of the matter. In the case of a text amendment, please attach the full text of the proposed amendment.

See attached

Please include the following materials with your application:

____ Fee: \$ 100

- ____ Map showing the boundaries of:
- the affected property
 - the existing zoning district
 - the requested zoning change

Environmental Assessment Form : Short Form (Unlisted Action)
 Long Form (Type I Action)

Proof of ownership or other interest in the property (e.g., copy of deed, option to purchase, etc.)

Dated this 13th day of July, 2021

Grant C. Downey Signature of applicant

Procedures for amending the zoning ordinance or map

A completed petition for a zoning amendment or rezoning shall be filed with the Town Clerk.

Referral to Town Planning Board

The Code Enforcement Officer shall provide a copy of the proposed zoning amendment to the Planning Board. The Planning Board shall make a recommendation on the text amendment or rezoning within 45 days of receiving information from the Code Enforcement Officer. The Planning Board shall state whether the proposed amendment is in harmony with the Comprehensive Plan.

Notice to neighboring municipalities

If the proposed text amendment or rezoning would affect land within 500 feet of a neighboring municipality, the Town Clerk shall send a copy of the public hearing notice to the Clerk of such municipality at least 10 days prior to the public hearing.

Referral to County Planning Board

If the proposed text amendment or rezoning would affect property within 500 feet of:

- a town or village boundary;
- a state or county highway;
- state or county land upon which a state or county institution is located,

the Code Enforcement Officer shall send a copy of the proposed amendment to the County Planning Board for referral pursuant to Section 239 I and m of NYS General Municipal Law.

Referrals must be submitted one week before the County Planning Board's regular meeting, which is held on the fourth Thursday of each month or according to the schedule published yearly by the County Planning Board.

Referrals should be sent at least 30 days before the County Planning Board anticipates a final vote on the matter.

If the County Planning Board recommends disapproval or modification of the amendment, the approval will require four votes of the Town Board in favor of the amendment:

Public hearing

The Town Board shall conduct a public hearing on the proposed amendment.

The Town Clerk shall publish a notice of the public hearing in the official newspaper at least 10 days prior to the hearing date.