

**VILLAGE OF BUCHANAN RESOLUTION  
ADOPTING LOCAL LAW NO. 3 OF 2021 WHICH WOULD AMEND  
THE VILLAGE ZONING LAW BY REZONING THE EASTERLY SIDE  
OF ALBANY POST ROAD FROM WHITE STREET TO BLEAKLEY AVENUE  
FROM THE M-1 TO THE C-2 ZONING DISTRICT, AND BY CREATING AND  
APPLYING THE C-1/C-2 OVERLAY DISTRICT TO THE MODIFIED C-2 DISTRICT  
AND TO A PORTION OF THE C-1 DISTRICT**

At a regular meeting of the Village of Buchanan Village Board held on the 4th day of May 2021 at 7:30 PM at the Municipal Building, 236 Tate Avenue, Buchanan, New York, or conducted virtually in accordance with New York State (NYS) Executive Order 202.1.

**Introduced by:** Trustee Zachary  
**Seconded by:** Trustee Murray  
**Dated:** May 4, 2021

WHEREAS, the Village Board is considering the adoption of Local Law No. 3 of 2021 which would amend the Village Zoning Law by rezoning the easterly side of Albany Post Road from White Street to Bleakley Avenue from the M-1 to the C-2 zoning district, and by creating and applying the C-1/C-2 Overlay District to the modified C-2 District and to a portion of the C-1 District (the "Proposed Action"); and

WHEREAS, a Public Hearing on the proposed Local Law was duly advertised in The Journal News as required by law; and

WHEREAS, a Public Hearing was opened on January 5, 2021, was continued at multiple Village Board meetings, and was closed on May 4, 2021, during which times all parties in attendance were permitted an opportunity to speak about said proposed Local Law or any part thereof; and

WHEREAS, the Village Board has determined that the Proposed Action is an action for which there are no other Involved Agencies and that the Village Board is therefore, by default, the Lead Agency for this action; and

WHEREAS, the Village Board referred the proposed Local Law to the Village Planning Board for its advisory opinion; and

WHEREAS, in response to said referral the Village Planning Board responded with comments regarding the proposed Local Law; and

WHEREAS, as in accordance with Section 239 of the New York State General Municipal Law, the Village Board referred the proposed Local Law to the Westchester County Planning Board (WCPB) for its advisory opinion; and

WHEREAS, in response to said referral the DCDPD responded with comments; and

WHEREAS, the Village Board has given due consideration to the comments of the Village Planning Board and the WCPB.

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. The Village Board hereby adopts and incorporates the recitations and statements set forth above as if fully set forth and resolved herein.
2. Pursuant to the State Environmental Quality Review Act regulations, the Village Board hereby adopts the attached Negative Declaration for the reasons stated therein, thereby finding that the Proposed Action will not result in any significant adverse environmental impacts, that a Draft Environmental Impact Statement will not be required, and that the SEQRA process is complete.
3. The Village Board, after due deliberation, finds that it is in the best interest of the Village to adopt said Local Law, and the Village Board hereby adopts Local Law No. 3 of 2021, a copy of which is attached hereto and made a part of this Resolution; except as specifically modified by the amendments contained therein, the Village Code, as originally adopted and amended from time to time thereafter, is to remain in full force and effect.
4. The Village Clerk is directed to enter said Local Law in the minutes of this meeting into the Local Law book for the Village of Buchanan and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

UPON A ROLL CALL VOTE:

Mayor Theresa Knickerbocker                      No Vote Cast

Trustee Richard Funchion                      Opposed

Trustee Anthony Capicotti                      Yes

Trustee Sean Murray                      Yes

Trustee Nicolas Zachary

Yes

Vote: Resolution carried by a vote of 3 Yes votes, 1 opposed, and 1 no vote cast.

STATE OF NEW YORK )  
COUNTY OF WESTCHESTER )

I, Cynthia Kempter, Village Clerk of the Village of Buchanan, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Village Board of the Village of Buchanan at a meeting of said Board held May 4, 2021.

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CYNTHIA KEMPTER, Village Clerk

Attachments: Local Law; Negative Declaration

C-1/C-2 local law pm