

**VILLAGE OF BUCHANAN RESOLUTION
DECLARING THAT THE VILLAGE BOARD WILL ACT AS LEAD
AGENCY FOR PROPOSED ZONING TEXT AND MAP AMENDMENTS TO C1/C-
2 OVERLAY DISTRICT, SPECIAL PERMIT AND SITE PLAN APPROVAL FOR
THE DEVELOPMENT OF UNIMPROVED PROPERTY LOCATED ON ALBANY
POST ROAD (AND ALSO KNOWN AND DESIGNATED ON THE TAX MAP OF
THE TOWN OF CORTLANDT AS SECTION 43.16, BLOCK 3, LOTS 16 AND 16A
AND SECTION 43.20, BLOCK 2, LOT 2)**

Introduced by: _____

Seconded by: _____

Dated: _____

WHEREAS, on or about January 10, 2023, representatives of Buchanan Dev AMS LLC (the “Applicant”) did submit a facially complete petition to the Village of Buchanan Board of Trustees (the Village Board”) for an amendment to the zoning map of the Village of Buchanan and amendments to the Zoning Code of the Village of Buchanan generally affecting the C-1/C-2 Overlay Zoning District (the “Proposed Zoning Amendments”); and

WHEREAS, Article XII, Section 211-53 of the Code of the Village of Buchanan provides for the process and procedures for amendments to the Village's Zoning Code, and the Applicant has provided a draft of the Proposed Zoning Amendments along with other supporting documentation; and

WHEREAS, in relation to the Proposed Zoning Amendments the Applicant will also seek from the Village Board, a special permit to allow for the application of the C-1/C-2 Overlay District to the Subject Site, and a site plan approval for the redevelopment of the Subject Site for multi-family residential development, (collectively with the Proposed Zoning Amendments, the “Proposed Action”); and

WHEREAS, on January 24, 2023, at a special meeting of the Village Board, the Board did review and discuss the proposed zoning revisions; and

WHEREAS, the Village Board, under Section 7-700 of New York State Village Law and Article XII §211-53 of the Code of the Village of Buchanan, is the only duly authorized legislative body that has the authority to approve the Proposed Zoning Amendments; and

WHEREAS, after a review of the petition, the Village Board acknowledges that there are other interested and involved agencies, as those terms are defined under the State Environmental Quality Review Act (“SEQRA” or Part 617 of the NYS CRR), that should be notified of the Village Board’s Intent to Act as Lead Agency; and

WHEREAS, at its January 24, 2023 meeting the Village Board pursuant to §83.11.B.(2) of the Village Code and 617.6 of the NYS CRR, determined that the Proposed Action is subject to SEQRA and is a Type 1 Action

and did cause to be circulated a Notice of Intent to Act as Lead Agency to the following Interested and Involved Agencies:

- Village of Buchanan Planning Board
- Village of Buchanan Zoning Board of Appeals
- Town of Cortlandt
- City of Peekskill
- Westchester County Department of Health
- Westchester County Department of Planning
- New York State Department of Environmental Conservation and
- New York State Department of Transportation; and

NOW, BE IT RESOLVED, that the required time for seeking input on Lead Agency status has passed, and the only Agencies to comment were NYS DOT (correspondence dated January 31, 2023) and Westchester County (correspondence dated February 14, 2023), neither of which objected to the Village Board assuming the role of Lead Agency, and as such the Village Board does hereby assume the role of Lead Agency and will coordinate an environmental review as required by SEQR Part 617.7.

UPON A ROLL CALL VOTE:

Mayor Theresa Knickerbocker _____

Trustee Anthony Capicotti _____

Trustee Steven Laker _____

Trustee Sean Murray _____

Trustee Daniel Stewart _____

Vote: Resolution carried by a vote of ____ to ____

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 February 1, 2022.

CYNTHIA KEMPTER, Village Clerk