



Yates County Planning Board Referral Form

Referral # 2018-3
County Use Only

Date Received 01/17/2018

Revised 4/2017

Municipality and Referring Agency Town of Milo Town Board

Project Address _____ Project Tax Map # _____

Zoning District _____

Applicant (Name & MAILING) Town of Milo Town Board

137 Main Street, Penn Yan, New York 14527 Email clerk@townofmilo.com

Property Owner (Name & MAILING) _____

Email _____

Reason for Referral (Prox. to Cty Rd., State Rd., Muni Boundary, etc.) Within 500' of Town of Milo

Application Type

Project Description

- Area Variance
- Use Variance
- Special Use Permit
- Site Plan
- Subdivision
- Text Amendment
- Map Amendment
- Other

Proposed Local Law in regard to New Wastewater Laws for
the Town of Milo, which would replace, in their entirety,
the present Wastewater Laws of the Town of Milo.

*copy of the
★ Proposed Local Law available in
office for review & on yatescounty
Planning Board website.*

Supporting Documents Required (IF N/A, include explanation)

- Municipal Application
- Tax Map or Plat
- SEQR
- Site Plan *
- Variance Criteria **
- Subdivision Plat For Subdivision Referrals Only
- Other

Certification: With the following signature I certify that this application provides a complete description of the proposed local action and is a complete application pursuant to NYS General Municipal Law Article 12b, Section 239-m, part c.

[Signature], Referring Official

*If Site Plan Review, Site Plan **MUST** be detailed and meet the municipal requirements.

All Variance referrals (Area/Use) **MUST include detailed justifications associated with reason/s for appeal.



Provision of required information is the responsibility of the referring agency. Failure to provide such information may result in a significant delay in processing.

Submit To: Yates County Planning Department, dlong@yatescounty.org or 417 Liberty St. Suite 1093, Penn Yan, NY 14527

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Town of Milo Town Board			
Name of Action or Project: Adoption of New Wastewater Management Laws			
Project Location (describe, and attach a location map): Town of Milo, Yates County			
Brief Description of Proposed Action: The proposed action is the adoption of regulations in regard to On-Site Wastewater Treatment Systems (OWTS), so that wastewater is disposed of in a manner that will not create a health hazard, adversely affect the environment, create a nuisance, or impair the enjoyment or use of the property.			
Name of Applicant or Sponsor: Town of Milo Town Board		Telephone: 315-536-8911	
		E-Mail: codeofficer@townofmilo.com	
Address: 137 Main Street			
City/PO: Penn Yan		State: New York	Zip Code: 14527
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2. See attachment			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		28,475+/- acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		N/A acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input checked="" type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ <i>There are one or more sites within the Town of Milo that have an existing wetland or waterbody, however the adoption of the proposed Local Law will not result in any disturbance of such site or sites.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input checked="" type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input checked="" type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	<input type="checkbox"/> NO	<input type="checkbox"/> YES	

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____</p>	NO	YES
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ <i>There may be one or more active or closed solid waste management facilities within the Town of Milo, however the adoption of the proposed Local Law will not result in any disturbance of such site or sites.</i></p>	NO	YES
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ <i>There are one or more sites within the Town of Milo that have been the subject of remediation, however the adoption of the proposed Local Law will not result in any disturbance of such site or sites.</i></p>	NO	YES
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u>Town of Milo</u></p>	<p>Date: <u>December 18, 2017</u></p>	
<p>Signature: <u><i>Leslie Church</i></u></p>		

Leslie Church
Town of Milo Supervisor

Narrative Intent:

The purpose of the Wastewater Management Law of the Town of Milo is to promote the health, safety and general welfare of the community, including the protection and preservation of the property of its inhabitants, by regulating onsite wastewater treatment systems (OWTS) so that wastewater is disposed of in a manner that will not create a health hazard, adversely affect the environment, create a nuisance, or impair the enjoyment or use of the property.

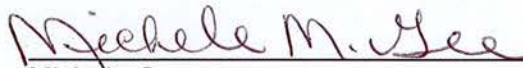
Impact on environmental resources:

The Wastewater Management Law of the Town of Milo will not have an adverse impact on an environmental resource in the Town of Milo. Such law's intent is to help protect the environment from potential adverse impacts created by onsite wastewater treatment systems (OWTS).

STATE OF NEW YORK)
COUNTY OF YATES) ss.:

Michele Gee, being duly sworn, deposes and says:

1. That I am an employee of the Yates County Planning Department.
2. That on January 17th, 2018, I did receive, via electronic mail, the attached letter addressed to me dated January 17, 2018 together with all of the referred to enclosures.


Michele Gee

Sworn to before me on

January 17th, 2018.


Notary Public

Notary Public, State of New York
Qualified in Yates County
ASHLEY R. DOYLE
No. 01DO6346879
My Commission Expires 08/22/2020

TOWN OF MILO
137 MAIN STREET
PENN YAN, NEW YORK 14527
Phone: 315-536-8911
FAX: 315-536-9760
clerk@townofmilo.com

Leslie Church, Supervisor
Michael J. Christensen, Town Justice
Philip G. Strong, Highway Superintendent

Patricia L. Christensen, Town Clerk
Patrick Grimaldi, Town Assessor
Anthony Validzic, Code Enforcement Officer

January 17, 2018

Yates County Planning Board
417 Liberty Street
Penn Yan, New York 14527

Attention: Ms. Michele Gee by email to: mgee@yatescounty.org
Yates County Planning Department

Re: Proposed Wastewater Legislation for the Town of Milo

Dear Ms. Gee:

The Town of Milo Town Board is in the process of considering adopting Wastewater legislation to its municipal laws. The Town of Milo Town Board believes this is an Unlisted Action pursuant to 6 NYCRR Part 617 of the New York State Environmental Quality Review Act (SEQR), and is conducting a coordinated review and is seeking Lead Agency status for the purpose of the New York State Environmental Review Act (SEQR) compliance.

The Town Board of the Town of Milo has passed a Resolution of intent to become the Lead Agency in the environmental review of the above referenced project. As this proposed local law is subject to review by your agency, you are classified as an Involved Agency.

The Town of Milo Town Board believes that it should become the Lead Agency because any potential impacts from this legislation would be solely of local significance. According to the New York State Environmental Quality Review Act (SEQRA), 6 NYCRR Part 617, Section 617.6 (c)(1) the Lead Agency must be designated within thirty (30) days of the date you receive this letter and enclosures.

In regard to this proposed legislation, enclosed are:

1. Resolution No. 78-2017, dated December 18, 2017 of the Town of Milo Town Board in regard to its intent to become the Lead Agency in the environmental review of the above referenced project.
2. Proposed Wastewater local law.
3. GML §239-m Referral document to Yates County Planning Board.
4. Part 1 of the Full Environmental Assessment Form in regard to this proposed legislation.

5. Lead Agency Selection Agreement. To streamline the Lead Agency designation process, the Town of Milo would request that you promptly review the proposed legislation and, if you concur with the designation of the Town of Milo Town Board as Lead Agency, sign and return the Agreement to the undersigned's attention no later than February 2, 2018.
6. Affidavit of service of the enclosed upon you. Would you please completed and return to me at: clerk@townofmilo.com.

The enclosed documentation is served upon the Yates County Planning Board pursuant to Section 239-m of the General Municipal Law. Although the law states that the Yates County Planning board shall have thirty (30) days to report its recommendations to the Milo Town Board, the town board would request that any recommendations be forwarded to the undersigned no later than February 2, 2018, in order that the recommendations might be discussed at the next regular meeting of the town board on February 20, 2018.

If there any questions concerning this letter or the contents herein, please contact the undersigned at (315)536-8911.

Very truly yours,
Patricia L. Christensen
Patricia L. Christensen
Town of Milo Clerk

PLC/mmg

Enc.

TOWN BOARD
TOWN OF MILO
RESOLUTION INTRODUCING A LOCAL LAW CONCERNING
WASTEWATER MANAGEMENT
78 - 2017

At a regular meeting of the Town Board of the Town of Milo, Yates County, New York, held at Town of Milo Town office, 137 Main Street, Penn Yan, New York on December 18, 2017 at 7:00 p.m. there were:

PRESENT: Leslie Church

Dale Hallings

James Harris

Arden Sorensen

Gene Spanneut

ABSENT: none

being all the members of the Town Board.

Mr. Gene Spanneut, offered the following Resolution and moved its adoption:

WHEREAS, the Town Board, with professional assistance, has determined that it is in the best interests of the Town of Milo to enact legislation in regard to the regulation of On-Site Wastewater Treatment Systems (OWTS), so that wastewater is disposed of in a manner that will not create a health hazard, adversely affect the environment, create a nuisance, or impair the enjoyment or use of the property, which proposed local law is attached hereto and made a part hereof, which local law will repeal, supersede and replace Chapter 331 "Wastewater Management Law" of the Code of the Town of Milo, and

WHEREAS, the Town Board has reviewed the proposed local law and deems it in the best interests of the Town of Milo to proceed in accordance with the Code of the Town of Milo and the laws of the State of New York to consider enactment of this proposed local law, and

WHEREAS, the Town Board of the Town of Milo has determined that this proposed local law is now in its final form, and

WHEREAS, the Town of Milo has determined that this proposed local law, as it effects

land use, is subject to review under the New York State Environmental Quality Review Act (SEQR), and

WHEREAS, the Town Board hereby affirms that it is an Involved Agency in accordance with the provisions of the New York State Environmental Quality Review Act (SEQR), 6 NYCRR Part 617, and

WHEREAS, the Town Board, as the Project sponsor/Applicant, with professional assistance, has prepared "Part 1 – Project Information" of the Short Environmental Assessment Form (SEAF) dated December 18, 2017, pursuant to the New York State Environmental Quality Review Act (SEQRA) which finds that the proposed action is an Unlisted Action which does not involve a federal agency but, does include other Involved Agencies, and

WHEREAS, there is on file at the office of the Town of Milo Clerk, 137 Main Street, Penn Yan, New York the completed Part 1 of the Short Environmental Assessment Form (SEAF), which is available for public examination during normal office hours, and

WHEREAS, the Town Board is of the opinion that it should become Lead Agency because any potential impacts from this project would be primarily of local significance to the Town of Milo.

NOW, THEREFORE BE IT

RESOLVED, that the Town Board deems it in the best interests of the Town of Milo to proceed in accordance with the Code of the Town of Milo and laws of the State of New York to consider enactment of this proposed legislation as a local law, and it is further

RESOLVED, that pursuant to Section 239-m of the General Municipal Law, this proposed local law shall be referred to the Yates County Planning Board, for its Report and Recommendations, and be it further

RESOLVED, that the Town Board of the Town of Milo hereby states its interest and intent in being Lead Agency and shall notify the other possible Involved Agencies of its intent for the purpose of conducting a Coordinated Review in accordance with the provisions of the New York State Quality Review Act (SEQR), 6 NYCRR Part 617, and it is further

RESOLVED, that the Town Clerk of the Town of Milo is hereby authorized and directed to forward copies of this Resolution and Part 1 of the Short Environmental Assessment Form (SEAF) which has been completed for the proposed local law to the following involved agencies or individuals:

Chairperson
Yates County Planning Board
417 Liberty Street
Penn Yan, New York 14527

notifying them that a Lead Agency must be agreed upon within thirty (30) calendar days of the date that said copies are mailed to them, and further advising said Involved Agencies that it is the position of the Town Board of the Town of Milo that it be the Lead Agency for this project.

Seconded by Mr. Dale Hallings, and duly put to a vote as follows:

AYES: Church, Hallings, Harris, Sorensen, Spanneut

NOES: none

ABSTENTIONS: none

This Resolution was thereupon adopted.

DATED: December 18, 2017

Patricia L. Christensen

Patricia L. Christensen
Town Clerk
Town of Milo

S E A L